

Date: 15 August 2023
Contact: Alexa Brown
Location: City Development
Telephone: (07) 5582 886
Your reference: 23-00932
Our reference: MCU/2023/247

Burnside Developments P/L & Yellowstone Investment P/L
C/- I-Plan Town Planning Pty Ltd
PO BOX 242
ANNERLEY QLD 4103

Dear Sir/Madam

Confirmation Notice and Information Request – Assessment Manager

(Confirmation Notice given under section 2 and Information Request given under section 12 of the Development Assessment Rules)

I refer to the development application lodged by:

Applicant name: Burnside Developments P/L & Yellowstone Investment P/L
Applicant contact details: C/- I-Plan Town Planning Pty Ltd
PO BOX 242
ANNERLEY QLD 4103

in relation to development of land/premises described as:

Street address: 84-160 Christensen Road South, STAPYLTON QLD 4207

Real property description: Lot 334 SP193431*

**Specifically, approved future lot 10 pursuant to ROL/2018/26, most recently amended by MIN/2020/494.*

CONFIRMATION NOTICE

The development application described below was properly made to the Council of the City of Gold Coast (Council) on 1 August 2023.

Application number: MCU/2023/247

Approval(s) sought: Development permit for Material change of use (Accepted to Code)

This development application is not a development application to carry out a development under a superseded planning scheme.

Nature of development proposed: Medium impact industry (Metal forming and Plastic products)

Referral Agencies

*There are no referral agencies identified for this development application.

**Note: Subject to the Applicant's response to item 3 of the information request below, a referral for a non-devolved Environmentally Relevant Activity (ERA) may be necessary.*

Information Request

You have stated on the approved form that you agree to accept an information request in accordance with Part 3 of the Development Assessment Rules.

Public Notification

Public Notification is not required for this development application.

Development Infrastructure

Non trunk development infrastructure

This development application has not identified proposed trunk infrastructure. The proposal will be assessed on the basis that you are not proposing trunk infrastructure for the networks listed below:

- Transport
- Recreation Facilities
- Stormwater
- Water Supply
- Wastewater

Information Request

Council has reviewed your development application for the premises previously described and determined that the following additional information is needed to assess the application:

Planning Assessment

1. Amended and drawings

Site plan, correct land use, annotations

The submitted drawings reference a 'Warehouse' building; however, the Applicant has only nominated a Medium impact industry land use on the submitted DA Form 1. The Applicant is requested to amend the submitted drawings to remove all references to a 'Warehouse'.

The submitted drawings do not include a site plan showing the location of approved future lot 10 in relation to the subject property (being 84-160 Christensen Road South, Stapylton). The Applicant is required to provide an additional site plan highlighting the location of approved future lot 10.

Conformation of outdoor storage areas

The submitted drawings show a large sealed area in front of the proposed building. The Applicant is requested to confirm that no outdoor storage areas are proposed on the subject site.

Environmental Health

2. General development provisions code

Amenity protection – PO2

Demonstrate development prevents loss of amenity and threats to health and safety having regard to:

- (a) noise;
- (b) hours of operation;
- (i) contaminated substances;
- (j) hazardous chemicals;
- (k) odour and emissions;

The proposed use is considered to trigger ERA 12 – Plastic Product Manufacturing as per Schedule 2 of the *Environmental Protection Regulation 2019*. ERA 12 is defined as follows:

ERA#12 Plastic Product Manufacturing:

- (a) manufacturing, in a year, a total of 50t or more of plastic products, other than a plastic product mentioned in paragraph (b); or**
- (b) manufacturing, in a year, a total of 5t or more of foam, composite plastics or rigid fibre-reinforced plastics.**

It is noted the proposed use currently operates from 20 Ern Harley Drive, Burleigh Heads where an Environmental Authority (EA) is current (EAF-801826). If the proposed use does not constitute an ERA 12 as per the definition, then advice in this regard is requested.

If an ERA 12 is applicable, as EAs cannot be amended to account for relocation, the subject application is to be amended to include the proposed ERA and include the following:

- a. Complete and submit the required attachment (form ESR/2015/1791) for an environmental authority (<https://environment.des.qld.gov.au/management/activities/prescribed/application-forms>) ensuring the form is completed in full with all supporting information provided regarding potential environmental impact (see question 9); and
- b. Provide relevant supporting information and/or drawings detailed proposed operations.

Transport Assessment

3. Transport code

Performance outcome PO3 – Servicing

In order to demonstrate compliance with Required outcome RO3 / Performance outcome PO3 of the Transport code, the applicant is requested to submit a swept path analysis to show that a 20m Articulated Vehicle (AV) can access the loading area and exit the site in a forward gear. Swept paths shall be generated using AutoTURN or a similar specialised software package and maintaining a 300mm clearance at all times with an additional 300mm clearance provided on the outside of the curve (i.e. a total clearance of 600mm), in accordance with section 5.4 of AS2890.2:2018.

4. Transport code

Performance outcome PO7 – Active transport networks

In order to demonstrate compliance with Required outcome RO4 / Performance outcome PO7 of the Transport code, the applicant is requested to submit amended drawings showing a minimum of four (4) security level B bicycle parking spaces provided for staff.

5. Transport code

Performance outcome PO20 – General

In order to demonstrate compliance with Required outcome RO10 / Performance outcome PO20 of the Transport code, the applicant is requested to submit amended drawings showing the following:

- a. Wheel stops fronting car parking bays adjacent to pedestrian walkways to prevent vehicle encroachment, in accordance with section 2.4.5.4 of AS2890.1:2004.

- b. Pedestrian sight triangles on both sides of the two driveways to Christensen Road in accordance with Figure 3.4 of AS2890.2:2018. The pedestrian sight triangles are to be fully dimensioned and annotated as "Pedestrian sight triangles to be kept clear of obstructions to visibility. Low level landscaping permitted to a maximum mature height of 500mm above driveway level".

Response Due Date

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.

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 (i.e.):

- **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 with the assessment manager (Alexa Brown) cc'd in.

Please note all development applications are publicly viewable on the Council's City of Gold Coast's PD Online: cityofgoldcoast.com.au/pdonline.

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



Adam Morris
Supervisor (North)
For the Chief Executive Officer
Council of the City of Gold Coast