

Date: 1 June 2023
Contact: Natasha Sidabutar
Location: City Development
Telephone: 07 5582 8289
Your reference: 5941 – Stage 3
Our reference: COM/2023/82

Fpi Pty Ltd
C/- Gassman Development Perspectives Pty Ltd
PO BOX 392
BEENLEIGH QLD 4207

Dear Sir/Madam

Information Request

I refer to the development application lodged by:
Fpi Pty Ltd

in relation to development of land/premises described as:
Lot 504 SP329485 – Lot 504 Homestead Drive, STAPYLTON QLD 4207

Council of the City of Gold Coast (Council) officers have reviewed the development application and supporting information and determined that further information is required to properly assess the application.

Pursuant to sections 13.2 and 13.3 of the Development Assessment Rules under the *Planning Act 2016*, the applicant may respond to this information request by giving to the assessing authority:

- 1 all of the information requested below; or
- 2 part of the information requested below; or
- 3 part of the information requested below together with a notice advising the assessing authority that it must proceed with the assessment of the application; or
- 4 a notice stating that none of the information requested below will be provided; or
- 5 a notice stating that none of the information requested below will be provided together with a notice advising the assessing authority that it must proceed with the assessment of the application.

You are advised that pursuant to section 13.1 of the Development Assessment Rules, the period for the applicant to respond to this information request is three (3) months of the date of this letter.

If no response is provided or only part of the information is provided to this request within the three (3) month period, Council will continue its assessment of the application based on the information submitted.

It would be in the applicant's best interest to address all of the information requested.
Please note that the provision of sufficient information to properly assess an application is a requirement for a favourable decision.

INFORMATION REQUEST

Planning Assessment

1. Amended ROL drawing – Purpose of public open space lots

The applicant is requested to provide an amended ROL plan that clearly demonstrates the lot purpose for each of the proposed public open space lots (e.g., Drainage Reserve or Conservation).

2. Extent of Stage 3

With consideration of the proposed Stage 3 ROL plan and the concurrently lodged change to the Stage 2 (MIN/2023/142), it is unclear which stage encompasses the portion of common property located at the Christensen Road and Highlands Street intersection directly adjacent to the Amgrow site (Lot 503). The applicant is requested to amend the stage boundary remaining consistent with the approved Land Use Classification and Staging Plan (MIN/2023/64) and the concurrently lodged Stage 2 ROL plan.

Transport Assessment

3. External Road Upgrades

This is the third and final stage of the proposed Vantage industrial development. Condition 10 of the overarching preliminary approval (MIN/2023/64) requires various external road upgrades. Some of which are yet to be undertaken. Specifically, the upgrade of Christensen Road and Christensen Road South, the intersection of Christensen Road and the Eastern Service Road as well as the re-prioritisation of the Christensen Road/Christensen Road South intersection. The applicant is therefore requested to submit fully dimensioned functional road layout plans supported by a Traffic Impact Assessment (TIA) demonstrating how condition 10 will be satisfied. If recommended for approval, officers will impose conditions requiring these works be undertaken at no cost to Council prior to the sealing of Stage 3 Vantage subdivision plans.

Open Space, Landscape and Environmental Assessment

4. Amended earthworks drawings – Lot numbers

The applicant is requested to update the submitted earthworks drawings to ensure that proposed lot numbers align with the submitted ROL drawings. Currently proposed Lot 304 (as per submitted ROL plan) is identified as Lot 503 on the submitted earthwork drawings.

5. Bio-retention basin within proposed Lot 304

Officers have identified a bio-retention/detention basin proposed within proposed Lot 304.

- a The applicant is requested to clarify if the intent for this basin is to be public or private given that the remainder of the stormwater infrastructure is proposed to be dedicated to Council as Drainage Reserve (proposed Lots 902 and 903); and
- b The basin is requested to be identified on an amended Statement of Landscape Intent.

6. Boundary line of dedicated Public Open Space

A review of the submitted ROL drawings has identified that the boundary of the conservation area to be dedicated (proposed Lot 904) does not completely align with the stamped approved Land Use Classification and Staging Plan, prepared by Gassman Development Perspectives,

dated 21 January 2023 of the preliminary approval. Officers will not accept any variation to that previous approved.

The applicant is requested to prepare and submit amended ROL plans ensuring that the boundary line of the dedicated open space area is in accordance with the preliminary approval, and amended earthworks drawings that show no earthworks in the open space area and ensure no earthworks occur in the Tree Protection Zone (TPZ) of trees to be retained.

The applicant is requested to ensure that the boundary line of the dedicated open space area on the following submitted plans align with each other and are in accordance with the preliminary approval:

- a Operational Works Application for Change to Ground Level Plans, prepared by Gassman Development Perspectives, dated 3 February 2023
- b Proposed Staged, Community Title Scheme Reconfiguration of Land Lots 301-304, 904, Common Property, Drainage Reserves (Lots 902, 903) & New Road plan, prepared by Gassman Development Perspectives, dated 13 March 2023
- c Rehabilitation Management Plan, prepared by Gassman Development Perspectives, dated 21 April 2023

7. Amended earthworks drawings – 20 metre buffer to the eastern boundary

Acceptable outcome AS25.7 of the M38 Industrial Estate Place Code requires a “minimum of twenty (20) metre wide north south landscape buffer is provided along the eastern boundary of the site (consisting of 10 metre wide ‘undisturbed corridor’, and 10 metre wide ‘works corridor’ including earthworks and landscape treatment”. This requirement is reinforced by Condition 15 of the preliminary approval (MIN/2020/659) which requires that 10m of the buffer is undisturbed by earthworks and that all earthworks/batters within the remaining 10 metres do not exceed a maximum grade of 1V:2H where in fill and 1V:3H when in fill. Where a batter of 1V:2H is proposed in cut within the remaining buffer area, the batter was required to be over-excavated, micro-benched and incorporates a minimum 400mm top soil depth.

A review of the submitted drawings indicates that earthworks are not proposed to encroach within the 10 metre undisturbed buffer area. However, there are a number of instances where the batter grade within the remaining 10 metre buffer is labelled as ‘varies’.

- a The applicant is requested to submit amended change to ground level drawings that demonstrate batter grades within the 10 metre ‘works corridor’/remaining buffer area that demonstrate compliance with Condition 15 of MIN/2020/659 as described above.

Note – The applicant is requested to refer to extensive notations which were included on the stamped approved drawings for Stage 2 earthworks (refer to stamped approved drawings of COM/2020/262).

8. Fencing and delineation of public and private open space

The Statement of Landscape Intent currently identifies a 1.8 metre high chain wire fencing along the western boundaries of proposed Public Open Space Drainage Lots 902 and 903. While officers are supportive of the proposed fencing along this public private interface, the fencing is shown to follow the bottom of the proposed earthworks batters which results in the fencing segmenting the inner 10 metres of the required 20 metre landscape buffer. This is not supported by officers, and it is requested that the applicant provide an amended Statement of Landscape Intent demonstrating the following:

- a Ensure that any fencing provided between the required 20 metre eastern landscape buffer and the industrial use areas of proposed Lots 301 and 302 is located a minimum 20 metres

- from the eastern property boundary to ensure that the full 20 metre buffer area remains available for landscaping and that industrial uses cannot encroach within this buffer area.
- b The applicant is requested to demonstrate where convenient maintenance access to the full length of the 20 metre buffer is intended to be provided to facilitate maintenance of the buffer by the Body Corporate or future owners of the lot. Any necessary features associated with the ongoing maintenance access such as gates are requested to be clearly identified.
 - c Provide timber bollards (as per City Plan Policy SC6.11 – Land development guidelines – Open space infrastructure Drawing No. 05 -716; Bushland bollard) along the interface where the boundaries of proposed lots 902 and 903 interface with the 20 metre wide eastern landscape buffer to ensure clear delineation between public and private land.

9. Amended earthworks drawings – Interface with Christensen Road South, Coastline Court, and Highlands Street

In a number of instances 1V:1H and 1V:2H batters are proposed immediately adjoining the street frontages of Christensen Road South, Coastline Court (including the proposed new road), and Highlands Street.

To ensure that future industrial developments on the proposed lots will be able to achieve compliance with AS25.1/PC25 of the M38 Place Code and facilitate landscaping consistent with Stage 2, the applicant is requested to:

- a Incorporate an earthworks and batter offset from frontage boundaries that will facilitate a 3.0 metre wide landscape area at grade with the adjacent road verges;

Note – Officers' intention is not to require this landscaping within the private lots to be undertaken as part of the ROL/OPW, but rather to ensure the works do not prevent future development from providing effective frontage landscape buffers.

10. Amended earthworks drawings – Common property landscaping

It is noted that there are some substantial 1V:1H and 1V:2H cut batters within the common property that will be highly visible from public roads; while the Statement of Landscape Intent nominates dense landscape planting to some of these batters. Officers are not confident that this outcome will be possible due to the batter being cut into rock and of a grade which does not facilitate topsoil placement. The applicant is requested to provide further information as to how the batter landscaping will be facilitated. It is suggested the proposed micro-benching and 400mm topsoil placement approved in Stage 2 within the development be also applied to these batters (excluding batters located within the 20 metre landscape buffer to the eastern boundary).

11. Amended Statement of Landscape Intent

The applicant is requested to submit an amended Statement of Landscape Intent that clearly reflects any changes to the site layout that occur as a result of items within this Information Request.

12. Amended Rehabilitation Management Plan

To adequately enhance the open space area, the applicant is requested to amend the submitted Rehabilitation Management Plan, prepared by Gassman Development Perspectives, dated 21 April 2023. The plan is requested to include the following:

- a In Rehabilitation Zone 2 include planting requirements for areas with more than 5m² of open canopy at a planting density of one canopy species per 5m².

OPW and Geotechnical Assessment

13. Portable Long Service Levy (QLeave)

QLeave has advised that the \$150,000 threshold includes all work associated with the project and is not only limited to the work subject to this OPW. Therefore, under section 73 of the Building and Construction Industry (Portable Long Service Leave) Act 1991, the applicant may be required to pay the portable long service levy for the site.

In accordance with section 77(2) of the abovementioned act, Council cannot issue a development permit for Operational Works unless it has sighted -

- a An approved form issued by the Authority that clearly shows –
 - i. That the levy or the first instalment of the levy has been paid; or
 - ii. That an exemption from payment of the levy exists in relation to the work; or
 - iii. That an exemption from immediate payment of the levy exists in relation to the work;or
- b Written advice from the Authority stating something mentioned in paragraph (a).

Please provide evidence that section 75 of the Act with respect to payment of the levy has been complied with.

If the applicant believes this to be incorrect, please contact QLeave directly on levies@gleave.qld.gov.au or compliance@gleave.qld.gov.au or 1300 753 283.

14. Cut and fill batters design

Condition 51 of the preliminary approval requires benching to be provided where any proposed freestanding batter height exceeds 2.5 metres. The proposed change to ground level drawings show more than a 7 metre deep cut batter and fill batters exceeding 6 metres without the required benching. As such it is requested that the applicant amends the proposed finished surface level to achieve compliance with the benching requirements identified within condition 51 for Cut and fill batters design of the preliminary approval.

15. Earthworks

The applicant must provide additional information/amendments to comply with the following:

- a Council's City Plan SC6.11, Section 3, Table 3.3 – Batters within private property and Batters within road reserve.
- b Council's City Plan SC6.11, Section 3.8 – offsets from adjoining properties.
- c The applicant must confirm no works are encroaching into neighbouring properties.

Advice Note -

The applicant is advised that should Council give further advice about the application (in accordance with s35 of the DA Rules) to resolve outstanding items not adequately addressed within the information request response, the applicant will be requested to complete a 'Notice to Stop the Current Period' for the above mentioned application until the items within the further advice are adequately addressed. Alternatively, the applicant may choose to provide a reasonable extension to the Decision period, as advised by the Assessment manager. If the applicant does not stop the Current Period or provide a reasonable extension to the Decision period, Council officers will proceed with assessing and deciding the application based on the information provided in the information request response, which could result in an unfavourable recommendation by Council officers.

Notice to Stop the Current Period Form:

<https://dsdmipprd.blob.core.windows.net/general/Applicanttemplate9.0-Noticeaboutstoppingthecurrentperiod.doc>

DA Rules extract:

- s35.1 *An assessment manager or concurrence agency for the application may, at any time before the application is decided, give further advice about the application to the applicant.*
- s35.2 *Further advice may include advice about how the applicant may change the application.*

Response Format

As this application was lodged electronically, please direct all future correspondence regarding this application in the required PDF format (ie)

- **Forms** (combine as one single PDF)
- **Supporting documents** (combine as one single PDF)
- **Plans** (combine as one single PDF)
- **Specialist reports** (combine as one single PDF)

The electronic response should be forwarded to mail@goldcoast.qld.gov.au

Contacting us

Should you wish to clarify any issues contained in this letter, please do not hesitate to contact Planning Assessment on 07 5582 8866.

Yours faithfully



Emily Walsh

A/Supervising Planner (North)

For the Chief Executive Officer

Council of the City of Gold Coast