

Date: 29 January 2024
Contact: Nathan Seiler
Location: City Development
Telephone: 07 5582 8866
Your reference:
Our reference: OPW/2023/1508

Coomera Ga Pty Ltd Atf THE Coomera Ga Unit Trust
C/- Arcadis Australia Pty Ltd
PO BOX 1653
SOUTHPORT QLD 4215

Dear Sir/Madam

Information Request

I refer to the development application lodged by:
Coomera Ga Pty Ltd Atf THE Coomera Ga Unit Trust

in relation to development of land/premises described as:
Lot 96 RP187418 – 54 George Alexander Way, Coomera Qld 4209

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

Operational Works Assessment

1. Compliance with overarching approval COM/2023/16

- a. Please demonstrate condition #2 (amended drawings, amended Traffic impact assessment) and condition #5 (amended Site Based Stormwater Management Plan) has been satisfied, and provide a copy of stamped approved plans related to COM/2023/16.
- b. Ensure the proposed change to ground levels plans are consistent with amended plans mentioned in item 1(a) above. Including any alterations to the basin area.
- c. Amend the proposed plans to comply with condition #17(c) – 200mm offset required to boundaries for retaining walls (inclusive of footings and drainage).
- d. Amend proposed plans to comply with #17(a) - include a note referencing that sleeper retaining walls must be a dark grey colour (plain concrete colour not acceptable).

2. Portable Long Service Leave Levy

In accordance with section 77(2) of the **Building and Construction Industry (Portable Long Service Leave) Act 1991**, 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).

3. Scope of works clarification

The applicant has ticked a box in the supplied DA Form 1 to include vegetation clearing as a secondary application aspect, however this has not been accompanied by the appropriate fee. Can you please confirm if the intent was to include a Vegetation Clearing aspect, in addition to Change to Ground Level aspect, please confirm. If this is the case, the appropriate additional fee will be organised via an amended notice to pay, to be issued by CoGC.

Environmental Assessment

1. Impacts to Medium priority vegetation

The Ecological Site Assessment, prepared by Saunders and Havill Group, that was submitted with COM/2023/16, outlined that the proposed development will result in impacts to 1.24ha of Medium priority vegetation (MPV). To comply with PO10 of the Environmental significance overlay code and the *Environmental Offsets Act 2014*, the applicant is requested to provide evidence that a financial offset of \$310,407.96, as calculated on the Queensland Government Financial settlement offset calculator, has been delivered prior to the commencement of any tree clearing works.

2. Compliance with SARA conditions

Application COM/2023/16 was referred to the State Assessment and Referral Agency (SARA) due to the impacts that tree works would have on mapped koala habitat. In response, SARA provided their own conditions for the applicant, referenced 2302-33455 SRA. Prior to the commencement of any clearing works, the applicant is requested to provide evidence of compliance with SARA conditions 4, 5 and 6.

3. Vegetation Management Plan

To achieve compliance with Condition 13 for application COM/2023/16 and PO1 of the Vegetation management code, the applicant is requested to submit a Vegetation management plan, prepared in accordance with SC6.8 City Plan policy – Environmental management plans.

4. Fauna management plan

To achieve compliance with Condition 13 for application COM/2023/16 and PO22 of the Environmental significance overlay code, the applicant is requested to submit a Fauna management plan, prepared in accordance with SC6.8 City Plan policy – Environmental management plans.

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.:

- **Supporting documents** (separate the supporting documents into individual PDF appendices)
- **Plans** (combine as one single PDF)
- **Specialist reports** (separate each specialist report into individual PDF appendices)

Do not password protect the PDF.

The electronic response should be forwarded to mail@goldcoast.qld.gov.au with the Assessment Manager Nathan Seiler copied into the email NSEILER@goldcoast.qld.gov.au

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



Antony Kocsmar
Supervisor Operational Works
For the Chief Executive Officer
Council of the City of Gold Coast