Date: 23 June 2011
Contact: Mitch Longhurst
Location: Implementation & Assessment Branch, Nerang
Telephone: (07) 5582 8866
Your reference: ABMDiulioR10511
Our reference: PN151346/23/DA1
Application No: ROL201100066

RECEIVED
DATE 24/6/11 BY JB

ABN 84858548460
PO Box 5042 Gold Coast MC
Qld 9729 Australia
Email: gcccmail@goldcoast.qld.gov.au
Web: goldcoastcity.com.au
Administration Centres
Ph: +61 7 5582 8211
135 Bundall Road Surfers Paradise
Fax: +61 7 5581 6346
833 Southport Nerang Road Nerang
Fax: +61 7 5596 3653

Marcello Diulio
C/- Arnold Development Consultants
PO BOX 2774
BURLIEGH DC QLD 4220

Dear Sir / Madam

INFORMATION REQUEST

I refer to the Development Application lodged by:

Marcello Diulio
C/- Arnold Development Consultants
PO BOX 2774
BURLIEGH DC QLD 4220

in relation to development of land / premises described as:

L2 RP205586 : 35 Carrington Road Bonogin

Council officers have reviewed the Development Application and supporting information and determined that further information is required to properly assess the application.

Pursuant to section 278 of the *Sustainable Planning Act 2009*, the applicant must respond to this Information Request by giving to the requesting authority:

1 all of the information requested below; or

2 part of the information requested together with a notice asking the assessment manager and each referral agency to proceed with the assessment of the application; or

3 a notice:
   i. stating that the applicant does not intend to supply any of the information requested; and

   ii. asking the assessment manager and each referral agency to proceed with the assessment of the application.

You are advised that pursuant to section 279 of the *Sustainable Planning Act 2009*, a response to this Information Request is required within six (6) months of the date of this letter.

This application will lapse if a response to this Information Request is not received within this timeframe.

You are advised that pursuant to section 280 of the *Sustainable Planning Act 2009*, the applicant has five (5) business days to revive the application if it has lapsed as a result of a minor, administrative error and where there is no planning impact.

It would be in the applicant's best interest to address all of the information requested in accordance with section 279 of the *Sustainable Planning Act 2009*.

If the applicant fails to state whether a full or partial response has been provided and the response has been received within the six month period, Council will determine it to be a partial response and the application will remain within the Information Response Stage of the IDAS Process until such time as a full response is received or the six month period expires.

If the applicant states that a full response has been provided or the Information Response is received at the end of the six month period, Council will determine the application based only on the information submitted.

Should the applicant choose not to provide sufficient information, the application will be assessed on the basis of the information provided. Please note that the provision of sufficient information to properly assess an application is a requirement for a favourable decision.

INFORMATION REQUEST

Town Planning

Council's Town Planning section would like to acknowledge the depth of discussion contained in the Applicant's Town Planning report in relation to the key planning and environmental issues concerning this proposal.

As acknowledged in the report, the subject site situated in a park living area under the Reedy Creek Structure Plan, within the Emerging Communities Domain. The park living intent statement (under the structure plan) reads as follows:

> *The areas nominated park living within the Structure Plan will be generally well vegetated, steep slopes located at the lower slopes of topographic ridges. The purpose is to retain vegetation, reduce soil erosion and sedimentation, protect habitat corridors, and retain the visual significance of ridge areas, by providing low density development.*

The structure plan goes on to specify that development within the park living area will encompass the provisions of the Park Living Domain, with the exception of a number of key additional environmental controls designed to support the above intent statement.

Having regard to the above, it is requested that the following information request items are addressed:

1 Amended subdivision plans

Council's Subdivision Engineering section have raised concerns that the proposed subdivision is contrary to the intent of PC1a) of the ROL Specific Development Code, as the proposal increases the intended density of the park living area (i.e. the average lot size proposed is less than the 8,000m^2, as specified by AS1.1.1).

The Subdivision Engineering section is also concerned that the frontage of Lot 1 (to Carrington Road) is less than the minimum 50 meters specified by AS1.1.1 and therefore has the potential to result in a development that will appear more like a residential urban area, rather than a Park living area.

Council's Town Planning section supports the position of Subdivision Engineering, and therefore the Applicant is requested to amend the boundary between proposed Lots 1 and 2 in order to:

a Increase the frontage width of Lot 1 to Carrington Road to between 45m to 50m as well as the general width for the 1st 100m depth of the lot; and

b Increasing the proposed size of Lot 2 to be closer to 8,000m^2 in accordance with AS1.1.1.

Note: It is suggested that the above points could be achieved by moving the northern boundary of Lot 1 closer to the existing garden shed and by moving the southern boundary of Lot 2 further to the south west (effectively taking up more of Lot 1).

2 Amended building location envelope

The park living area intent statement calls for the retention of native vegetation on visually significant ridge lines, this statement is supported by implementation point c) which states that:

> *No clearing of local native vegetation is to occur on land generally higher than 70 metres AHD or on visually significant hills and ridgelines.*

It is acknowledged that the proposed building envelope is generally located in the most appropriate area to minimise disturbance to existing vegetation on the site. However, it is noted that several trees above the 70AHD will still need to be removed under this arrangement.

The applicant is therefore requested to shift the location of the building envelope by between 10m to 15m closer to the existing garden shed in order to reduce the number of protected sizes trees that will need to be removed.

Note: It is noted that if the boundary between proposed Lots 1 and 2 is amended as per request item #1, the Applicant will be able to move the building envelope as requested and still maintain the appropriate setback distances from the allotment boundaries.

Environmental and Landscape Assessment

The site is designated as Foothill Buffers with a small portion of Bushland Mosaics in the western end of the access point from Bonogin Road. The site is supporting Regrowth Vegetation. This application is requesting Operational works approval for removal of protected size tree species. The Vegetation Management and Nature Conservation Code apply to this application.

Glossy Black-Cockatoo (*Calyptorhynchus lathami*) feed trees and cone-chews have been noted within the report titled Ecological Assessment (Basic) Proposed Development-

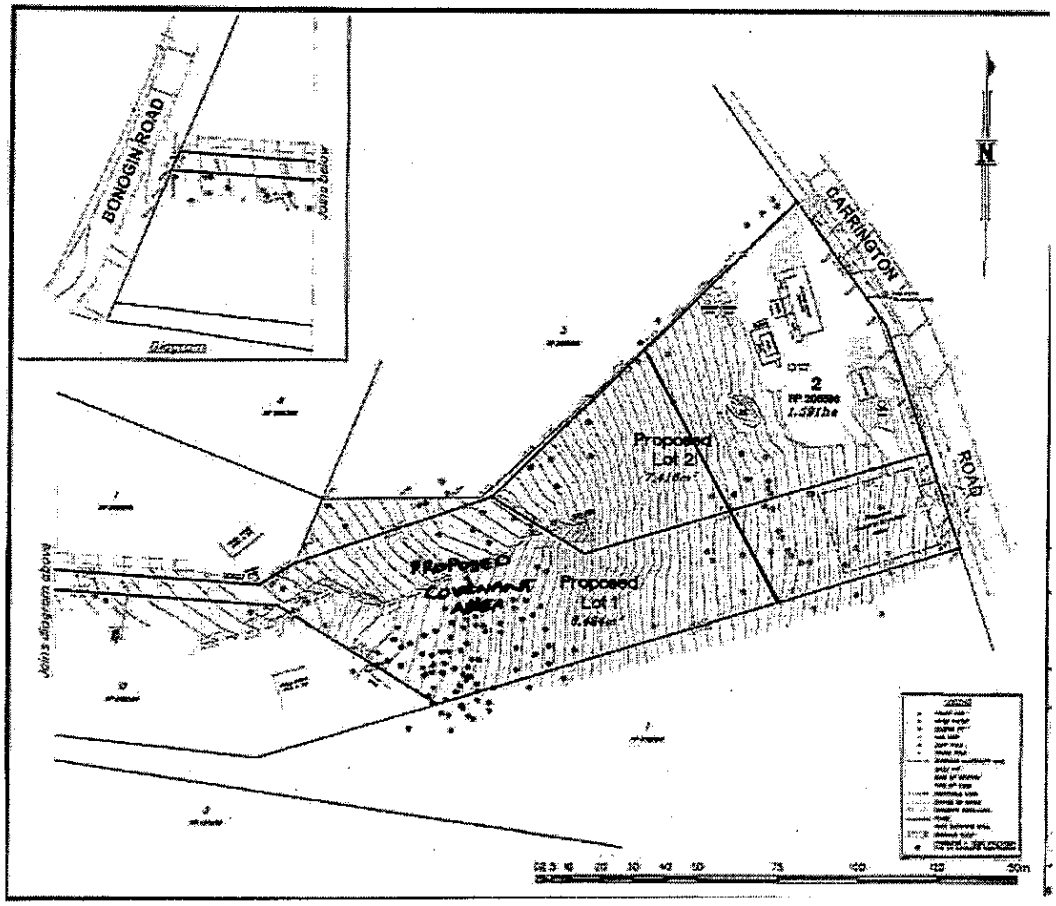
Reconfiguration Of Lot 35 Carrington Road, Bonogin Lot 2 RP205586 Dated April 2011 Prepared by Byrns Lardner Environmental. This species is listed as a vulnerable bird species under the *Queensland Nature Conservation Act 1992* and as a regional and Local Government Area significant species within the GCCC *Nature Conservation Strategy 2009.* This significant vegetation community was supported following a site investigation by Environmental Planning and Assessment (EP&A) officers.

In order to manage and protect the ecologically significant areas of the site for the future, the Applicant is requested to provide a covenant management plan and under take some revegetation works for the existing vegetation on site, as specified by the below information request items:

3 Preparation of Covenant Area management plan

A covenant management plan is requested to be prepared, detailing all management measures and monitoring to be undertaken in the Covenant Area for the life of the development and the use of the premises so as to ensure the preservation of the environmental integrity of the Covenant Area. The covenant management plan should include the following information:

a Description of the proposed development including a plan showing the location of the covenant areas as marked up on the below scanned copy of the Contour & Detail Survey with Plan of Subdivision Overlay, DWG No6188.15_SUB_DET, Dated 22/03/2011, Prepared by Arnold Development Consultants.



b A description of how the document is to be read, including the purpose of the covenant area and general requirements at each phase of the development (i.e. developer's and landowners' responsibilities as covenantor).

c Detailed descriptions for the covenant areas including:

- i Topography;
- ii Waterways, flow paths, gullies;
- iii Vegetation communities and significant species;
- iv Fauna habitat and significant species; and
- v Other significant features.

d Requirements to be fulfilled by the developer (as covenantor) as to the following:

- i Prohibited and permitted actions during construction;
- ii Infrastructure requirements (including essential, unavoidable services, stormwater etc);
- iii Rehabilitation, including summaries of rehabilitation activities (based on the approved Rehabilitation Plan and/or Landscaping Plans) in accordance with Appendix 1 (Guideline for the preparation of a Rehabilitation Plan) of Council's *Open Space Management Guidelines: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space* (November 2007: Version 1);
- iv Maintenance requirements including activities, timeframes and standards to be achieved prior to off-maintenance in accordance with relevant sections of Appendix 1 (Guideline for the preparation of a Rehabilitation Plan) of Council's *Open Space Management Guidelines: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space* (November 2007: Version 1);
- v Monitoring details including baseline data/photographs;
- vi Compliance/certification.

e Requirements to be fulfilled by landowners (as covenantors) as to the following:

- i Purpose of the covenant;
- ii Prohibited and permitted actions/activities;
- iii Detailed landowner requirements and responsibilities; and
- iv Detailed methods relating to maintenance and enhancement of the covenant area, including weed removal methods, revegetation methods and species lists, monitoring requirements and useful resources and contacts.

f General information, including:

- i Duration of requirements / responsibilities;
- ii Information on who to contact for approvals for any activities required that are not permitted within the covenant area;
- iii Baseline data; and
- iv Checklists for Council (as the covenantee) to assess compliance with the covenant (including remedial actions for non-compliance).

4 Preparation of rehabilitation management plan

A rehabilitation management plan should be prepared for the north-western portion of the site in accordance with:

a Appendix 1 (Guideline for the preparation of a Rehabilitation Plan) of Council's Open Space Management Guidelines: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007: Version 1); and

The rehabilitation management plan must contain the following information (as applicable):

b Details of proposed rehabilitation works including proposed species and planting palette.

c Planting modules to demonstrate planting densities.

d All weeding works required, including a full list of known weeds on site and how each weed can be adequately managed.

e The required ongoing management/maintenance regimes, including:

- i Plans indicating maintenance areas/zones;
- ii Schedules of works including frequency and tasks;
- iii Allocation of labour and resources to perform tasks;
- iv Nomination of key performance indicators/criteria for monitoring purposes (e.g. All revegetation areas minimum 90% weed free, etc);
- v Time allocated to perform various tasks (e.g. top up mulch, pruning, topdressing, etc);
- vi Defects liability for materials such as replacement of dead plant species of equivalent species and vigour;
- vii Management of bushfire hazard (only where appropriate);
- viii Management of domestic farm/feral animals (if appropriate);
- ix Management and control of declared plants and recognised environmental weeds.

5 Amended Plans

The applicant is requested to provide plans, to an appropriate scale identifying the effluent treatment and effluent disposal area for the existing dwelling on proposed lot 2. This plan should demonstrate appropriate setbacks from protected vegetation and watercourses/dams located on site (no closer than 30 metres from a watercourse).

Plumbing and Drainage

6 Certification from a Registered Professional Engineer

The proposed building envelope for the new Lot has a slope instability rating of Moderate, therefore the following additional report must be submitted to Council's Plumbing Section when submitting the proposed dwelling Plumbing application:-

> Certification from a Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering confirming that the proposed building envelope and effluent disposal area will achieve a slope instability hazard rating of "Low" or better and these sites will remain stable

in the long-term conditions (70 years minimum); and that the proposed development will not adversely affect the stability and integrity of the adjoining properties.

Note: this request item should only be addressed once the above items have been appropriately addressed.

Engineering and Hydraulic Assessment

7 Amended Geotechnical Report

The applicant is requested to amend the submitted geotechnical report: "Slope Stability Assessment, 35 Carrington Road, Bonogin (Lot 2 on RP205586), prepared by Cardno Bowler Pty Ltd, Ref: 9867gs:11, dated 18 April 2011" addressing the following issues. The amended report should be submitted to Council for review.

a The amended report should include details of the drilled borehole records;

b The amended report should provide details of the relative frequency calculation as part of the slope instability hazard risk assessment of the site;

c The amended report should be signed by a Registered Professional Engineer of Queensland (RPEQ) specialising in geotechnical engineering;

d The amended report should include certification from a RPEQ (Geotechnical Engineer) confirming that the proposed building envelope for the proposed Lot 1, it's access road and effluent disposal areas will achieve a slope instability hazard rating of 'Low' and they will remain stable in the long-term conditions (70 years minimum).

Note: this request item should only be addressed once the above items have been appropriately addressed.

In responding to the Information Request, the applicant is required to provide three (3) complete hardcopies **(printed in duplex),** two (2) additional hardcopies of plans and one (1) electronic PDF Document of the complete response. The response should be forwarded to:

Operational Services
Planning, Environment & Transport Directorate
Gold Coast City Council
PO Box 5042
GCMC 9729 QLD

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

Yours faithfully,

for Andrew Powell
SUPERVISING PLANNER
For the Chief Executive Officer
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