

Date: 18 March 2024
Contact: Nicola Auret
Location: City Development
Telephone: (07) 5582 9683
Your reference: 6181
Our reference: COM/2024/39

FPI Queensland Pty Ltd
C/- Gassman Development Perspectives (Fraser Gassman)
PO BOX 392
BEENLEIGH QLD 4207

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: FPI Queensland Pty Ltd
Applicant contact details: Gassman Development Perspectives (Fraser Gassman)
PO BOX 392
BEENLEIGH QLD 4207

in relation to development of land/premises described as:

Street address: 11 Eastridge Street, Stapylton Qld 4207
Real property description: Lot 120 SP329476, Lot 121 SP329476

CONFIRMATION NOTICE

The development application described below was properly made to the Council of the City of Gold Coast (Council) on 4 March 2024.

Application number: COM/2024/39

Approval(s) sought: Combined application for:

- Development permit for a Material change of use (Code assessable)
- Development permit for a Reconfiguring a lot (Code assessable)
- Development permit for operational works (Code assessable)

This development application is not a development application to carry out a development under a superseded planning scheme.

Nature of development proposed:

- Material change of use for Warehouse (ancillary office) and Low Impact Industry
- Reconfiguring a lot for access easement
- Operational works for change to ground level

Referral Agencies

There are referral agencies identified for this development application.

Aspects of development stated in schedule 20 - Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 2 Development application for an aspect of development stated in schedule 20 that is assessable development under a local categorising instrument or section 21, if— (a) the development is for a purpose stated in schedule 20, column 1 for the aspect; and (b) the development meets or exceeds the threshold— (i) for development in local government area 1—stated in schedule 20, column 2 for the purpose; or (ii) for development in local government area 2—stated in schedule 20, column 3 for the purpose; and (c) for development in local government area 1—the development is not for an accommodation activity or an office at premises wholly or partly in the excluded area. However, if the development is for a combination of purposes stated in the same item of schedule 20, the threshold is for the combination of purposes and not for each individual purpose.	Department of State Development, Manufacturing, Infrastructure and Planning PO Box 3290, Australia Fair SOUTHPORT QLD 4215
---	---

The development application must be referred to all relevant referral agencies within 10 business days starting the day after receiving this notice, or a further period agreed with the assessment manager; otherwise the application will lapse under section 31 of the Development Assessment Rules.

The applicant is required to give written notice to Council as assessment manager, that the application has been referred.

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:

Material Change of Use (MCU)

Transport Assessment

1 Vehicular parking

The applicant has proposed a total of 25 off street car parking spaces in lieu of 54 spaces as required under Performance criteria PC8 of the M38 industrial estate place code. Officers do not accept the justification that the number of spaces relative to the Gross floor area (GFA) is consistent with other warehouse developments in the area. In those instances, Council was provided information on the end user and how they intended to operate.

To justify the shortfall of 29 spaces and demonstrate compliance with Performance criteria PC8, the applicant is requested to provide additional details regarding the end user and specific staff / visitor operations for the site. Alternatively, Council Officers may impose a condition of approval which limits the number of staff on site at any one time to 25 people.

Reconfiguring A Lot (ROL)

Planning Assessment

2 Existing Development permit

Officers have reviewed the proposed access easement and information within the submitted material. Officers request the applicant to submit supporting information to demonstrate that the proposed access easement does not conflict with the approved Development permit located on Lot 121 SP329476 (MCU/2021/718).

Subdivision Engineering Assessment

3 Proposed access easement

Officers acknowledge the proposed access easement 'Emt G' and understand this access easement is intended for the purpose of providing fire truck access around the perimeter of the proposed warehouse to meet building code/regulation requirements.

Officers note that the M38 Industrial Estate Place Code is silent on access easement requirements, therefore assessment of the proposed access easement is performed against the *Gold Coast Planning Scheme 2003 version 1.2*, specifically against Acceptable Solution AS1.1.1 and Performance Criteria PC1 of the Reconfiguring a Lot code.

The subject site is located within the Yatala Enterprise Area Place Code, which is not listed within the Table to Acceptable Solutions AS1.1.1, therefore the proposed easement is assessed against PC1.

The proposed 'Emt G' on provided drawing "Proposed Access Easement Plan Over Lot 121 on SP239476", drawing number 6181 P EMT 001, dated 14/02/2024, prepared by Gassman Development Perspectives, appears to be approximately 5 metre width for the majority of the easement, however the application package did not include a response or justification against the PC1 benchmark.

Officers do not consider the submitted common material to have provide sufficient information to demonstrate compliance against PC1 (i). Namely that "*Lots must have the appropriate area and dimensions to enable convenient vehicle access*". Officers' concerns relate to whether the proposed access easement is 'fit for purpose' for its intended use for a 'fire truck path' and request further information from the applicant to demonstrate this.

Therefore, to demonstrate compliance with PC1 (i), the applicant is requested to provide:

- a) An amended Reconfiguring a Lot plan which clearly shows the proposed width of the proposed access easement and nominates the favoured/burdened lot/s;
- b) Engineering drawings to demonstrate appropriate slope gradient can be achieved for the largest design vehicle where the boundary of Lot 120 on SP329476 adjoins the proposed access easement;
- c) Swept path drawings (signed by an RPEQ specialising in traffic engineering) to demonstrate the largest design vehicle can conveniently manoeuvre within the extents of the proposed access easement (for the full length) in accordance with Australian Standards AS2890 set;
- d) Architectural or engineering drawings to confirm that the minimum vertical height clearance is provided under the existing awning structure on Lot 121 on SP329476 for the largest design vehicle, in accordance with Australian Standards AS2890 set.

OPW Assessment

4 Design of vehicle crossings

As per Performance criteria PC3 of the Driveways and vehicle crossings code the applicant is requested to demonstrate that the proposed vehicle crossing avoids damage to utility services, pathways, kerbs, road pavement and seal and other city infrastructure. The applicant is requested to:

- a) Dimension the separation to the existing gully pits to the proposed vehicle crossovers. A minimum 1 metre separation must be achieved from the gully pit transition point. If relocation/conversion of an existing pit is required can the new pit location be shown on the architectural plans and offsets dimension; and
- b) Dimension the separation to the existing light poles. Minimum 700 mm separation must be achieved. If relocation is required, can the new location be shown on the architectural plans.

Response Due Date

The due date for providing the requested information is **18 June 2024**. To assist Council with finalising the assessment of this development application, can you please advise whether you intend to:

- a) Provide all of the information requested;
- b) Provide part of the information requested; or
- c) Not provide any of the information requested.

Notwithstanding the above, as Council's assessment of this development application will be based on the information provided, it is recommended that you provide all of the information requested. If Council has not received a response to the information requested from you on or before the above due date (or a further agreed period), it will be taken as if you have decided not to respond to the information request and Council will continue with the assessment of your application without the information requested.

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 Nicola Auret copied into the email nauret@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

A handwritten signature in black ink, appearing to read 'Adam Morris'.

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