

EMR/CLR Environmental Management Register and Contaminated Land Register

1.7.6

Registered Site - Show Site

Reg Site	Comments	Amend Log	Categ. Hist	Hist. Repos	New Parcels	Show Docs
<p>Lot: <input type="text" value="42"/> Plan: <input type="text" value="RP839861"/></p> <p>Local Authority: <input type="text" value="ALBERT S.C."/></p> <p>Site Name: <input type="text" value="CONTAMINATES FROM DIP - MERRIMAC"/></p> <p>Location Street: <input type="text" value="28 GHILGAI ROAD"/></p> <p>Location Suburb: <input type="text" value="MERRIMAC"/> Post Code: <input type="text" value="4226"/></p> <p>Owner Address: <input type="text" value="sch4p4(6) Personal inform"/></p> <p><input type="text" value="MERRIMAC"/></p> <p><input type="text" value="QLD"/></p> <p><input type="text" value=""/> Post Code: <input type="text" value="4226"/></p>	<p>Category: <input type="text" value="PRO"/> CSR Cont Site ID: <input type="text" value="91-211"/></p> <p>Entry Date: <input type="text" value="29/11/1994"/></p> <p>MR Alter Date: <input type="text" value="29/01/1996"/></p> <p>Prescribed Purpose: <input type="text" value="RESULTS ABOVE ENVIRONMENTAL INVESTIGATION THRESHOLD LEVEL"/></p> <p>Contsite File: <input type="text" value="901102"/> Officer: <input type="text" value="NIL"/></p> <p>Current Use: <input type="text" value="3527"/> Past Use: <input type="text" value="3527"/></p> <p>DNR Parcel Status: <input type="text" value="D"/> Contaminant: <input type="text" value="UNK"/></p> <p>Prev Lot No: <input type="text" value="42"/></p> <p>Prev Plan No: <input type="text" value="RP859861"/></p> <p>Zoning: <input type="text" value="RES"/> Area: <input type="text" value="0"/></p> <p>UXO Region: <input type="text" value=""/> Cont Grid Water: <input type="text" value="U"/></p>					
<p>Comments: <input type="text" value=" CONTAMINATION FROM CATTLE DIP ON ADJOINING PROPERTY (LOT 2 ON RP 178297) - REFER CSI FILE 901102.//RPD INCORRECTLY ENTERED. PREVIOUSLY ON CSR AS L42/RP839861.29/1/96 PAG.//"/></p>						
<p>Rec Status: <input type="text" value=""/> Deleted Reason: <input type="text" value=""/></p>						
<p>Deleted Date: <input type="text" value=""/></p>						

EMR/CLR Environmental Management Register and Contaminated Land Register

Registered Site - Show Site

Req Site	Comments	Amend Log	Categ. Hist	Hist. Repos	New Parcels	Show Docs
Page 1	Page 2					
Lot:	42	Plan:	RP839861			
Category:	HAZARDOUS CONTAMINANT					
LGA:	GOLD COAST CITY COUNCIL					
Site Name:	CONTAMINATES FROM DIP - MERRIMAC					
Street:	28 GHILGAI ROAD					
Suburb:	MERRIMAC	Post Code:	4226			
Owner:	sch4p4(6) Personal inform					
Owner Address:						
	MERRIMAC QLD					
		Post Code:	4226			
Parcel Status:	D	Area:	0	m ²		
Site Inspection (SMP) Date:						
SMP Compliance Y/N:						
Rec Type:	BP	Id:	3721			
Region:		Hist. Id:	91-211			
AMA/AN:						
Notified By:	DATA CONV	Notif Rec'd:				
Entry Date:	27/06/1998	Last Altered Date:	03/02/2016			
	50 - HAZARDOUS CONTAMINANT					
Notifiable Activities:						
File:	901102	Officer:	NIL			
Offsite Disposal Date:		IPA Date:	15/02/2005			
Ext Ref:						
Haz Cont:	Please contact this Department for further details.					

Memorandum



Queensland Government
Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Service

Enquiries
Telephone
Your reference
Our reference

Miguel Zavaleta
(07) 3225 1080

3721 Part 2 File No: 901102

Updated EMR on

New Parcel

18/7/05

L390 SP149355 B

sch4p4(6) Per

Base Parcel

L42 RP839861

Friday, 08 July 2005

To: J C Taylor – IDAS Coordinator

From: Mark Paton, Chief Scientific Advisor – Contaminated Land Unit

Subject: Development description Reconfiguration of a Lot for the land described as Lot 2 on RP223566, Lot 902 on SP108453, and Lot 390 on SP149355 located at Highfield Drive, Breakwater Road and Aquatic Drive, Robina and Merrimac - Council Application No.: PN158804/23/DA2 - RCU No.:1904 &/or ECOTRACK Project No: No records

copied to other lot.

Dear John,

The EPA Contaminated Land Unit has concerns and the following condition (s) is recommended in relation to Contaminated Land matters.

Information required or Recommended condition :

The reconfiguration of the Lot 390 on SP149355 where hazardous contamination has been identified must be in accordance with the survey plan titled "Staged Reconfiguring of Lots Plan – Stage 1 to 7, Lots 2 RP223566, Lot 902 SP108453, Lot 390 SP149355" on plans drawing number G4280 PP13 to G4280 PP19 prepared by Heilbronn & Partners Pty Ltd dated 30 May 2005.

It is a requirement that the applicant notify the Environmental Protection Agency (EPA) (Contaminated Land Unit) in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA (Contaminated Land Unit) to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Advice

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

The Environmental Protection Agency is the referral agency for a development application for material change of use of the lot 390 on SP149355 and/or its child parcels.

Please contact **Miguel Zavaleta**, Principal Environmental Officer, on (07) 3225 1080 if you require any further information regarding Contaminated Land matters.

sch4p4(6) Personal information

Mark Paton
Chief Scientific Advisor
Contaminated Land Unit

IPA APPLICATION ASSESSMENT SHEET – CONTAMINATED LAND UNIT

Info Request or Assessment

Due Date: 18/7/05

1. PROPOSAL DETAILS

Proposal:

Reconfiguration of a Lot

Proposal Description:

2. ADMINISTRATIVE DETAILS

EPA App'n No:

3721 Part 2

File No:

901102

Referral Coordination (RCU) No:

ECOTRAK Project No:

Council:

Gold Coast City Council

LA App'n No:

PN158804/23/DA2

Site Address:

Highfield Drive, Breakwater Road and

Aquatic Drive

Property Description:

Lot 2 on RP223566, Lot 902 on SP108453, and

Lot 390 on SP149355

Applicant Name:

Baymill Investments Pty Ltd & sch4p4(

sch4p4(6) Personal information

Buckley Vann Town Planning

EMR/CLR/AMA details:

Lot/Plan	EMR/CLR/ AMA No:	Notifiable Activity (NA) or Hazardous Contamination.	On going NA Yes or No?
390/SP14935 5	40521	50 – Hazardous contamination (because base parcel 42 on RP839861 is on the EMR 3721)	No

3. APPLICATION ASSESSMENT

Information from the application, EMR or CLU files:

Any existing ERA's?:

No

Any new ERA's?:

No

ERA Jurisdiction:

N/A

Information from the application and IDAS forms:

Past Use:

Unknown

Current Use:

grazing

Supporting information:

Are there any Environmental Values that are at risk?

Human being, flora and fauna

If so, what is the level of risk? (Check internal policy)

Medium to high

Other relevant details supporting the conclusion(s)

The applicant is proposing the reconfiguration of 3 lots into 17 lots. The future use is for residential and recreational areas.

In accordance with the information in the application the lot 390 will contain residential dwellings and recreational areas.

4. ASSESSMENT OUTCOME

Conclusion: (Is the site suitable for the proposed development?)

As the application is for a reconf of the lot(s), it is considered that reconf can be granted.

Recommendation:

To advise the IDAS Coordinator that the EPA-CLU does not require further information to carry out the assessment, and

Include the standard response for reconf with the advice that the approval of the reconf of the lots does not imply approval for MCU.

The EPA is the referral agency for Development Application for Material Change of Use of the Land for lot 390 on SP149355 and/or child parcels.

Assessor: Miguel Zavaleta

Date: 08/07/05

Reviewer Name:

Revision Date:

Reviewer Recommendation:

ecomaps

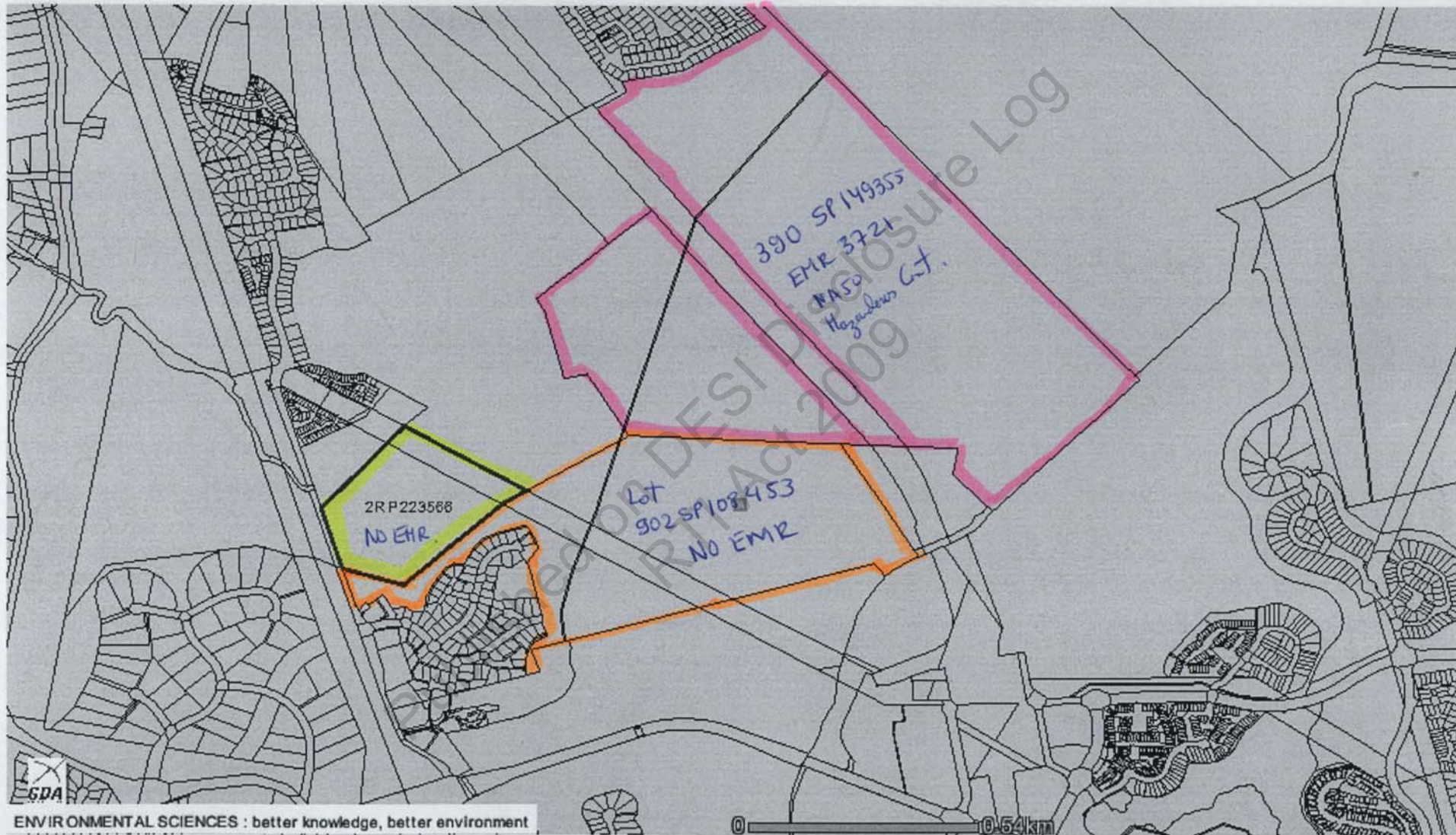
08/07/2005

Current use grazing.

Queensland Environmental Protection Agency

ecomaps Screen Plot

Page 1 of 2



ENVIRONMENTAL SCIENCES : better knowledge, better environment

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ecomaps

08/07/2005

- ☐ Cadastre Selection
- ☒ Grouped Cadastre
- ☐ Queensland

ecomaps Screen Plot

ecomaps Layers

Queensland Environmental Protection Agency

Page 2 of 2

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Notice of concurrence agency response Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Service

This notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the *Integrated Planning Act 1997*, to advise you of a decision or action.

Enquiries to: Helen Bankes
Telephone: 07 3227 7667
Your reference: PN251850/02/DA2 - DA2304382 ROL 2300369
Our reference: 3721 Part 1 File No.:901102

COPY

CC: The Heilbronn Group
PO Box 5585
GCMC 4217

Gold Coast City Council
PO Box 5042
GOLD COAST MC QLD 9729

Attention: Mr Matthew Hulse

Re: Application (No. PN251850/02/DA2 - DA2304382 ROL 2300369) for development approval for assessable development to be carried out at Ghilghai Road, Merimac (Lot 390 on SP149355).

Pursuant to the following items of Table 2 Schedule 2 of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency is a concurrence agency for the development application:

- ☒ Item 21 of Schedule 2 of the *Integrated Planning Regulation 1998*
- ☐ Item 22 of Schedule 2 of the *Integrated Planning Regulation 1998*

The Environmental Protection Agency (EPA), acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above as attached.

It would be appreciated if Council could provide a signed hard copy of the final development approval issued by Council (which includes the Agency's concurrence conditions).

The EPA has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

Should you require any further information please do not hesitate to contact the above officer on the telephone number or e-mail address provided .

.....
Signed

.....
Date

**Delegate of Administering Authority
Environmental Protection Act 1994.**

Concurrence agency response

Sections 3.3.16 and 3.5.18 *Integrated Planning Act 1997*

Applicant:	sch4p4(6) Person
Council Application Number:	PN251850/02/DA2 - DA2304382 ROL 2300369
EPA Application Number:	3721 Part 1
Date application received by EPA:	15/02/2005
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i>
Jurisdiction:	Chapter 7, Part 8 <i>Environmental Protection Act 1994</i>

Development Description:

Reconfiguration of a Lot

where:

- ☐ the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the *Environmental Protection Act 1994*.
- ☐ the proposed use of the land is for child care, educational, recreational, residential or similar purposes and the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for an industrial activity.
- ☒ the land is on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*.
- ☐ the land is wholly or partly within an area for which an Area Management Advice for industrial activity or natural mineralisation has been issued and the proposed use of the land is for child care, educational, recreational, residential or similar purposes.
- ☐ the land is wholly or partly in an area for which an Area Management Advice for unexploded ordnance has been issued.

at the following place(s):

Ghilghai Road, Merimac
(Lot 390 on SP149355)

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that

- ☒ conditions must attach to any development approval
- ☐ any approval must be for part only of the development
- ☐ any approval must be a preliminary approval only
- ☐ there are no concurrence agency requirements
- ☐ the application must be refused

Conditions of the development approval

The reconfiguration of the Lot 390 on SP149355, which has the potential to contain hazardous contaminants, must be in accordance with the survey plan 'Reconfiguration of Lot of Lot 390 on SP149355' on plan drawing number G3909-PP01 prepared by Heilbronn Group dated 14/08/03.

It is a requirement that the applicant notify the Environmental Protection Agency (EPA) (Contaminated Land Unit) in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA (Contaminated Land Unit) to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18 of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions.

The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Regulation 1998* for the protection of the environment by the management of contaminated land. The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response are required to prevent or mitigate any potential risk to human health or the environment from possible hazardous contaminants present on the site.

Additional comments or advice about the application

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

Additional information for applicants

This concurrence response pursuant to Chapter 7, Part 8 of the *Environmental Protection Act 1994* applies only to contaminated land issues and does not remove the need to obtain any further approval for this development which may be required by this or other legislation, State and/or Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

~ End Of Concurrence Agency Response ~

Miguel Zavaleta-Romero

From: John C. Taylor [johnc.taylor@epa.qld.gov.au]
Sent: Tuesday, 5 July 2005 1:50 PM
To: Matthew Buchanan; Ralph Riese; Rohan Huguenin; Miguel Zavaleta-Romero; Scott Hetherington
Cc: Karen Francis
Subject: RCU1904 - DLGPSR Request for Input to Information Request
Importance: High



AInformationReque
stTemplateTes...

Greetings All,

Please be advised that the above application commencement advice ex DLGPSR was in this mornings fax-mail, with the hard-copy dataset ex DLGPSR delivered by Rohan. Attached is the response coversheet.

I have arranged for the fax to be sent to Rohan along with the dataset.

Can M&E Unit officer please liaise with Rohan to check if any ERA's are embedded in the proposal - note that the application covers similar matters to RCU1871.

Can CLU please use RPD's to check concerns and liaise with Rohan if they need to access the dataset.

NOTE due date to me 18/7/2005

Regards,

John C Taylor
IDAS Coordinator - SEQ (Brisbane District)
Southern Region
Phone: 3224 6139
Fax: 3225 8723
e.mail: johnc.taylor@epa.qld.gov.au

Ms Helen

Could you please coordinate this response.

You were in charge with IPA application 3721 part 1
(related to a lot 390).

Thanks

sch4p4(6) Person

Due date IDAS Coordinator

18/07/05

L742

XP839861

APPLICATION NUMBER 3721 PART 2
FILE NUMBER 901102
REFERRAL DATE 5 July 2005
DATE INFO REQUEST DUE 18/07/05
RCU No. 1904
OFFICER sch4p4(6) Personal inform

APPLICATION NUMBER	
FILE NUMBER	
REFERRAL DATE	
DATE INFO REQUEST DUE	
RCU No.	
OFFICER	

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RTI Act 2009



**Queensland
Government**

Department of
Local Government,
Planning, Sport and
Recreation

Name: Jodie Smith
Title: A/Referral Coordination Officer
Division: SEQWBB Planning
Telephone: 323 71770
Facsimile: 323 71738
E-Mail: Jodie.smith@dlgpsr.qld.gov.au
Internet: www.lgp.qld.gov.au

F a c s i m i l e

To:

AM:	Jim Webb	Gold Coast CC	5596 3653
Con	Andrew Macpherson	DNRM	3884 5322
	Eddie Peters	DMR	5596 9511
Adv	sch4p4(6) Personal informa	Energex	3407 4144
		Powerlink	3860 2400
TP	John Taylor	EPA	3225 8723
	Coralie Stebbing	DPIF	5430 4994
	sch4p4(6) Personal informa	QT	3268 7861
		OUM	3235 4563

Date: 5 July 2005

Pages:(incl. this one) 18

Re: RCU 1904 – Highfield Drive and Breakwater Road and Aquatic Drive,
Robina and Merrimac - REQUEST FOR COMMENTS

Please find attached a request for comments for the above Referral Co-ordination. As Assessment Manager or Concurrence/Advice Agency you should have a copy of the supporting documents. If you have been nominated as third party the supporting documents will be posted to you in the next mail.

Comments are due by close of business **21 July 2005**.

Please forward all requests for comments to the above email address, as well as advising in writing. If you do not have any comments or request for further information it would be appreciated if you could also advise me in writing or email.

If you have any questions please contact me on the above number.

Regards,

sch4p4(6) Personal informa

Jodie Smith

Our Reference: RCU 1904
Enquiries: Jodie Smith
Extension: 323 71770
Address: PO Box 15031 City East Qld 4002
E-mail address: jodie.smith@dlgpsr.qld.gov.au



Queensland
Government

Planning Services

Department of
Local Government, Planning,
Sport and Recreation

5 July 2005

ADDRESSEES AS ATTACHED

RE: REFERRAL COORDINATION — REQUEST FOR COMMENTS

Dear Sir/Madam,

The Department has received a request for referral coordination under the *Integrated Planning Act 1997* for the following application:

APPLICANT: Baymill Investments Pty Ltd & sch4p4(6) Personal information
sch4p4(6) Personal informati

APPLICATION TYPE: Reconfiguring a lot

REFERRAL COORDINATION TRIGGER: Sch 8 (a) (Filling below the floodline)

LOCATION: Highfield Drive, Breakwater Road and Acquatic Drive Merrimac and Robina QLD, described as lot 2 on RP 223566 and lot 902 on SP 108453 and Part of lot 390 on SP 149355

LOCAL GOVERNMENT: Gold Coast City Council

Based on the information provided, it would be appreciated if your organisation could advise whether additional information is required from the applicant in order for you to fully assess the application.

Could you please advise in writing and via e-mail (to the above e-mail address) your information requirements by **21 July 2005**. If a reply has not been received by this time, it will be assumed your organisation requires no additional information.

Further information or assistance may be obtained by contacting me on the above telephone number or at the above e-mail address.

Yours sincerely

sch4p4(6) Personal information

Jodie Smith
A/Referral Coordination Officer
SEQ-WBB Planning Division

Chief Executive Officer
Gold Coast City Council
Attention: Jim Webb
Fax No: 5596 3653

Andrew MacPherson
District Manager
Moreton District
Department of Natural Resources and Mines
PO Box 864
IPSWICH QLD 4305
Fax No: 3884 5322

Eddie Peters
District Director
South Coast Hinterland
Department of Main Roads
PO Box 442
NERANG QLD 4211
Fax No: 5596 9511

John Taylor
Principal Inspector
Environmental Protection Agency
GPO Box 2771
BRISBANE QLD 4001
Fax No: 3225 8723

Coralie Stebbing
Department of Primary Industries and Fisheries
PO Box 5165 SCMC
NAMBOUR QLD 4560
Fax No: 5430 4994

Mark Moro
Regional Transport Planning Advisor
Queensland Transport
8 Buyna Street
EAGLE FARM QLD 4009
Fax No: 3268 7861

sch4p4(6) Person

Office of Urban Management
Level 4, 61 Mary Street
BRISBANE QLD 4001
Fax No: 3235 4563

sch4p4(6) Personal in

Powerlink Queensland
PO Box 1193
VIRGINIA QLD 4014
Fax No: 3860 2400

sch4p4(6) Pe

Energex Limited
Senior Town Planner
Network Property Asset Department
GPO Box 1461
BRISBANE QLD 4001
Fax No: 3407 4144

Date: 17 June 2005
Contact: Mr Jim Webb
Location: Implementation & Assessment Branch, Nerang
Telephone: (07) 5582-8903
Your Reference: 04-1739
Our Reference: PN158804/23/DA2

20 JUN 2005



Baymill Investments Pty Ltd & [sch4p4(6) Personal information] & [sch4p4(6) Personal information]
C/- Buckley Vann Town Planning Consultants
PO Box 205
Fortitude Valley QLD 4006
Attention: [sch4p4(6) Personal info]

Dear Mr [sch4p4(

ACKNOWLEDGMENT NOTICE (SUPERSEDED PLANNING SCHEME) TO APPLICANT

Council acknowledges receipt of the Development Application (Superseded Planning Scheme) lodged by:-

Baymill Investments Pty Ltd and [sch4p4(6) Personal information] and [sch4p4(6) Personal information]
C/- Buckley Vann Town Planning Consultants
PO Box 205
Fortitude Valley QLD 4006

In relation to development of land / premises described as:-

Lot 2 RP223566, Lot 902 SP108453 and part of Lot 390 SP149355.
Highfield Drive, Breakwater Road and Aquatic Drive, Robina and Merrimac

The Development Application (Superseded Planning Scheme) seeks approval for the following aspects of development:-

Development Permit for the staged Reconfiguring of Lots (17 lots in total) and Preliminary Approval for Operational Works required by the Reconfiguring of Lots.

You are advised that Council's delegate resolved on 9 June 2005 that the development be assessed under the Superseded Planning Scheme (Albert Shire 1995).

You are advised that the Referral Agencies for this Development Application are:

Department of Main Roads - Concurrence Agency
PO Box 442
Nerang QLD 4211

NR&M - Acid sulfate soils - Advice Agency
PO Box 864
Ipswich QLD 4305

NR&M - Water related development - Concurrence Agency
PO Box 1653
Coorparoo QLD 4151

::ODMA\PCDOCS\TRACKS\17229603\1

Page 1 of 2

Electricity Infrastructure - Advice Agencies

Powerlink Qld
Attn: Property Services Unit
PO Box 1193
VIRGINIA QLD 4014

Energex
GPO Box 1461
Brisbane QLD 4001

The applicant is required to give the Department of Main Roads, the Department of Natural Resources and Mines, Powerlink and Energex;

- (a) a copy of the application; and
- (b) a copy of the acknowledgment notice; and
- (c) the fee prescribed under a regulation.

It is the applicant's responsibility to provide Council written notification of the date the applicant gave the referral agency the information mentioned above.

Referral Co-ordination will be required as the development involves development made assessable under the planning scheme and in an area prescribed in schedule 8 of the IP Regulation.

The applicant is required to give the Chief Executive Officer, Queensland Department of Communication & Information, Local Government & Planning:-

- (a) a copy of the application; and
- (b) a copy of the acknowledgment notice; and
- (c) the fee prescribed under a regulation.

It is the applicant's responsibility to provide Council written notification of the date the applicant provided the above information to the Chief Executive Officer, Queensland Department of Communication & Information, Local Government & Planning.

The development will require code assessment.

Should you wish to clarify any issues contained in the above letter please do not hesitate to contact Jim Webb on telephone number (07) 5582-8903.

Yours faithfully

sch4p4(6) Personal information

Jim Webb
COORDINATOR MAJOR ASSESSMENT
for the Chief Executive Officer

Form 1 Development Application

idas

Common details

PART A

The completion of all applicable questions on Part A is mandatory for all applications.

Part A must be accompanied by one (1) or more other completed parts of the Form.

Any information requested in the form may be provided in an attachment to the application.

For further information about completing the following details, refer to Guide 1: Making an IDAS Application.

Description of land	1. Street address: <i>(including house number, street name, suburb/locality name & postcode) (if applicable)</i>
All land the subject of the application, must be identified.	Highfield Drive, Breakwater Road and Acquatic Drive, Merrimac and Robina
A description of the land is not required in relation to a mobile or temporary environmentally relevant activity.	2. Name of water body or watercourse within which the development is proposed: <i>(if applicable)</i>
<u>Advice for completing Q2</u>	n/a
Q2 applies if development is proposed within a water body or watercourse.	3. Lot on plan description <i>(eg. Lot 123 on RP 4567) / GPS coordinates:</i>
<u>Advice for completing Q3</u>	Lot 2 RP223566, Lot 902 SP108453 and part Lot 390 SP149355 (Balance of lot 390 SP149355 east of the Brisbane Robina railway line not proposed to be further subdivided by this application)
Most land can be identified by a lot on plan description. These details can be obtained from title documents or through the local government.	4. The above description is for: <i>(tick applicable box)</i>
However, if the land on which the development is proposed does <u>not</u> have a lot on plan description <i>(i.e. the development is proposed in a water body or watercourse)</i> provide –	☒ (i) the land on which the development is proposed; or
(i) the lot on plan description for the adjoining/adjacent land; or	☐ (ii) the land adjoining the water body or watercourse, within which the development is proposed; or
(ii) GPS coordinates where there is no adjoining/adjacent land <i>(eg. in Moreton Bay)</i> .	☐ (iii) the water body or watercourse.
<u>Advice for completing Q7</u>	5. Shop / tenancy number: <i>(if applicable)</i>
Q7 does not apply if the development is proposed within a water body or watercourse.	n/a
<u>Advice for completing Q8</u>	6. Storey / level: <i>(if applicable)</i>
Q8 applies if development is proposed within a local government area.	n/a
Note: Areas below high water mark are <u>not</u> within a local government's area unless provided for under the Local Government Act 1993.	7. Total area of land: <i>(m² or ha) (if applicable)</i>
<u>Advice for completing Q9</u>	73.07 ha plus 67.62 ha, balance of lot 390 SP 149355, east of the Brisbane Robina railway line.
Q9 applies if development is proposed on strategic port land or a strategic port land tidal area.	8. Local government area in which the land is situated: <i>(eg. Brisbane, Esk, Hervey Bay, Woomoo etc.) (if applicable)</i>
For more information refer to <u>Guide 11 Development on strategic port land</u>	Gold Coast City Council
Proposal details	9. Port authority for the strategic port land or strategic port land tidal area on which the development is proposed <i>(eg. Port of Brisbane, Port of Townsville) (if applicable)</i>
	n/a
	10. Existing use of the land: <i>(eg. vacant, single house, shop etc.)</i>
	Grazing

	<p>11. Proposed use of the land: (eg. 6 unit apartment building, 30 lot residential subdivision, ERA for aquaculture in ponds with a total area of 7 ha for which wastes are released into waters etc). Refer to item 1 of Schedule "A" attached</p>
<p>Other applicable parts of Form 1 Part A of Form 1 must <i>always</i> be accompanied by other completed parts of Form 1. For information about when a part of Form 1 may apply for an application refer to <u>Guide 1 Making an IDAS development application</u>.</p>	<p>12. Other parts of Form 1 completed as part of this application: (eg. Part D, Part J, etc) Attachment 1: Parts E and F</p>
<p>Applicant details Clearly identify who is making the application. The applicant need not be the owner of the land. When signing and lodging this application The applicant is responsible for ensuring the information provided is correct. The assessment manager, any referral agency and the Chief Executive (where applicable) will rely on this information when assessing and deciding the application. If the applicant is a company A contact person must be shown. All correspondence will be mailed to this address.</p>	<p>13. Name: sch4p4(6) Personal information Baymill Investments Pty Ltd and</p> <p>14. Postal address: c/- Buckley Vann Town Planning Consultants, PO Box 205, Fortitude Valley Qld 4006</p> <p>15. Signature: See attached letters</p> <p>16. Date:</p> <p>17. Contact person: sch4p4(6) Personal informa</p> <p>18. Telephone number: 3852 1822</p> <p>19. Mobile phone number: (if applicable) sch4p4(6) Personal information</p> <p>20. Facsimile number: (if applicable) 3852 1750</p> <p>21. Email address: (if applicable) sch4p4(6) jckvann.com.au @buckvann.com.au</p>
<p>Land owner's consent (if applicable) Section 3.2.1(10)(a) of the IPA prescribes that an application can not be taken to be properly made without the land owner's consent. For more information about land owner's consent refer to <u>Guide 1 Making an IDAS development application</u>. An application <i>must</i> be supported by the consent of the land owner if the application involves: (i) a material change of use; (ii) reconfiguration of a lot; (iii) work on land below high-water mark & not within a canal as defined under the Coastal Protection and Management Act 1995; or (iv) work on rail corridor land defined under the Transport Infrastructure Act 1994. For a mobile or temporary ERA Land owner's consent is <i>not</i> required. If an owner has signed this form as applicant Their signature is not required again in this section. If there are multiple owners The consent of <i>each</i> owner is required. If the owner is a company Refer to Guide 1.</p>	<p>22. Name/s: Baymill Investments Pty Ltd and sch4p4(6) Personal information</p> <p>23. Signature/s: See attached letters</p> <p>24. Date:</p>

Resource entitlement (if applicable)
Section 3(2)(10)(b) of the IPA prescribes that an application can *not* be taken to be properly made without evidence of the resource entitlement.

Advice for completing Q26

Refer to schedule 10 of the *Integrated Planning Regulation 1998* that prescribes the nature of evidence required by the State in support of the lodging of this development application.

Advice for completing Q27

The information in (i) – (v) is mandatory if evidence is required under Q26 (ii) or (iii) above.

The official stamp of the Department of Natural Resources and Mines is mandatory where the application involves taking or interfering with water or riverine quarry material under the *Water Act 2000*.

25. Does this application involve taking or interfering with (other than interfering with quarry material on State coastal land under the *Coastal Protection and Management Act 1995*) a State resource?

☒ NO - go to Q28

☐ YES - go to Q26

26. This application is required by regulation to be accompanied by: (tick the applicable box)

☐ (i) evidence of the **allocation** of, or entitlement to, the resource - attach evidence

☐ (ii) evidence the chief executive of the department administering the resource is satisfied the development **is consistent with an allocation** of, or entitlement to, the resource - go to Q27

☐ (iii) evidence the chief executive of the department administering the resource is satisfied the development application **may proceed in the absence of an allocation** of, or entitlement to, the resource - go to Q27

27. Evidence of the resource entitlement:

(i) Resource entitlement / authority details

(iv) Official stamp of the department administering the resource (if applicable)

(ii) Name of delegated officer

(iii) Position of delegated officer

(iv) Signature of delegated officer

(v) Date

Referral triggers

The Referrals Checklist must be completed and lodged with all IDAS development applications, other than those requiring the completion of Parts A and B of the Form only.

28. Is the Referrals Checklist completed and attached to this application?

☒ YES

☐ NO - the assessment manager may refuse to accept this application on the grounds that the application has not been properly made

Plans / drawings / reports

An application should be accompanied by details to support the proposal & enable the assessment manager, referral agencies and any person viewing the application during public scrutiny or public notification to understand the scope of the proposal and any potential impact.

29. Plans/drawings/reports accompanying this application:

Plan / Drawing / Report Number

Title

Date

(i) Refer to item 2 of schedule A attached

(ii)

(iii)

(iv)

(v)

(vi)

(vii)

(viii)

(ix)

(x)

PLEASE NOTE

The assessment manager may refuse to accept an application that, at the time of lodgement, fails to provide all applicable information required by Part A and any other relevant part of Form 1.

OFFICE USE ONLY (applicable to assessment manager's)

FEE (\$)	DATE RECEIVED	RECEIVING OFFICER'S NAME/S	REFEREN CE NUMBER/ S
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Form 1 Development Application

idas

Development application (superseded planning scheme)

ATTACHMENT

ATTACHMENT

The completion of Attachment 1 is **mandatory** where an applicant is: requesting the assessment of a proposal against a superseded planning scheme; or notifying of their intent to carry out development that would have been self-assessable or exempt under a superseded planning scheme.

A development application (superseded planning scheme) must be made within 2 years after the day the planning scheme or planning scheme policy creating the superseded planning scheme or policy was adopted.

Nature of the application

If (a) applies this form is required to be accompanied by Form 1 Part A and any other applicable Part (depending on the nature of the proposal) and the Checklist for determining referrals if applicable.

If (b) applies this form is required to be accompanied by Form 1 Part A only.

A development application (superseded planning scheme) is an application made only to a local government as the assessment manager in which the applicant requests the application be assessed under a superseded planning scheme.

The local government has discretion to agree or not agree with the request. The local government must advise in the acknowledgment notice whether the application will be assessed under the superseded planning scheme (as requested) or the existing planning scheme.

An application for a development application to be assessed against a superseded planning scheme must be made within 2 years from the day the superseded planning scheme was superseded.

1. This application:

☒ (i) requests that the proposal be assessed against the provisions of a superseded planning scheme - also complete Part A and other applicable Parts of Form 1

OR

☐ (ii) notifies of the intention to carry out development that would have been self-assessable or exempt under a superseded planning scheme - also complete Part A only. No other part of Form 1 is required to be completed in this instance

2. Provide details of the superseded planning scheme:

The superseded planning scheme comprises the local planning instruments of the Gold Coast City Council in force immediately prior to the commencement of the Council's IPA planning scheme (Our Living City Gold Coast Planning Scheme 2003) being:

- (a) the 1995 Albert Shire Planning Scheme; and
- (b) all local planning policies and planning scheme policies.

PLEASE NOTE

ATTACHMENT 1 of Form 1 **cannot** be accepted by the assessment manager unless accompanied by PART A of Form 1.

The assessment manager may refuse to accept an application that, at the time of lodgement, fails to provide all applicable information requested by Part A and any other relevant part of Form 1.

OFFICE USE ONLY (applicable to assessment manager)

DATE RECEIVED		REFERENCE NUMBER/S	
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Form 1 Development Application

Reconfiguring a lot

PART F

Completion of all applicable questions on Part F is mandatory for all applications involving the reconfiguring of a lot (including freehold subdivision, community title subdivision, subdivision by lease, etc.).

Nature of the application

A development permit authorises development to occur, while a preliminary approval is a step in the approval process and does not authorise development to occur.

1. This application is for: (tick one (1) or both if applicable)

☒ **Development permit** - provide details below eg. stage 1: freehold subdivision of 25 lots, realignment of a boundary, creation of an access easement)

See item 2 of Schedule B attached

AND / OR

☐ **Preliminary approval** - provide details below eg. stages 2, 3 and 4: freehold subdivision of 75 lots, realignment of a boundary, creation of an access easement)

The subject land

The information requested in Q2 & 3 is necessary for statistical and planning purposes.

2. Number of existing lots: 3

3. Total area of land in application: (if staged, total area of the land in this stage)

73.07 ha plus x hectares, balance of lot 390 SP149355, east of the Brisbane Robina railway line.

4. How the subject land is identified in the planning scheme: (name the zone, precinct etc.)

1995 Albert Shire Planning Scheme zoning: Public Open Space and Special Facilities (tourism, public and private recreation facilities, residential allotments, detached dwellings, dwelling units, accommodation units, retirement communities, international hotels, sports clubs, liquor licensed facilities, community facilities, boat hiring and storage, estate sales office, display homes, catering business and ancillary uses)

5. Current use of the land: (if vacant, also identify the previous use)
grazing

6. Are there buildings or structures existing on the land?

☒ NO

☐ YES - complete Q 7

7. Indicate which one of the following circumstances applies:

☐ All existing buildings and structures on the land will be demolished as part of the development / redevelopment of the site; or

☐ Some existing buildings and structures on the land are proposed to be retained as part of the development / redevelopment of the site - indicate on the plans prepared in response to Question 6 above, those buildings or structures proposed to be retained

8. Existing services on the land: (eg. water & sewerage) - attach plan identifying location if appropriate
Sewer rising main and stormwater infrastructure (refer to attached plans)

9. Are there any existing easements over the land?

☐ NO

☒ YES - attach plan identifying easement location & purpose

Refer to Document 3 for details of easements.

The proposal

The information requested in Q10-13 is necessary for statistical and planning purposes.

10. Total area of land in the development permit minus any balance area
73.07 ha

11. Number of proposed lots: Identified in accompanying Document 2; Ultimately 17 lots, although different numbers are created at intermediate stages.

12. Number of additional residential lots proposed in development permit: *(if applicable)*
None; residential lots will result from subsequent Building Format Plans. (As described in Document 2).

13. Estate name & stage number: *(applicable if the application is for a stage or stages of an overall subdivision proposal)*
Breakwater Road development

14. Area of land to be contributed for community purposes: *(if applicable)*
0.53 ha (proposed Lot 4); but see accompanying town planning report in respect of proposed lot 17.

15. Length of new road to be constructed: *(if applicable)*
Public Road : Cul de sac heads only (approximately 1,549 sqm)

PLEASE NOTE

This application cannot be accepted unless accompanied by Part A of Form 1.

The assessment manager may refuse to accept an application that, at the time of lodgement, fails to provide all applicable information requested by Part A and any other relevant part of Form 1.

OFFICE USE ONLY *(applicable to assessment manager)*

DATE RECEIVED	REFERENCE NUMBER/S

Form 1 Development Application

Operational &/or building work

assessable against a local government's planning scheme

Part E

Completion of **all question** on Part E is **mandatory** for all applications involving the assessment of operational work and/or building work (including detailed engineering plans and other plans, detailed engineering plans for subdivisional works and conceptual design plans for engineering & building work when the application does not involve assessment of a material change of use of premises at the same time) assessable against a local government's planning scheme.

Nature of the application

A development permit authorises development to occur, while a preliminary approval is a step in the approval process and does not authorise development to occur.

The types of work that are assessable against a planning scheme are determined by the scheme for a particular local government and will vary across the State.

To determine the types of work that are assessable under a particular planning scheme, contact the relevant local government.

1. This application is for (tick one (1) or both if applicable)

☒ **Preliminary approval** - provide details of the type of work eg. roadwork, stormwater, water and sewerage infrastructure, etc

See item 1 of Schedule B attached.

AND / OR

☐ **Development permit** - provide details of the type of work eg. roadwork, stormwater, water and sewerage infrastructure, etc

2. Are the works subsequent to a previous development approval?

☐ NO
references)

☒ YES - provide details of all previous approvals (eg. file

Special Facilities zone gazetted October 1992 and carried forward to the 1995 Albert Shire Planning Scheme

3. Is the subdivision for a canal estate?

☒ NO

☐ YES

Portable Long Service Leave levy (if applicable)

Prior to issuing a development permit for the works, the assessment manager is required by law to "sight" an approved form, issued by Qleave, which signifies that the PLSL levy has been paid.

4. Is payment of a Portable Long Service Leave (PLSL) levy applicable to the proposal?

☐ YES - complete Q5

☒ NO - Q5, 6 & 7 do not apply

5. Has the PLSL levy been paid?

☐ YES - complete Q6

☐ NO - the applicable levy must be paid before a development permit can be given for the works

6. How much was paid?

7. What is the receipt number of the payment?

PLEASE NOTE

This application **cannot** be accepted unless accompanied by Part A of Form 1.

The assessment manager may refuse to accept an application that, at the time of lodgement, fails to provide all applicable information requested by Part A and any other relevant part of Form 1.

OFFICE USE ONLY (applicable to assessment manager)

DATE RECEIVED	REFERENCE NUMBER/S
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- (i) Is a PLSL levy applicable in this instance? ☐ NO ☐ YES - complete Q(ii)
- (ii) Has the approved form (*issued by QLeave and which signifies that the PLSL levy has been paid*) been sighted by the assessment manager / private certifier at the time of lodgement of this application?
- ☐ NO ☐ YES - provide receipt details below

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Form 1 Development Application

Referrals checklist

Completion of **all questions** on the Referrals Checklist is **mandatory** for all applications, other than those requiring the completion of Parts A & B only.

It is the responsibility of the applicant to work with the assessment manager to correctly identify if an application involves referral to an IDAS referral agency for their assessment and determination, or comment and / or the coordination of any information request by the Chief Executive DLGP through the referral coordination process. The checklist contains a number of questions to aid in this determination. If your application does involve referral, the assessment manager will confirm in the acknowledgement notice the referral actions required. To assist you in answering the following questions a series of guides are available free from www.ipa.qld.gov.au.

REFERRALS THAT CAN APPLY TO DEVELOPMENT

- other than building work assessable against the Standard Building Regulation 1993

Environmentally relevant activity

For more information refer to [Guide 4](#), schedule 8A of the IPA & schedule 2 of the IP Regulation. Unless you answered "none of the above" to Q1, the application requires assessment by the administering authority¹. If an agency other than the administering authority is the assessment manager for the application, the administering authority is a concurrence agency for the application in relation to this matter.

Note: An application involving ERA 19 and/or 20 will also require completion of Part K₇ of Form 1 for approval where an allocation under the Water Act 2000 is required.

1. The application involves (tick applicable box/es) -

- ☐ (i) an environmentally relevant activity (ERA) for which a code for environmental compliance has **not** been made - complete Part G of Form 1
- ☐ (ii) a mobile or temporary ERA for which a code of environmental compliance has **not** been made - complete Part G of Form 1
- ☒ (iii) none of the above

State-controlled road matters

For more information refer to [Guide 3](#), schedule 8A of the IPA & schedule 2 of the IP Regulation. Unless you answered "none of the above" to Q2, the application triggers referral to Main Roads as referral agency.

In certain circumstances Main Roads will be an advice agency, while in other circumstances Main Roads will be a concurrence agency. Schedule 2 of the IP Regulation will assist you to determine where Main Roads is an advice or concurrence agency for the application.

2. The application involves development on land: (tick applicable box/es) -

(a) **contiguous**² to a State controlled road that is for -

- ☐ (i) a material change of use assessable against the planning scheme;
- ☒ (ii) reconfiguring a lot - unless the number of lots does not increase and the number of lots abutting the State-controlled road does not increase;
- ☒ (iii) operational work not associated with a material change of use assessable against the planning scheme or reconfiguring a lot that-
 - is associated with access to a State-controlled road;
 - is for filling or excavation;
- ☐ (iv) operational work or building work (for a non-residential purpose and not associated with an assessable reconfiguration or a material change of use assessable against a planning scheme) that involves the redirection or intensification of site stormwater from the site, through a pipe with a cross-sectional area greater than 250mm² that directs stormwater to a State-controlled road;

(b) **not contiguous** to a State-controlled road that is -

- ☐ (iv) proposed within a local government area that has a transitional planning scheme and is for development -
 - mentioned in schedule 5 of the IP Regulation and exceeds the thresholds set in that schedule
- ☐ (v) proposed within a local government area that has an IPA planning scheme and is for development -
 - mentioned in schedule 5 of the IP Regulation and exceeds the thresholds set in that schedule
 - inconsistent with plans for State-controlled road infrastructure

(c) ☐ none of the above

¹ The administering authority may be either the Environmental Protection Agency, the relevant local government (for a devolved ERA) or the Queensland Department of Primary Industries and Fisheries (for a delegated ERA).

² Land contiguous to a State-controlled road is defined in schedule 14 of the IP Regulation to mean land if part of the land is within 100m of the State-controlled road or land that is part of a future State-controlled road)

<p>Clearing vegetation</p> <p>For more information refer to <u>Guide 12</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. Unless you answered "none of the above" to Q3, the application requires assessment by NR&M³. If an agency other than NR&M is the assessment manager for the application, NR&M is a concurrence agency for the application in relation to this matter.</p>	<p>3. The application involves: (tick applicable box) -</p> <p>☐ (a) operational work for the clearing of native vegetation where the vegetation clearing is made assessable under Schedule 8 of the IPA - complete Part J of Form 1</p> <p>☐ (b) a material change of if -</p> <p>(i) the lot contains -</p> <ul style="list-style-type: none"> • a category 1, 2 or 3 area shown on a property map of assessable vegetation; or • if there is no property map of assessable vegetation for the lot - remnant vegetation; & <p>(ii) the existing use of the land is a rural or environmental use; and</p> <p>(iii) the size of the land is 2 hectares or larger - complete Part J of Form 1</p> <p>☐ (c) reconfiguration of a lot if -</p> <p>(i) the lot contains -</p> <ul style="list-style-type: none"> • a category 1, 2 or 3 area shown on a property map of assessable vegetation; or • there is no property map of assessable vegetation for the lot - remnant vegetation; & <p>(ii) the size of the lot before the reconfiguration is 2 hectares or larger; and</p> <p>(iii) 2 or more lots are created; and</p> <p>(iv) the size of any lot created is 25 hectares or smaller - complete Part J of Form 1</p> <p>☒ (d) none of the above</p>
<p>Strategic port land</p> <p>For more information refer to <u>Guide 11</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. If you answered "YES" to Q4, the relevant Port Authority is the assessment manager and Queensland Transport is a concurrence agency for the application.</p>	<p>4. Does the application involve a material change of use on strategic port land that is inconsistent with the approved land use plan under the <i>Transport Infrastructure Act 1994</i>?</p> <p>☒ NO</p> <p>☐ YES - complete Part I of Form 1</p>
<p>Acid sulfate soils</p> <p>For more information refer to <u>Guide 10</u> & schedule 2 of the IP Regulation. Unless you answered "none of the above" to Q5, the application requires assessment by NR&M. If an agency other than NR&M is the assessment manager for the application, NR&M is a concurrence agency for the application in relation to this matter.</p>	<p>5. The application involves assessable development (other than building work only assessable against the <i>Standard Building Regulation</i>) on land situated in an identified⁴ local government area and where the surface of the land is: (tick applicable box) -</p> <p>☒ (i) below 20m AHD⁵ and the development involves the excavation of 1000m³ or more of soil or sediment at or below 5m AHD; or</p> <p>☐ (ii) at or below 5m AHD and the development involves filling the site with 1000m³ or more of material</p> <p>☐ (iii) none of the above</p>
<p>Major hazard facilities or possible major hazard facilities</p> <p>For more information refer to <u>Guide 17</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. If you answered "YES" to Q6, the application requires assessment by DES⁶. If an agency other than DES is the assessment manager for the application, DES is a concurrence agency for the application in relation to this matter.</p>	<p>6. Does the application involve a material change of use for a major hazard facility or possible major hazard facility as defined under the <i>Dangerous Goods Safety Management Act 2000</i>?</p> <p>☒ NO</p> <p>☐ YES - complete Part L of Form 1</p>
<p>Water related development</p> <p>For more information about items (i) - (iv), refer to <u>Guide 15</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. For more information about item (v), refer to <u>Guide 14 Does my application involve assessment of a referable dam?</u>, schedule 8A of the IPA & schedule 2 of the IP Regulation. Unless you answered "none of the above", the application requires assessment by NR&M. If an agency other than NR&M is the assessment manager for the application, NR&M is a concurrence agency for the application in relation to this matter.</p>	<p>7. The application involves:</p> <p>☒ (a) operational work that is: (tick applicable box/es)</p> <p>☐ (i) in a watercourse (eg. a pump, gravity diversion, stream re-direction, weir or dam)</p> <p>☐ (ii) for an artesian bore anywhere in the State, no matter what the use</p> <p>☐ (iii) for a subartesian bore, in declared groundwater area⁷, for use for purposes other than stock and/or domestic use</p> <p>☐ (iv) for a subartesian bore, in certain declared groundwater area, for use for stock and/or domestic purposes</p> <p>☐ (v) for a referable dam⁸</p> <p>☒ (vi) for taking overland flow water;</p> <p>☐ (b) none of the above.</p>

³ Department of Natural Resources and Mines

⁴ The identified local government areas are: Ayrakun, Bowen, Brisbane, Broadsound, Bundaberg, Burdekin, Burke, Burnett, Caboolture, Cairns, Calliope, Caloundra, Cardwell, Carpentaria, Cook, Coooloolo, Douglas, Fitzroy, Gladstone, Gold Coast, Hervey Bay, Hinchinbrooke, Isis, Johnstone, Livingstone, Logan, Mackay, Maroochy, Maryborough, Mirium Vale, Mornington, Noosa, Pine Rivers, Redcliffe, Redland, Rockhampton, Sarina, Thuringowa, Tiara, Torres, Townsville, Whitsunday.

⁵ Australian Height Datum (AHD)

⁶ Department of Emergency Services

⁷ The declared ground water areas are listed in Guide 13 Development in a declared catchment area

⁸ Referable dam is defined under the *Water Act 2000*

Removal of quarry material from a watercourse

For more information refer to Guide 16, schedule 8A of the IPA & schedule 2 of the IP Regulation. If you answered "YES" to Q8, the application requires assessment by NR&M. If an agency other than NR&M is the assessment manager for the application, NR&M is a concurrence agency for the application in relation to this matter.

Note: Part G of Form 1 is required to be completed as the activity of removing quarry material from a watercourse is also an Environmentally Relevant Activity (ERA).

8. Does the application involve development for the removal of quarry material from a watercourse⁹ under an allocation notice given under the *Water Act 2000*?

- ☒ NO
☐ YES - complete Part K₇ and G of Form 1

Operational works in a tidal area or coastal management district

For more information refer to Guide 18, schedule 8A of the IPA & schedule 2 of the IP Regulation. If you answered "YES" to Q9, the application requires assessment by EPA. If an agency other than EPA is the assessment manager for the application, EPA is a concurrence agency for the application in relation to this matter.

9. Does the application involve operational works in a tidal area or coastal management district as defined under the *Coastal Protection and Management Act 1995*?

- ☒ NO
☐ YES - complete Part M of Form 1

Tidal works and coastal management

For more information refer to Guide 18, schedule 8A of the IPA & schedule 2 of the IP Regulation. Unless you answered "none of the above", the application triggers referral to QT¹⁰ (Maritime Safety Qld) as concurrence agency.

10. The application involves operational work that is: (tick the applicable box/es)

- ☐ (i) tidal work¹¹ - complete Part M of Form 1
☐ (ii) disposing of dredge spoil or other solid material in tidal water - complete Part M of Form 1
☐ (iii) reclaiming land under tidal water - complete Part M of Form 1
☐ (iv) constructing a canal¹² if the canal is associated with reconfiguring a lot - complete Part M of Form 1
☒ (v) none of the above.

Coastal management

For more information refer to Guide 18, schedule 8A of the IPA & schedule 2 of the IP Regulation. Unless you answered "none of the above", the application requires assessment by EPA. If an agency other than EPA is the assessment manager for the application, EPA is a concurrence agency for the application in relation to this matter.

11. The application involves: (tick the applicable box/es)

- ☐ (i) a **material change of use involving operational work** carried out completely or partly in a coastal management district¹³ and assessable under a planning scheme
☐ (ii) a **material change of use involving building work** carried out completely or partly in a coastal management district and assessable under a planning scheme that is -
 - the construction of a new premises with a GFA¹⁴ of at least 1000m²
 - the enlargement of the GFA of an existing premises by more than 1000m²☐ (iii) assessable **reconfiguration** of a lot where the land is situated completely or partly in a coastal management district - complete Part M of Form 1
☐ (iv) assessable **reconfiguration** of a lot¹⁵ in connection with the construction of a canal - complete Part M of Form 1
☒ (v) none of the above

Development below high water mark

For more information refer to Guide 18, schedule 8A of the IPA & schedule 2 of the IP Regulation. If you answered "YES" to Q12, the application triggers referral to the Port Authority. The Port Authority is concurrence agency if the development is -

- within 200m of a shipping channel or an entry and exit shipping corridor for the port
- within 1000m of a swing basin, a commercial shipping wharf, a mooring, anchorage or spoil grounds;
- within 1000m of a planned port facility identified in a land use plan approved under the *Transport Infrastructure Act 1994*.

In all other situation the Port Authority is advice agency.

12. Does the application involve development below high water mark¹⁶ and within the limits of a port under the *Transport Infrastructure Act 1994*?

- ☒ NO
☐ YES - complete Part M of Form 1

Marinas

For more information refer to Guide 18, schedule 8A of the IPA & schedule 2 of the IP Regulation. If you answered "YES" to Q13, the application triggers referral to Queensland Fire and Rescue Service as an advice agency.

13. Does the application involve operational work that is tidal work for a marina¹⁷ with more than 6 vessel berths?

- ☒ NO
☐ YES - complete Part M of Form 1

⁹ Watercourse is defined in sch 10 of the IPA

¹⁰ Queensland Transport

¹¹ Tidal work is defined in sch 10 of the IPA

¹² Canal means canal as defined under the *Coastal Protection and Management Act 1995*

¹³ Coastal management district is defined in sch 10 of the IPA and means a coastal management district under the *Coastal Protection and Management Act 1995*, other than an area declared as a coastal management district under section 47(2) of that Act

¹⁴ GFA is defined in sch 14 of the IPA to mean the gross floor area. For a definition of how to calculate GFA, go to the planning scheme against which the application is being assessed.

¹⁵ Under s117 of the *Coastal Protection and Management Act 1995*, an application for reconfiguration, where the reconfiguration is associated with the construction of an artificial waterway, must be accompanied by the application for the operational works to construct the artificial waterway.

¹⁶ High water mark is defined in the *Coastal Protection and Management Act 1995* and means the ordinary high water mark at spring tide

¹⁷ Marina is defined in the *Transport Operations (Maritime Pollution) Regulation 1995*

<p>Tidal works in strategic port land tidal areas</p> <p>For more information refer to <u>Guide 18</u>, schedule 8A of the <u>IPA</u> & schedule 2 of the <u>IP Regulation</u>. If you answered "YES" to Q14, the relevant port authority is the assessment manager for the application and EPA and Queensland Transport are concurrence agencies for the application.</p>	<p>14. Does the application involve tidal works within the limits of strategic port land tidal areas¹⁸?</p> <p>☒ NO</p> <p>☐ YES - complete Part M of Form 1</p>
<p>Heritage</p> <p>For further information refer to <u>Guide 19</u>, schedule 8A of the <u>IPA</u> & schedule 2 of the <u>IP Regulation</u>. If you answered "YES" to Q15, the application triggers referral to the Queensland Heritage Council as concurrence agency for the application.</p>	<p>15. Does the application involve development in a heritage registered place as defined under the <u>Queensland Heritage Act 1992</u>?</p> <p>☒ NO</p> <p>☐ YES - complete Part C of Form 1</p>
<p>Declared catchment areas</p> <p>For more information, including a list of the declared catchment areas within Queensland, refer to <u>Guide 13</u>, schedule 8A of the <u>IPA</u> & schedule 2 of the <u>IP Regulation</u>. Unless you answered "none of the above", the application requires assessment by NR&M. If an agency other than NR&M is the assessment manager for the application, NR&M is a concurrence agency for the application in relation to this matter.</p>	<p>16. The application involves development in an areas declared to be a catchment area under the <u>Water Act 2000</u> for: (tick the applicable box/es)</p> <p>☐ (i) reconfiguration of a lot, if any lot resulting from the reconfiguration is less than 16 hectares;</p> <p>☐ (ii) the establishment or expansion of a waste water disposal system, other than a disposal system for carrying out an environmentally relevant activity under the <u>Environmental Protection Act 1994</u></p> <p>☒ (iii) none of the above</p>
<p>Contaminated land</p> <p>Applications involving material change of use and / or reconfiguring a lot may trigger this referral. For more information refer to <u>Guide 5</u>, schedule 8A of the <u>IPA</u> & schedule 2 of the <u>IP Regulation</u>. If you answered "YES" to Q17, the application requires assessment by EPA. If an agency other than EPA is the assessment manager for the application, EPA will be a concurrence agency for the application in relation to this matter.</p>	<p>17. This application involves: (tick the applicable box/es) -</p> <p>☐ (a) reconfiguring a lot for which all of part of the premises are -</p> <ul style="list-style-type: none"> (i) premises mentioned in the <u>IPA</u>, schedule 8, part 1, table 2 - <ul style="list-style-type: none"> • item 5, including the exemption otherwise provided for by paragraph (d); • item 6, including the exemption otherwise provided for by paragraph (e); or • item 7, • including the exemption otherwise provided for a mining activity or petroleum activity; or (ii) in an area for which an area management advice has been given for unexploded ordnance - complete Part N of Form 1 <p>☐ (b) a material change of use -</p> <ul style="list-style-type: none"> (i) made assessable under the <u>IPA</u>, schedule 8, part 1, table 2, items 5 to 7; or (ii) if all or part of the premises is in an area for which an area management advice has been given for unexploded ordnance - complete Part N of Form 1 <p>☒ (c) none of the above</p>
<p>Electricity infrastructure</p> <p>For more information refer to schedule 2 of the <u>IP Regulation</u>. Unless you answered "none of the above", the application triggers referral to the agency to which the easement is granted in favour of as advice agency.</p>	<p>18. The application involves: (tick the applicable box/es)</p> <p>☒ (i) reconfiguration of a lot where any part of the lot is -</p> <ul style="list-style-type: none"> • subject to an easement in favour of a distribution entity or transmission entity under the <u>Electricity Act 1994</u> and the easement is for a transmission grid or supply network under that Act; or • situated within 100m of a substation site; <p>☐ (ii) a material change of use, assessable against a planning scheme and not associated with reconfiguring a lot if -</p> <ul style="list-style-type: none"> • any part of the premises is subject to an easement in favour of a distribution entity or transmission entity under the <u>Electricity Act 1994</u> and the easement is for a transmission grid or supply network under that Act; and • any structure or work that is the natural and ordinary consequence of the use is, or will be, located wholly or partly in the easement; <p>☐ (iii) a material change of use, assessable against a planning scheme and not associated with reconfiguring a lot if any part of the premises is situated within 100m of a substation site</p> <p>☐ (iv) operational work that is filling or excavation, not associated with reconfiguring a lot, if -</p> <ul style="list-style-type: none"> • any part of the premises is subject to an easement in favour of a distribution entity or transmission entity under the <u>Electricity Act 1994</u>; and • the work is located wholly or partly in the easement <p>☐ (v) none of the above.</p>

¹⁸ Strategic port land tidal areas are the areas generally 50 meters seaward of high water mark adjacent to strategic port land.

<p>Land designated for community infrastructure</p> <p>Applications involving development on land designated for community infrastructure may trigger this referral.</p> <p>For more information refer to schedule 2 of the IP Regulation.</p> <p>If you answered "YES" to Q19, the application requires assessment by the chief executive of the department administering the Act authorising the development for the designated purpose. If an agency other than the designator is the assessment manager for the application, the designating agency will be a concurrence agency for the application in relation to this matter.</p>	<p>19. Does the application involve development on land designated for community infrastructure –</p> <ul style="list-style-type: none"> (i) intended to be supplied by a public sector entity; and (ii) on land not owned by or on behalf of the State; and (iii) other than development – <ul style="list-style-type: none"> • for the designated purpose; or • carried out by, or on behalf of, the designator <p>☒ NO</p> <p>☐ YES</p>
<p>SEQ Regional Plan</p> <p>For more information refer to schedule 2 of the IP Regulation.</p> <p>If you answered "YES" to Q20, the application requires assessment by the chief executive of the department administering the IPA.</p>	<p>20. Does the application involve a material change of use for urban purposes¹⁹ in the SEQ Region²⁰, other than for a single dwelling on an existing lot, for which all or part of the premises, the subject of the development, is in the –</p> <ul style="list-style-type: none"> (i) Regional Landscape and Rural Production Area; (ii) Rural Living Area; (iii) Investigation Area; or (iv) Mt Lindesay/North Beaudesert Investigation Area, unless the premises is designated or zoned for urban purposes in the relevant planning scheme. <p>☒ NO</p> <p>☐ YES</p>
<p>Referral coordination</p> <p>An information request requires referral coordination if the application involves –</p> <ul style="list-style-type: none"> (i) 3 or more concurrence agencies; or (ii) a facility or area assessable under a planning scheme and prescribed in schedule 7 or 8 of the IP Regulation; or (iii) development which is subject to an application for preliminary approval mentioned in section 3.1.6 of the IPA. <p>For more information go to Guide 2 & Guide 6.</p>	<p>21. Does the application trigger referral coordination?</p> <p>☐ NO</p> <p>☒ YES, as the application:</p> <ul style="list-style-type: none"> ☐ (i) triggers 3 or more concurrence agencies; ☐ (ii) involves a facility made assessable under a planning scheme and prescribed in schedule 7 of the IP Regulation; ☒ (iii) involves development made assessable under a planning scheme and in an area prescribed in schedule 8 of the IP Regulation; ☐ (iv) is for a preliminary approval mentioned in section 3.1.6 of the IPA
<p>Referral agency responses prior to lodgement</p> <p>Under section 3.3.2 of IPA a referral agency may give a referral agency response on a matter within its jurisdiction about a proposal before an application for the proposal is made to the assessment manager.</p> <p>This is commonly the case where an application requires referral to a building referral agency (eg. Qld Fire and Rescue Service).</p>	<p>22. Did a referral agency give a referral agency response under s3.3.2 of the IPA <u>before</u> the application was made to the assessment manager?</p> <p>☒ NO</p> <p>☐ YES - attach a copy of the referral agency/s response/s</p>
<p>PLEASE NOTE: The assessment manager may refuse to accept an application, which, at the time of lodgement, fails to provide the completed Referrals Checklist (if applicable).</p>	

OFFICE USE ONLY (applicable to assessment manager)

DATE RECEIVED	REFERENCE NUMBER/S						
<p align="center">BUILDING REFERRALS (advice only)</p> <p>Below is a list of the referrals that can apply to an application involving building work assessable against the Standard Building Regulation. This information is provided for <u>advice purposes only</u> and this section of the referrals checklist is <u>not</u> required to be completed and lodged with an application.</p> <table border="1"> <tr> <td data-bbox="170 1646 539 1713"> <p>Fire safety</p> <p>For more information go to schedule 2 of the IP Regulation</p> </td> <td data-bbox="539 1646 1474 1713"> <p>1. An application may trigger referral to Qld Fire and Rescue Services as an advice agency if the building work the subject of the application requires the installation of a fire safety system.</p> </td> </tr> <tr> <td data-bbox="170 1713 539 1803"> <p>Fire safety for budget accommodation</p> <p>For more information go to schedule 2 of the IP Regulation</p> </td> <td data-bbox="539 1713 1474 1803"> <p>2. An application may trigger referral to Qld Fire and Rescue Services as an advice agency if the building work the subject of the application requires the installation of a fire safety system for a budget accommodation building.</p> </td> </tr> <tr> <td data-bbox="170 1803 539 1872"> <p>Spray painting</p> <p>For more information go to schedule 2 of the IP Regulation</p> </td> <td data-bbox="539 1803 1474 1872"> <p>3. An application may trigger referral to the Chief Executive under the <i>Workplace Health and Safety Act 1995</i> as a concurrence agency in the application involves a workplace</p> </td> </tr> </table>		<p>Fire safety</p> <p>For more information go to schedule 2 of the IP Regulation</p>	<p>1. An application may trigger referral to Qld Fire and Rescue Services as an advice agency if the building work the subject of the application requires the installation of a fire safety system.</p>	<p>Fire safety for budget accommodation</p> <p>For more information go to schedule 2 of the IP Regulation</p>	<p>2. An application may trigger referral to Qld Fire and Rescue Services as an advice agency if the building work the subject of the application requires the installation of a fire safety system for a budget accommodation building.</p>	<p>Spray painting</p> <p>For more information go to schedule 2 of the IP Regulation</p>	<p>3. An application may trigger referral to the Chief Executive under the <i>Workplace Health and Safety Act 1995</i> as a concurrence agency in the application involves a workplace</p>
<p>Fire safety</p> <p>For more information go to schedule 2 of the IP Regulation</p>	<p>1. An application may trigger referral to Qld Fire and Rescue Services as an advice agency if the building work the subject of the application requires the installation of a fire safety system.</p>						
<p>Fire safety for budget accommodation</p> <p>For more information go to schedule 2 of the IP Regulation</p>	<p>2. An application may trigger referral to Qld Fire and Rescue Services as an advice agency if the building work the subject of the application requires the installation of a fire safety system for a budget accommodation building.</p>						
<p>Spray painting</p> <p>For more information go to schedule 2 of the IP Regulation</p>	<p>3. An application may trigger referral to the Chief Executive under the <i>Workplace Health and Safety Act 1995</i> as a concurrence agency in the application involves a workplace</p>						

¹⁹ Urban purposes is defined in schedule 10 of the IPA. To make it clear, urban purposes does not include rural residential purposes as defined in schedule 2 of the Draft South East Queensland Regional Plan

²⁰ Local Governments within the SEQ Region are identified in the Draft South East Queensland Regional Plan as Beaudesert Shire, Boonah Shire, Brisbane City, Caboolture Shire, Caloundra City, Esk Shire, Gatton Shire, Gold Coast City, Ipswich City, Kilcoy Shire, Laidley Shire, Logan City, Maroochy Shire, Noosa Shire, Pine Rivers Shire, Redcliffe City, Redland Shire and Toowoomba City.

	incorporating spray painting.
Retail meat premises For more information go to schedule 2 of the <u>IP Regulation</u>	4. An application may trigger referral to Safe Food Qld as a concurrence agency if the application involves a retail meat premises.
Private health facilities For more information go to schedule 2 of the <u>IP Regulation</u>	5. An application may trigger referral to the Chief Executive under the <i>Health Act 1937</i> as a concurrence agency is the application involves a private health facility.
Workplace area less than 2.3m² For more information go to schedule 2 of the <u>IP Regulation</u>	6. An application may trigger referral to the Chief Executive under the <i>Workplace Health and Safety Act 1995</i> as an advice agency if the application involves a work place area less than 2.3m ² .
Land contiguous to a State-controlled road For more information go to schedule 2 of the <u>IP Regulation</u>	7. An application may trigger referral to the Chief Executive under the <i>Transport Infrastructure Act 1994</i> as a concurrence agency or advice agency if the application involves land contiguous to a State-controlled road.
Pastoral workers accommodation For more information go to schedule 2 of the <u>IP Regulation</u>	8. An application may trigger referral to the Chief Executive under the <i>Pastoral Works' Accommodation Act 1980</i> as a concurrence agency is the application involves pastoral workers accommodation.
Child care centre For more information go to schedule 2 of the <u>IP Regulation</u>	9. An application may trigger referral to the Chief Executive under the <i>Child Care Act 2002</i> as a concurrence agency if the application involves a child care centre.
Coastal development For more information go to schedule 2 of the <u>IP Regulation</u>	10. An application may trigger referral to the Chief Executive under the <i>Coastal Protection and Management Act 1995</i> as a concurrence agency if the application involves land completely or partly seaward of a coastal building line ²¹ .
Heritage For more information go to schedule 2 of the <u>IP Regulation</u>	11. An application may trigger referral to the Heritage Council as a concurrence agency if the application involves a heritage registered place.

²¹ Coastal building lines are prescribed under the *Coastal Protection and Management Act 1995*.

BAYMILL INVESTMENTS PTY.LTD

A.C.N. 010 225 742

HANOVER HOUSE, 158 CITY ROAD, SOUTHBANK, 3006 FAX: (03) 9682 4396
P.O. BOX 400, SOUTH MELBOURNE 3205. TEL: (03) 9695 8700

6 May 2005

Chief Executive Officer
Gold Coast City Council
PO Box 5042
GCMC QLD 9729

Dear Sir/Madam,

RE: AUTHORITY TO MAKE APPLICATION FOR DEVELOPMENT APPROVAL.

Baymill Investments Pty Ltd, as the applicant in this matter and the Registered Owner of part or all of the Subject Land specified in Item 1 of the attached schedule, authorises the lodgement of the Application specified in Item 2 in respect of all or part of the Subject Land.

Yours Faithfully

sch4p4(6) Personal information

...
Company Secretary/~~Director~~

sch4p4(6) Personal information

Director

sch4p4(6) Personal information

Name of Company secretary/~~Director~~ (print)

sch4p4(6) Personal information

...
Name of Director (print)

BAYMILL INVESTMENTS PTY LTD
ACN 010 225 742

SCHEDULE

- | | | |
|--------|--------------|---|
| Item 1 | Subject Land | Lot 390 on SP149355, Lot 2 on RP223566 and Lot 902 on SP108453 |
| Item 2 | Application | <p>(a) A development permit for reconfiguring a lot for:</p> <ul style="list-style-type: none">- the opening of new road involved in the cul-de-sac heads at the end of Breakwater Road and Aquatic Drive; and- the staged creation of a standard format lot for Lot 12, a volumetric lot for Lot 2 and standard format lots needed to allow the range of development envisaged by the Plan of Development on each of the development platforms to facilitate the community title structure proposed; and <p>(b) Preliminary approval for the operational work in the form of an indicative services layout for the "engineering" works on each of the platforms required to create the development.</p> |

6 May 2005

Chief Executive Officer
Gold Coast City Council
PO Box 5042
GCMC QLD 9729

Dear Sir/Madam,

RE: AUTHORITY TO MAKE APPLICATION FOR DEVELOPMENT APPROVAL.

sch4p4(6) Personal information

as the applicant in this matter and the
Registered Owner of part or all of the Subject Land specified in Item 1 of the attached schedule,
authorises the lodgement of the Application specified in Item 2 in respect of all or part of the
Subject Land.

Yours Faithfully

sch4p4(6) Personal information

Registered Owner

sch4p4(6) Personal information

Witness

sch4p4(6) Personal information

Name of Registered Owner (print)

sch4p4(6) Personal information

Witness (print)

SCHEDULE

- | | | |
|--------|--------------|---|
| Item 1 | Subject Land | Lot 390 on SP149355, Lot 2 on RP223566 and Lot 902 on SP108453 |
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DOCUMENT 2

**Staged Reconfiguring of Lots
Plans and Operational Work Plans,
Statement of Proposed Staging,
Titling and Tenure**

Staged Reconfiguring of Lots Plans



Buckley Vann

TOWN PLANNING CONSULTANTS

vision. insights.

STATUTORY PLANNING
STRATEGIC PLANNING
URBAN DESIGN

PLANNING REPORT

Breakwater Road Development

MAY 2005

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APPENDIX B: Statement of Proposed Staging, Titling and Tenure
APPENDIX C: Proposed Urban Design Code
APPENDIX D: Snake Hill Design Guidelines

1.0 INTRODUCTION

This report addresses the town planning aspects relevant to two associated development applications for a material change of use and the staged reconfiguring of lots and operational works respectively in relation to land on Highfield Drive and Breakwater Road, spanning over the suburb boundary of Merrimac and Robina. The applications follow an earlier development application lodged on 1 March 2005 for staged reconfiguring of lots involving the creation of management lots and operational work to create a waterway and wetland system and development platforms above flood level on the same land.

The subject site forms part of a site over which rezoning approval was granted by the (then) Albert Shire Council and gazetted in October 1992 to the Special Facilities zone for a range of tourism and residential purposes and Public Open Space. A subdivision application lodged in October 1993, for various reasons, ultimately became the subject of a Planning and Environment Court Appeal which was heard and determined in 2004. The appeal covered both a preliminary point as to whether the development proposal before the Court was a minor modification of the original subdivision application, and also the merits of the proposal itself. The Court found that the proposal was not a minor modification, but had this not been the case, that it would have approved the development proposal before the Court, subject to one of the proposed lots not being dedicated for public open space as proposed.

The application lodged in 1 March 2005 was, in effect, for the development proposed to the Court, subject to one change in that the relevant lot is not proposed as public open space in accordance with the Court's indication.

The two applications which are the subject of this report provide details about the development proposed on the development platforms which would be created by the development proposed in the February application; and are generally consistent with the intended outcome of the earlier application. Full details of the development which is the subject of this report are set out in Section 4.0.

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Proposed Breakwater Road
Development

Buckley Vann
Town Planning Consultants

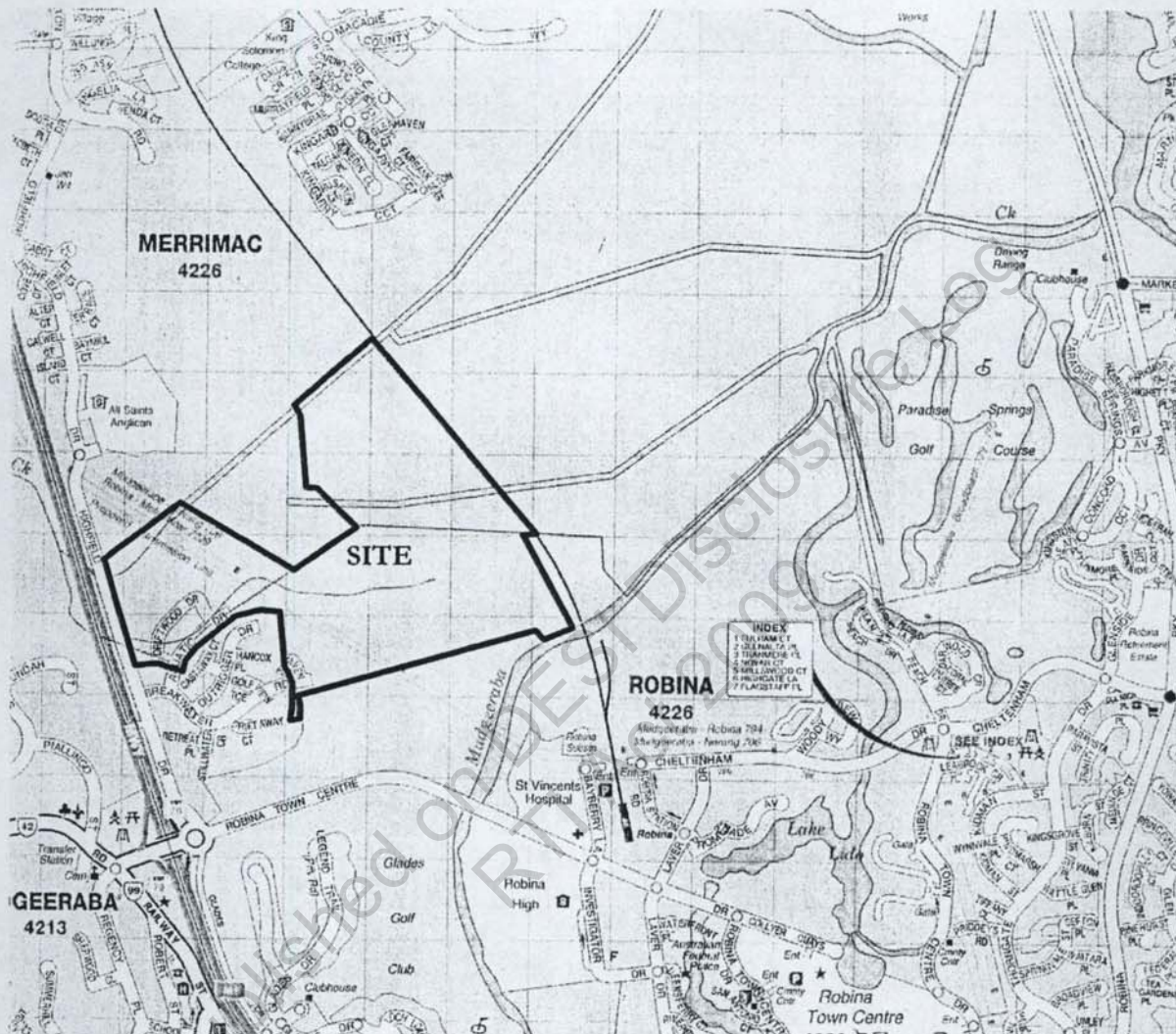
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2.0 SITE DESCRIPTION

2.1 Site Details

The subject site is located between Highfield Drive and the Brisbane Robina rail line close to its terminus at the Robina Railway Station. Highfield Drive functions as a service road for the Pacific Motorway. The location of the site is set out below.



The site is irregular in shape and consists of three existing allotments described as Lot 2 RP223566, Lot 902 SP108453 and Lot 390 SP149355.

The site has a total area of 73.07 hectares, and its irregular shape is in part the result of existing residential development to the south-west of the site, which forms Stages 1 and 2 of the overall site development; and also the intrusion of an area used as playing fields by the adjoining All Saints Anglican School to the north-west of the site.

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The site's frontage to Highfield Drive is its western boundary and is about 290 metres long; while most of its north-eastern boundary is defined by the Brisbane-Robina rail line. Two existing roads within the completed Stages 1 and 2 of the development to the south-west, Aquatic Drive and Breakwater Road, also provide access to the site.

The south-eastern corner of the site has a small frontage of about 50 metres to Mudgeeraba Creek; and the site also contains some constructed drains built to improve site drainage, which flow generally from west to east.

Topographically, the site is predominantly low and flat, as it is located in the south-western (upstream) extremity of the extensive Merrimac-Carrara floodplain. Most of the site is cleared of mature vegetation, has been used for grazing for many years and is in a degraded state. There is a sprinkling of trees throughout the site, with the most concentrated areas of vegetation on a elevated area known as "Snake Hill", a small vegetated knoll in the northern part of the site close to the boundary of the All Saints School, and along the bank of Mudgeeraba Creek.

A powerline runs in an easement from north-west to south-east through the site, and towers supporting this powerline are located on the site.

Figure 2.1 provides contours of site topography over an aerial photographic base, which indicates the vegetation on site,

2.2 Locality

The site is in a locality which is predominantly developed for a range of urban uses, and is close to the major centre facilities provided at Robina, including the Robina Town Centre, Robina rail station, hospital and high school. The Robina Town Centre provides high level shopping and a wide range of shopping and a wide range of support services and is one of the largest centres in the Gold Coast region.

The site is part of a large urban region and is surrounded by a wide range of residential, commercial, rural residential and other urban uses. Most of these urban uses are located on higher land in the area, although many areas of floodplain have been developed for residential/tourist/recreation purposes including the Glades development immediately to the south of the subject site (part of which was included in the original rezoning area), Paradise Springs and Palm Meadows, to the north and north-east. Generally these developments involve golf courses, lakes/waterbodies and associated residential/tourist/recreation uses, which is a common style of development in the Merrimac/Carrara floodplain.

The north-western boundary of the site is adjoined by a public park on Highfield Drive (which was dedicated from the original landholdings subject to the rezoning), the All Saints Anglican School and a further area of park adjoining the rail line (which was also part of the original rezoning area). Further north, there is more residential development in the Ghilgai Road area, east of the rail line.

A further area of parkland adjoins the south eastern boundary, on Mudgeeraba Creek and near the rail line. This park was also part of the original rezoning area. Further to the south-west, across the Pacific Motorway, is the centre of Mudgeeraba township, surrounded by associated residential and acreage development.

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In summary, the site is strategically located within the urban area of the Gold Coast, close to a wide range of high level facilities which makes it locationally a very desirable site for residential and tourist development which benefit from and support the surrounding uses and facilities; however, the floodplain nature of most of the site represents a significant constraint to the extent of such development.

This situation is demonstrated in the aerial photograph below.



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**Statement of Proposed Staging,
Titling and Tenure**

STATEMENT OF PROPOSED STAGING TITLING AND TENURE

BREAKWATER ROAD DEVELOPMENT

May 2005

Purpose of statement

The intent of the Staged Reconfiguring of Lots Plan G4280-PP07 is to allow for the orderly future development and titling of the site.

The objective of this statement is to describe the proposed staging of the lot creation on the Staged Reconfiguring of Lots Plan G4280-PP07 together with the proposed tenure and titling structure of the lots being created.

This statement also describes the proposals in respect of the body corporate structuring of the Breakwater Road Development under the *Body Corporate and Community Management Act 1997*.

This statement is provided to assist in the understanding that the Breakwater Road Development is well structured, appropriately titled and will operate to ensure a controlled environment is created and maintained whilst recognizing the: -

- size of the Breakwater Road Development;
- the staged construction of lots and areas;
- different residential products being created and sold to the public; and
- the waterway and wetland system.

Proposed titling and tenure

In considering the titling of the Breakwater Road Development, the following points are important:

1. Proposed lots 3 – 16 will be separate freehold lots which will form part of the scheme land, for a master body corporate known as the Principal Body Corporate ("PBC"). These lots will be further developed by building format plans which will form part of subsidiary bodies corporate utilising the layered scheme provisions of the *Body Corporate and Community Management Act 1997*.
2. Proposed lot 1 will be a separate freehold lot and when further developed by building format plans will contain a separate body corporate to the PBC (and will not be a subsidiary body corporate).
3. Proposed lot 17, comprising the on-stream wetland and waterway system, will be a separate freehold lot which is proposed to be included as PBC common property subject to easements in gross in favour of the Council if required by the Council. However, if the Council wishes to have the on-stream wetland and waterway system transferred to the Council as public open space, a volumetric lot in respect of the on-stream waterway and wetland system excluding the third bridge will be created and transferred to the Council. A balance lot comprising the third bridge would then be added to the PBC common property or transferred to the PBC as a body corporate asset. The factors supporting such an approach are set out in the planning report of Buckley Vann Pty Ltd.
4. The access network inside the development that is beyond the current eastern extension of Breakwater Road will be private and only used by residents, owners and invitees.

5. Uses which are similar in nature, will form part of subsidiary bodies corporate each of which will be a member of the PBC. There will be a number of subsidiary bodies corporate in the Breakwater Road Development.

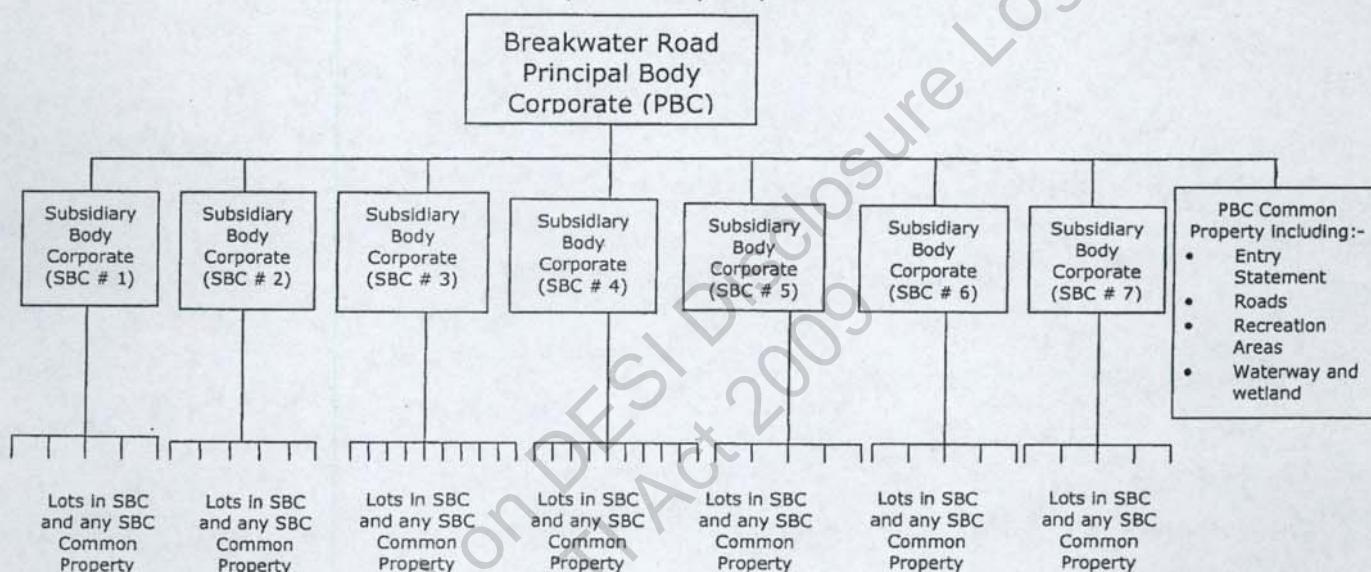
The proposed titling and tenure for the proposed development is set out in Table 2 (Proposed Staged Reconfiguring of Lots) which describes the proposed staging of the development.

The *Body Corporate and Community Management Act 1997*, provides that a site can be titled so that there are areas which are shared by all and other areas in the same site which are shared by only a select few.

To achieve this arrangement, a number of bodies corporate are created within the one site.

Figure 1 (Proposed body corporate structure) sets out how the Breakwater Road Development could eventually be titled once all areas are developed.

Figure 1 – Proposed body corporate structure



An indicative structure creating a layered scheme with 7 subsidiary bodies corporate is illustrated in Table 1 (Subsidiary schemes).

Table 1 – Subsidiary schemes

Subsidiary schemes	Proposed lots
SBC 1	Lot 3
SBC 2	Lots 4, 7, 11
SBC 3	Lots 5, 9, 13
SBC 4	Lots 6, 10, 15
SBC 5	Lots 8 & 12
SBC 6	Lot 14
SBC 7	Lot 16

Proposed Staging

In order to achieve the development in an orderly fashion, staging is required which takes account of the construction phasing and titling structure. The proposed staging of the development is described in Table 2 (Proposed Staged Reconfiguring of Lots).

Table 2 – Proposed Staged Reconfiguring of Lots

Stage	Lots Created	Type of Subdivision plan	Tenure of Lot	Description of stage	Description of Community Management Statement
1. Creation of lot 1 to separate it from the balance of the site (Refer plan G4280 PP13)	Lot 1	Standard format	Freehold lot	Not part of the PBC. Future titling by a building format plan.	-
	New road	Standard format	Crown land	Dedication of cul-de-sac turn around at end of Aquatic Drive	-
	Future development lot	Standard format	Freehold lot	Remaining areas of the site.	-
	Balance lot	Standard format	Freehold lot	Balance area north of Railway Line not part of the development application.	-
2A. Create the area of the PBC comprising proposed lots 3, 4 and 5 and common property in one lot (Refer plan G4280 PP14)	Future development lot	Standard format	Freehold lot	Area of proposed lots 3, 4 and 5 and common property to be created by a standard format plan.	Initial PBC Scheme land
	New road	Standard format	Crown land	Dedication of cul-de-sac turn around at the end of Breakwater Road.	-
	Future development lot	Standard format	Freehold lot	Remaining areas of the site. This lot has dedicated road access to Highfield Drive.	-
2B. Establish PBC initially comprising lots 3, 4 and 5 and common property (Refer plan G4280 PP14)	Lot 3	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots created by a building format plan will create a new subsidiary body corporate.	A lot in the PBC
	Lot 4	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots created by a building format plan will create a new subsidiary body corporate.	A lot in the PBC
	Lot 5	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots created by a building format plan will create a new subsidiary body corporate.	A lot in the PBC
	Common property	Standard format	Freehold lot forming part of PBC scheme land	Creation of the first area of body corporate land to be used for access.	Common property in the PBC

Stage	Lots Created	Type of Subdivision plan	Tenure of Lot	Description of stage	Description of Community Management Statement
3A. Create additional area of the PBC comprising proposed lot 6 and additional common property in one lot (Refer plan G4280 PP15)	Future development lot	Standard format	Freehold lot	Area of proposed lot 6 and additional PBC common property to be created by a standard format plan.	Additional PBC Scheme land
	Future development lot	Standard format	Freehold lot	Remaining areas of the site. This lot has dedicated road access to Highfield Drive.	-
3B. Addition to PBC Scheme land (Refer plan G4280 PP15)	Lot 6	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots created by a building format plan will create a new subsidiary body corporate.	A lot in the PBC
	Common property	Standard format	Freehold lot forming part of PBC scheme land	Progressive development of PBC scheme land including first bridge and open space areas.	Common property in the PBC
4A Create additional area of the PBC comprising proposed lots 7, 8, 9 and 10 and additional PBC common property in one lot and dedication of park from future development lot (Refer plan G4280 PP16)	Future development lot	Standard format	Freehold lot	Area of proposed lots 7, 8, 9 and 10 and additional PBC common property to be created by a standard format plan.	Additional PBC Scheme land
	Future development lot	Standard format	Freehold lot	Remaining areas of the site. This lot has dedicated road access to Highfield Drive.	-
	Lot 2 (park)	Standard format	Crown land (park)	Land to be dedicated to the Council for access from Breakwater Road to the existing Park adjoining Mudgeeraba Creek.	-
	Easement	Standard format	Freehold lot	Access easement over PBC common property to future development lot comprising proposed lots 7, 8, 9 and 10.	-
4B Additional PBC scheme land (Refer plan G4280 PP16)	Lot 7	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots to be created by the building format plan will form part of an existing subsidiary body corporate.	A lot in the PBC

Stage	Lots Created	Type of Subdivision plan	Tenure of Lot	Description of stage	Description of Community Management Statement
	Lot 8	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots to be created by a building format plan will create a new subsidiary body corporate.	A lot in the PBC
	Lot 9	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots to be created by a building format plan will form part of an existing subsidiary body corporate.	A lot in the PBC
	Lot 10	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots to be created by a building format plan will form part of an existing subsidiary body corporate.	A lot in the PBC
	Common property	Standard format	Freehold lot forming part of PBC scheme land	Progressive development of PBC scheme land including second bridge and open space areas.	Common property in PBC
5A. Create additional area of the PBC comprising proposed lots 11, 12, 13, 14 and 15 and additional PBC common property in one lot (Refer plan G4280 PP17)	Future development lot	Standard format	Freehold lot	Area of proposed lots 11, 12, 13, 14 and 15 and additional PBC common property to be created by a standard format plan.	Additional PBC scheme land
	Future development lot	Standard format	Freehold lot	Remaining areas of the site. This lot has dedicated road access to Highfield Drive.	-
	Easement	Standard format	Freehold lot	Access easement over PBC common property to future development lot comprising proposed lots 11, 12, 13, 14 and 15 and additional PBC common property.	-

Stage	Lots Created	Type of Subdivision plan	Tenure of Lot	Description of stage	Description of Community Management Statement
	Easement	Standard format	Freehold lot	Access easements in respect of the third bridge which is contained in the future development lot comprising the remaining areas of the site in favour of: <ul style="list-style-type: none"> the PBC; and the future development lot comprising proposed lots 11, 12, 13, 14 and 15 and additional PBC common property. 	-
5B. Additional PBC Scheme land (Refer plan G4280 PP17)	Lot 11	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots to be created by a building format plan will form part of an existing subsidiary body corporate.	A lot in PBC
	Lot 12	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots to be created by a building format plan will form part of an existing subsidiary body corporate.	A lot in PBC
	Lot 13	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots to be created by a building format plan will form part of an existing subsidiary body corporate.	A lot in PBC
	Lot 14	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots to be created by a building format plan create a new subsidiary body corporate.	A lot in PBC
	Lot 15	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots to be created by a building format plan will form part of an existing subsidiary body corporate.	A lot in PBC

Stage	Lots Created	Type of Subdivision plan	Tenure of Lot	Description of stage	Description of Community Management Statement
	Common property	Standard format	Freehold lot forming part of PBC scheme land	Progressive development of PBC scheme land including the third bridge (being a body corporate asset by way of easement) and open space areas.	Common property in the PBC
6A. Create additional area of the PBC comprising proposed Lot 16 and additional PBC common property in one lot (Refer plan G4280 PP18)	Future development lot	Standard format	Freehold lot	Area of proposed lot 16 and additional PBC common property to be created by a standard format plan.	Additional PBC scheme land
	Lot 17	Standard format	Freehold lot	Remaining area of the site being the on-stream waterway and wetland system. This lot has dedicated road access to Highfield Drive.	-
	Easement	Standard format	Freehold lot	Access easement over PBC common property for future development lot comprising proposed lot 16 and additional PBC common property.	-
	Easement	Standard format	Freehold lot	Access easements in respect of the third bridge which is contained in proposed lot 17 in favour of the future development lot comprising proposed lot 16 and additional PBC common property.	-
6B. Additional PBC Scheme land (Refer plan G4280 PP18)	Lot 16	Standard format	Freehold lot forming part of PBC scheme land	Future development lot. Future titling by a building format plan. Lots to be created by a building format plan will create a new subsidiary body corporate.	A lot in the PBC
	Common property	Standard format	Freehold lot forming part of PBC scheme land	Creation of balance PBC common property.	Common property in the PBC
7. Inclusion of proposed lot 17 in PBC common property	-	Standard format	Common property forming part of PBC scheme land	Include proposed lot 17 as PBC common property subject to an easement in gross in favour of the Council, if required by the Council.	Common property in the PBC

Stage	Lots Created	Type of Subdivision plan	Tenure of Lot	Description of stage	Description of Community Management Statement
Alternative proposal involving the dedication of the on-stream waterway and wetland system as new park if required by the Council. The factors in support of this approach are set out in the report of Buckley Vann Pty Ltd. (Refer plan G4280 PP19)	On-stream waterway and wetland system lot (excluding third bridge)	Volumetric format	New park	Lot to include on-stream waterway and wetland system. PBC could enter into a landscape maintenance agreement in respect of the on-stream waterway and wetland system with the Council.	Not applicable
	Balance lot other than on-stream waterway and wetland system lot	Standard format	Freehold lot	Balance lot comprising third bridge. Lot to be added to PBC common property or transferred to PBC.	Common property in the PBC or a body corporate asset



Notice of concurrence agency response

Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

This notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the *Integrated Planning Act 1997*, to advise you of a decision or action.

Enquiries to: Miguel Zavaleta
Telephone: (07) 3225 1080 miguel.zavaleta@epa.qld.gov.au
Your reference: PN158804/23/DA2
Our reference: App'n: 3721 Part 2 File No.: 901102

EMK updated
23/03/06

CC: Buckley Vann Town Plannin
PO Box 205
FORTITUDE VALLEY QLD 4006

sch4p4(6) Pers

Gold Coast City Council
PO Box 5042
GOLD COAST MC QLD 9729

Attention: Mr Jim Webb

Re: Application (No. PN158804/23/DA2) for development approval for assessable development to be carried out at Highfield Drive, Breakwater Road and Aquatic Drive, Robina and Merrimac (Lot 2 on RP223566, Lot 902 on SP108453, and Lot 390 on SP149355).

Pursuant to the following items of Table 2 Schedule 2 of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency – Contaminated Land Unit is a concurrence agency for the development application:

- ☒ Item 21, Table 2 of Schedule 2 of the *Integrated Planning Regulation 1998*
- ☐ Item 22, Table 2 of Schedule 2 of the *Integrated Planning Regulation 1998*

The Environmental Protection Agency – Contaminated Land Unit (EPA-CLU), acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above as attached.

It would be appreciated if Council could provide a signed hard copy of the final development approval issued by Council (which includes the Agency's concurrence conditions).

The EPA has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

Should you require any further information please do not hesitate to contact the above officer on the telephone number or e-mail address provided.

sch4p4(6) Personal information

Signed

22/3/2006

Date

Delegate of Administering Authority
Environmental Protection Act 1994.

Concurrence agency response

Sections 3.3.16 and 3.5.18 *Integrated Planning Act 1997*

Applicant:	Baymill Investments Pty Ltd & sch4p4(6) Personal information sch4p4(6) Personal information
Council Application Number:	PN158804/23/DA2
EPA Application Number:	3721 Part 2
Date application received by EPA:	5/07/2005
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i>
Jurisdiction:	Chapter 7, Part 8 <i>Environmental Protection Act 1994</i>

Development Description:

Reconfiguration of a Lot - Reconfiguring of Lots (17 lots in total) & Preliminary approval for Operational works

where:

- ☐ the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the *Environmental Protection Act 1994*.
- ☐ the proposed use of the land is for child care, educational, recreational, residential or similar purposes and the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for an industrial activity.
- ☒ the land is on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*.
- ☐ the land is wholly or partly within an area for which an Area Management Advice for industrial activity or natural mineralisation has been issued and the proposed use of the land is for child care, educational, recreational, residential or similar purposes.
- ☐ the land is wholly or partly in an area for which an Area Management Advice for unexploded ordnance has been issued.

at the following place(s):

Highfield Drive, Breakwater Road and Aquatic Drive, Robina and Merrimac
(Lot 2 on RP223566, Lot 902 on SP108453, and Lot 390 on SP149355)

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that

- ☒ conditions must attach to any development approval
- ☐ any approval must be for part only of the development
- ☐ any approval must be a preliminary approval only
- ☐ there are no concurrence agency requirements
- ☐ the application must be refused

Conditions of the development approval

1. The reconfiguration of the Lot 390 on SP149355 where hazardous contamination has been identified must be in accordance with the survey plan titled "*Staged Reconfiguring of Lots Plan – Stage 1, Lot 2 on RP223566, Lot 902 on SP108453, Lot 390 SP149355*" on plan drawing number G4280 PP13 prepared by Heilbronn & Partners Pty Ltd dated 30 May 2005. Copy enclosed.
2. It is a requirement that the applicant notify the Environmental Protection Agency (EPA) (Contaminated Land Unit) in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA (Contaminated Land Unit) to enable the removal of proposed lots from the Environmental Management Register (EMR) except the balance of Lot 390 on SP149355 east of the Brisbane Robina railway line.

Additional comments or advice about the application

- The Environmental Protection Agency is the referral agency for any development application involving the balance of Lot 390 on SP149355 east of the Brisbane Robina railway line.

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18 of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions.

The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Regulation 1998* for the protection of the environment by the management of contaminated land. The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response are required to prevent or mitigate any potential risk to human health or the environment from possible hazardous contaminants present on the site.

Additional information for applicants

This concurrence response pursuant to Chapter 7, Part 8 of the *Environmental Protection Act 1994* applies only to contaminated land issues and does not remove the need to obtain any further approval for this development which may be required by this or other legislation, State and/or Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

~ End Of Concurrence Agency Response ~

IPA APPLICATION ASSESSMENT SHEET – CONTAMINATED LAND UNIT**Assessment****Due Date: 28/03/06**

29/03/06

1. PROPOSAL DETAILS**Proposal:****Reconfiguration of a Lot****Proposal Description:****Reconfiguring of Lots (17 lots in total) &****Preliminary approval for Operational works****2. ADMINISTRATIVE DETAILS****EPA App'n No:****3721 Part 2****File No:****901102****Referral Coordination (RCU) No:****1871****ECOTRAK Project No:****Council:****Gold Coast City Council****LA App'n No:****PN158804/23/DA2****Site Address:****Highfield Drive, Breakwater Road and****Aquatic Drive, Robina and Merrimac****Property Description:****Lot 2 on RP223566, Lot 902 on SP108453, and****Lot 390 on SP149355****Applicant Name:****, Baymill Investments Pty Ltd & sch4p4(6)**

sch4p4(6) Personal information

sch4p4(6) Buckley Vann Town Planning

EMR/CLR/AMA details:

Lot/Plan	EMR/CLR/ AMA No:	Notifiable Activity (NA) or Hazardous Contamination.	On going NA Yes or No?
390/SP14935 5	40521	50 – Hazardous contamination (because base parcel 42 on RP839861 is on the EMR 3721)	No

3. APPLICATION ASSESSMENT**Information from the application, EMR or CLU files:****Any existing ERA's?:****No****Any new ERA's?:****No****ERA Jurisdiction:****N/A****Information from the application and IDAS forms:****Past Use:****Unknown****Current Use:****rural****Supporting information:****Are there any Environmental Values that are at risk?****Human being, flora and fauna****If so, what is the level of risk? (Check internal policy)****Medium to high****Other relevant details supporting the conclusion(s)**

On 18 February 2005, the EPA-CLU approved an application for RoL of lot 390 on SP149355 with standard conditions and advice. The application stated that the intention of the development is for tourism, public & private recreation, residential lots, detached dwellings, dwelling units, etc.

In July 2005, The IDAS coordinator advised of the commencement of referral coordination for RoL of Lot Lot 2 on RP223566, Lot 902 on SP108453, and Lot 390 on SP149355. The applicant is proposing the reconfiguration of 3 lots into 17 lots. The future use is for residential and recreational areas. In accordance with the information in the application the lot 390 will contain residential dwellings and recreational areas.

On 8 July 2005, the IDAS Coordinator was advised that EPA-CLU does not require further information. Furthermore, standard conditions and standard advice were recommended.

On 26 July 2005, the IDAS Coordinator provided a copy of the Info Request issued by the DLGPSR,

On 4 November 2005, the IDAS coordinator advised the commencement of a MCU Referral coordination for the Lot 390 SP149355.

On 11 November 2005, the IDAS Coordinator sent the info request for the MCU application.

On 14 February 2005, the applicant replied the info request notice issued by the DLGPSR.

On 22 February 2006, I contacted with Jim Webb from the GCCC to know about the MCU application. He advised that this proposal has long history of litigation at the end The Court accepted the plaintiff request. As consequence of that decision MCU will not be needed.

The Lot 390 is in the register because contamination from a cattle dip in the former lot 2 RP178297 has migrated to the south.

The application is for development permit for RoL and preliminary approval for operational works.

On 20 February 2006, Planning advised that they don't have any issue in relation this application therefore the EPA-CLU can issue the CAR for this application.

4. ASSESSMENT OUTCOME

Conclusion: (Is the site suitable for the proposed development?)

The EPA did not request additional information for RoL because it was believed that a MCU application will be referred to the EPA.

Arsenic contamination is expected in a limited area at the north of lot 390.

Recommendation:

To approve the enclosed CAR which recommends standard condition and advice for RoL plus a not standard condition dealing with the remainder contamination with As at the north of the Lot 390.

Assessor:

Miguel Zavaleta

Date:

22/02/06

22/02/06

Reviewer Name: /

Reviewer signature:

Revision Date:

Reviewer Comment(s)/Recommendation:

----- End of the Assessment -----

On 13 March 2006, a meeting was held with applicant. The applicant stated that the application for ROL does not include ~~the~~ the part of Lot 390 subject to hazardous contamination (migration of contaminants from the former cattle dip, removed, located at the adjacent lot at the north).

On 21 March 2006, the EPA received a letter from the applicant confirming the distance between the proposed ROL & the contaminated area, more than 400m, plus an statutory declaration from the owner.

The applicant is aware that the balance of Lot 390, no subject to this development, will remain on the EMR

Conclusion:

Based on new information, It is considered acceptable this proposal.

Recommendation enclosed

To approve the CAR with standard condition for ROL with specific statement that the ~~balance~~ Lot balance 390 will remain on the EMR once the proposed ROL is sealed and advice that the EPA is the referral agency for any development application involving the balance of Lot 390.

sch4p4(6) Personal in

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3 of 3

61 of 414

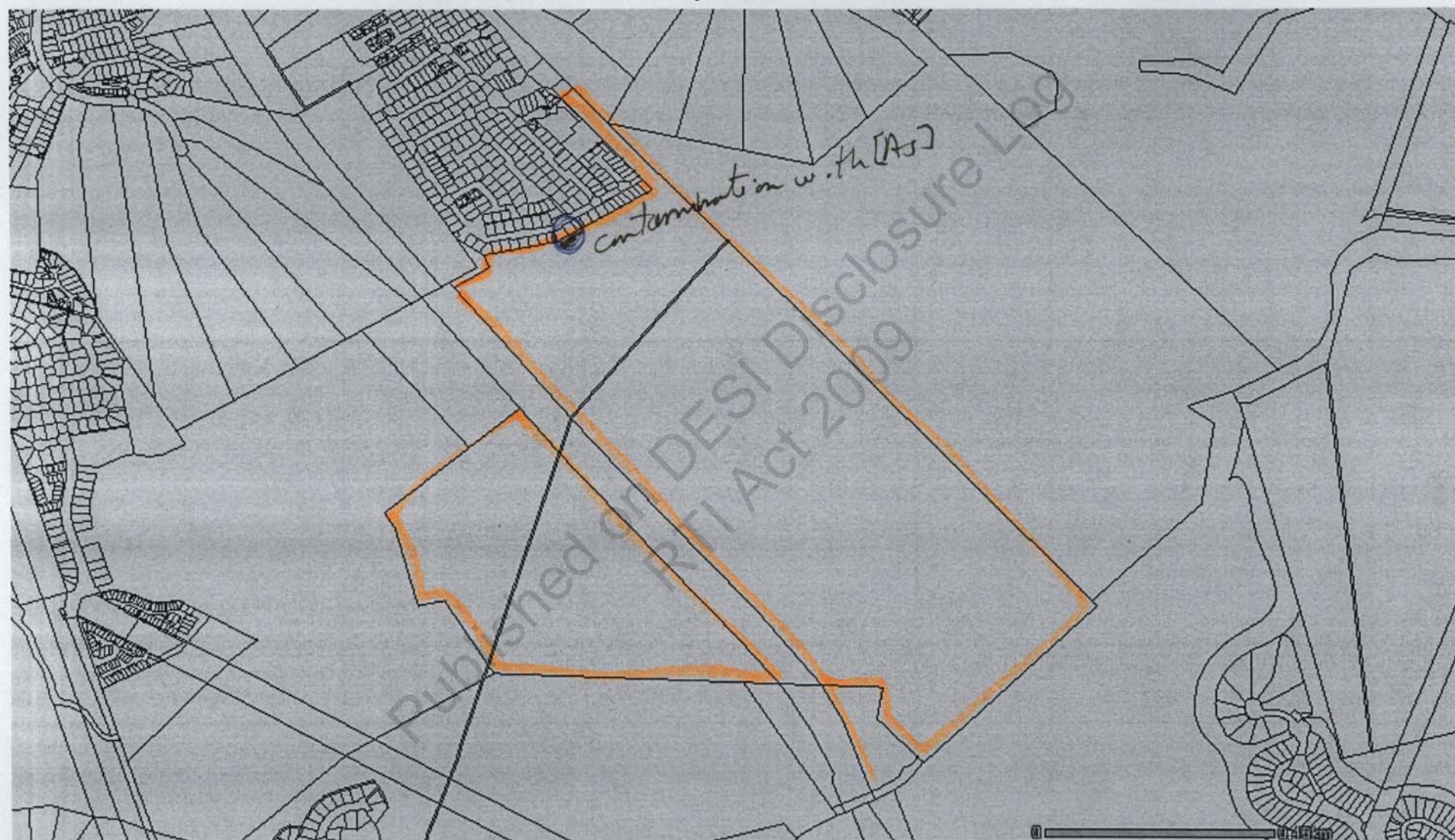
ecomaps

22/02/2006

Queensland Environmental Protection Agency

ecomaps Screen Plot

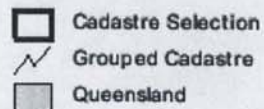
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22/02/2006

☐ Other States

ecomaps Screen Plot

ecomaps Layers

Queensland Environmental Protection Agency

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Published on DESI Disclosure Log
RTI Act 2009

Miguel Zavaleta-Romero

From: John C. Taylor [johnc.taylor@epa.qld.gov.au]
Sent: Tuesday, 14 February 2006 1:00 PM
To: Jon Nicholson; Miguel Zavaleta-Romero
Subject: RCU1904 - Applicant's response to Information Request

Importance: High



RCU1904HighfieldD
veBreakwaterR...

Greetings All,

Today's mail contained the Applicant's response to the Information Request, dated 10 February 2006, for the above development, detailed below:

Our reference STH5894 / BNE901102 Appl'n. No. 3721 Pt.2

Applicant: Baymill Investments Pty Ltd & sch4p4(6) Personal information and
sch4p4(6) Personal information

Application Type: Reconfiguring a Lot - 3 to 17 lots. Assessed under superseded planning scheme - Albert Shire 1995.

Referral Triggers: Development within 100m of an area mentioned in Integrated Planning Regulation 1998 Section 12, and Schedule 8 (a) 'filling below a floodline'.

Location: Highfield Drive, Breakwater Road & Aquatic Drive, Robina and Merrimac.
Lot 2 RP223566 Lot 902 SP108453, and Lot 390 SP149355.

Local Government: Gold Coast City Council.

I have forwarded the Applicant's copy received to a) Planning Jon Nicholson for file STH5894.

I have attached the copy of the EPA information request for your easy referral.

Can you please confer and determine amongst yourselves who will coordinate the EPA response, if warranted. Note that Applicant advises that Third Party info has been provided as a courtesy, that they are providing only this info (no more to come) and that they have asked the AM and Concurrence agencies to proceed with processing.

The Applicant has noted (at Page 39 of the response) the EPA CLU advice. I will not be coordinating nor tracking.

Regards

John C Taylor
IDAS Coordinator - SEQ
Southern Region
Environmental Protection Agency
GPO Box 2771 Brisbane Q 4001
Flr 16, 288 Edward Street Brisbane
Phone: 07 3224 6139
Fax: 07 3225 8723
Email: johnc.taylor@epa.qld.gov.au

Due 29/3/06

Enquires John C Taylor
Telephone (07) 3224 6139
Your reference RCU1904
Our reference STH5894 / BNE901102 Appl'n. No. 3721 Pt.2

18 July 2005

Chief Executive
Department of Local Government, Planning, Sport and Recreation
P. O. Box 15031
CITY EAST QLD 4002

Attn.: Jodie Smith – Referral Coordination Unit

Dear Sir/Madam

RE: Development application for referral coordination at Highfield Drive, Breakwater Road & Aquatic Drive, Robina and Merrimac.

The Environmental Protection Agency (EPA) acknowledges receipt of a request for Referral Coordination input into an information request for a development application under transitional arrangements of the *Integrated Planning Act 1997* Section 6.1.35C for the following proposal:

Applicant: **Baymill Investments Pty Ltd &** sch4p4(6) Personal information
sch4p4(6) Personal information

Application Type: **Reconfiguring a Lot – 3 to 17 lots. Assessed under superseded planning scheme – Albert Shire 1995.**

Referral Triggers: **Development within 100m of an area mentioned in *Integrated Planning Regulation 1998* Section 12, and Schedule 8 (a) 'filling below a floodline'.**

Location: **Highfield Drive, Breakwater Road & Aquatic Drive, Robina and Merrimac.**
Lot 2 RP223566 Lot 902 SP108453, and Lot 390 SP149355.

Local Government: **Gold Coast City Council.**

The EPA has reviewed the information provided in support of the application and offers the following comments.

288 Edward Street Brisbane
Queensland 4000 Australia
GPO Box 2771 Brisbane
Queensland 4001 Australia
Telephone (07) 3224 6139
Facsimile (07) 3225 8723
Website www.env.qld.gov.au
ABN 87 221 158 736

CONCURRENCE AGENCY MATTERS

Environmentally Relevant Activities

The EPA has no information request in relation to Environmentally Relevant Activity matters. Please **contact Ralph Riese**, Principal Environmental Officer, Mining & Extractive Group on (07) 3224 6349 if you require any further information regarding Environmentally Relevant Activity matters.

Coastal Management District – *Coastal Protection and Management Act 1995*

The EPA has no information request in relation to Coastal Management matters. Please **contact Ian Biggs**, Principal Technical Officer, Coastal Unit on (07) 3225 1209 if you require any further information regarding Coastal Management matters.

Contaminated Land

The EPA Contaminated Land Unit has concerns and the following advice and information request is provided in relation to Contaminated Land matters.

Advice

The Environmental Protection Agency is the referral agency for a development application for material change of use of the Lot 390 on SP149355 and/or its child parcels. The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

The reconfiguration of the Lot 390 on SP149355 where hazardous contamination has been identified must be in accordance with the survey plan titled "Staged Reconfiguring of Lots Plan – Stage 1 to 7, Lots 2 RP223566, Lot 902 SP108453, Lot 390 SP149355" on plans drawing number G4280 PP13 to G4280 PP19 prepared by Heilbronn & Partners Pty Ltd dated 30 May 2005.

Information Requested

It is a requirement that the applicant notify the EPA Contaminated Land Unit in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA Contaminated Land Unit to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Please **contact Miguel Zavaleta-Romero**, Principal Environmental Officer on (07) 3225 1080 if you require any further information regarding Contaminated Land matters.

Cultural Heritage - Architectural

The EPA has no information request in relation to Cultural Heritage matters. Please **contact Stewart Armstrong**, Planning Manager (Cultural Heritage) on (07) 3225 8816 if you require any further information regarding Cultural Heritage - Architectural matters.

THIRD PARTY MATTERS

Biodiversity

The EPA has no information request in relation to Biodiversity matters. Please **contact Scott Hetherington**, Principal Planning (Biodiversity) Officer on 3225 8397 if you require any further information regarding Biodiversity matters.

Environmental Planning

The EPA has no information request in relation to Environmental Planning matters.

Please **contact Rohan Huguenin**, Senior Environmental Officer on (07) 3225 8818 if you require any further information regarding Environmental Planning matters.

It is requested that a copy of the final information request from your Department to the applicant be forwarded to the EPA for our records.

If you have any inquiries regarding this response please do not hesitate to contact John C Taylor by telephone, facsimile, or email: johnc.taylor@epa.qld.gov.au

Yours sincerely

John C Taylor
Principal Inspector
IDAS Coordination – SEQ (Brisbane District)
Southern Region

Miguel Zavaleta-Romero

From: Jon Nicholson [Jon.Nicholson@epa.qld.gov.au]
Sent: Monday, 20 February 2006 2:11 PM
To: miguel.zavaleta@epa.qld.gov.au
Subject: RE: RCU1904 - Applicant's response to Information Request

Miguel,

Planning has no further comments to make on this application.

Cheers Jon.

> -----Original Message-----

> From: Miguel Zavaleta-Romero [mailto:miguel.zavaleta@epa.qld.gov.au]
> Sent: Monday, 20 February 2006 12:09 PM
> To: 'Jon Nicholson'
> Subject: RE: RCU1904 - Applicant's response to Information Request
> Importance: High

> Dear Mr Nicholson,

> Do you have any issue in relation to this application?
> Please let me known asap.
> I will issue the EPA response in due course.

> Thanks

> Miguel Zavaleta

> > -----Original Message-----

> > From: John C. Taylor [mailto:johnc.taylor@epa.qld.gov.au]
> > Sent: Tuesday, 14 February 2006 1:00 PM
> > To: Jon Nicholson; Miguel Zavaleta-Romero
> > Subject: RCU1904 - Applicant's response to Information Request
> > Importance: High

> > Greetings All,

> > Today's mail contained the Applicant's response to the
> > Information Request,
> > dated 10 February 2006, for the above development, detailed below:

> > Our reference STH5894 / BNE901102 Appl'n. No. 3721 Pt.2

> > Applicant: Baymill Investments Pty Ltd & sch4p4(6)
> > sch4p4(6) Personal information

> > Application Type: Reconfiguring a Lot - 3 to 17 lots.
> > Assessed under
> > superseded planning scheme - Albert Shire 1995.

> > Referral Triggers: Development within 100m of an area mentioned in
> > Integrated Planning Regulation 1998 Section 12, and Schedule
> > 8 (a) 'filling
> > below a floodline'.

> > Location: Highfield Drive, Breakwater Road &
> > Aquatic Drive, Robina and
> > Merrimac.

> > Lot 2 RP223566 Lot 902 SP108453, and Lot 390 SP149355.

> > Local Government: Gold Coast City Council.

> >
> > I have forwarded the Applicant's copy received to a)
> > Planning Jon Nicholson
> > for file STH5894.
> > I have attached the copy of the EPA information request for
> your easy
> > referral.
> > Can you please confer and determine amongst yourselves who
> > will coordinate
> > the EPA response, if warranted. Note that Applicant advises
> > that Third Party
> > info has been provided as a courtesy, that they are providing
> > only this info
> > (no more to come) and that they have asked the AM and
> > Concurrence agencies
> > to proceed with processing.
> > The Applicant has noted (at Page 39 of the response) the EPA
> > CLU advice.
> > I will not be coordinating nor tracking.
> >
> > Regards
> >
> > John C Taylor
> > IDAS Coordinator - SEQ
> > Southern Region
> > Environmental Protection Agency
> > GPO Box 2771 Brisbane Q 4001
> > Flr 16, 288 Edward Street Brisbane
> > Phone: 07 3224 6139
> > Fax: 07 3225 8723
> > Email: johnc.taylor@epa.qld.gov.au
> >
>

IPA APPLICATION ASSESSMENT SHEET – CONTAMINATED LAND UNIT

Info Request Due Date: 18/7/05

1. PROPOSAL DETAILS

Proposal:

Reconfiguration of a Lot

Proposal Description:

2. ADMINISTRATIVE DETAILS

EPA App'n No:

3721 Part 2

File No:

901102

Referral Coordination (RCU) No:

ECOTRAK Project No:

Council:

Gold Coast City Council

LA App'n No:

PN158804/23/DA2

Site Address:

Highfield Drive, Breakwater Road and

Aquatic Drive

Property Description:

Lot 2 on RP223566, Lot 902 on SP108453, and

Lot 390 on SP149355

Applicant Name:

, Baymill Investments Pty Ltd & sch4p4(

sch4p4(6) Personal information

Buckley Vann Town Planning

EMR/CLR/AMA details:

Lot/Plan	EMR/CLR/ AMA No:	Notifiable Activity (NA) or Hazardous Contamination.	On going NA Yes or No?
390/SP14935 5	40521	50 – Hazardous contamination (because base parcel 42 on RP839861 is on the EMR 3721)	No

3. APPLICATION ASSESSMENT

Information from the application, EMR or CLU files:

Any existing ERA's?: No

Any new ERA's?: No

ERA Jurisdiction: N/A

Information from the application and IDAS forms:

Past Use: Unknown

Current Use: grazing

Supporting information:

Are there any Environmental Values that are at risk?

Human being, flora and fauna

If so, what is the level of risk? (Check internal policy)

Medium to high

Other relevant details supporting the conclusion(s)

The applicant is proposing the reconfiguration of 3 lots into 17 lots. The future use is for residential and recreational areas.

In accordance with the information in the application the lot 390 will contain residential dwellings and recreational areas.

4. ASSESSMENT OUTCOME

Conclusion: (Is the site suitable for the proposed development?)

As the application is for a reconf of the lot(s), it is considered that reconf can be granted.

Recommendation:

To advise the IDAS Coordinator that the EPA-CLU does not require further information to carry out the assessment, and

Include the standard response for reconf with the advice that the approval of the reconf of the lots does not imply approval for MCU.

The EPA is the referral agency for Development Application for Material Change of Use of the Land for lot 390 on SP149355 and/or child parcels.

Assessor: Miguel Zavaleta

Date: 08/07/05

Reviewer Name:

Revision Date:

Reviewer Recommendation:

Memorandum



Queensland Government

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

Enquiries
Telephone
Your reference
Our reference

Miguel Zavaleta
(07) 3225 1080
3721 Part 2 File No: 901102

Monday, 20 February 2006



To: J C Taylor – IDAS Coordinator

From: Mark Paton, Chief Scientific Advisor – Contaminated Land Unit

Subject: Development description Reconfiguration of a Lot for the land described as Lot 2 on RP223566, Lot 902 on SP108453, and Lot 390 on SP149355 located at Highfield Drive, Breakwater Road and Aquatic Drive, Robina and Merrimac - Council Application No.: PN158804/23/DA2 - RCU No.:1904 &/or **ECOTRACK Project No: No records**

Dear John,

The EPA Contaminated Land Unit has concerns and the following condition (s) is recommended in relation to Contaminated Land matters.

Information required or Recommended condition :

The reconfiguration of the Lot 390 on SP149355 where hazardous contamination has been identified must be in accordance with the survey plan titled "Staged Reconfiguring of Lots Plan – Stage 1 to 7, Lots 2 RP223566, Lot 902 SP108453, Lot 390 SP149355" on plans drawing number G4280 PP13 to G4280 PP19 prepared by Heilbronn & Partners Pty Ltd dated 30 May 2005.

It is a requirement that the applicant notify the Environmental Protection Agency (EPA) (Contaminated Land Unit) in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA (Contaminated Land Unit) to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Advice

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

The Environmental Protection Agency is the referral agency for a development application for material change of use of the lot 390 on SP149355 and/or its child parcels.

Please **contact Miguel Zavaleta**, Principal Environmental Officer, on (07) 3225 1080 if you require any further information regarding Contaminated Land matters.

Mark Paton
Chief Scientific Advisor
Contaminated Land Unit

Published on DESI Disclosure Log
RTI Act 2009

Miguel Zavaleta-Romero

From: John C. Taylor [johnc.taylor@epa.qld.gov.au]
Sent: Tuesday, 6 December 2005 1:52 PM
To: Helen Tynan; Miguel Zavaleta-Romero
Subject: RCU2045 - DLGPSR Advice of REFERRAL COORDINATION CESSATION

Importance: High



RCU2045GhilgaiRd
Merrimac.doc

Greetings All,

Please be advised that today's fax-mail contained advice from DLGPSR that the application detailed below has ceased Referral Coordination. Attached is EPA's input to the Info Request, but it seems that we won't get a response from applicant to that DA process.

Our reference STH6221 / BNE901102 Appl'n. No. 3721 Part 3

DLGPSR Reference: RCU2045

Applicant: sch4p4(6) Personal c/- THG Resource Strategists

Application Type: Material Change of Use -

Referral Triggers: Development mentioned in Integrated Planning Act 1997 Section 3.1.6, Integrated Planning Regulation 1998 Schedule 2, and Schedule 8 (a) 'filling below a floodline'.

Location: Ghilgai Road Merrimac. Part Lot 390 SP149355.

Local Government: Gold Coast City Council.

The reason given by DLGPSR Officer Jodie Smith for its Cessation is "No triggers" - The Assessment Manager issued a new Acknowledgement Notice on 29 November 2005 as a result of the Applicants written notice of a change to the DA, the application no longer requires Referral Coordination. Ref Coord in relation to the site will not be triggered until the Applicant seeks DA for Ops Works and/or Reconfiguration of a Lot.

I will advise you when it does commence in the usual manner, with the new Acknowledgement Notice issued by the Council's Assessment Manager. However, I will not provide the usual response coversheet and timeframes as I will not be coordinating the response.

Please be ready to do your assessments in expectation of EPA input being sought.

Regards

*No part 3 because
Data set was not provided*

John C Taylor
IDAS Coordinator - SEQ (Brisbane District)
Southern Region
Phone: 3224 6139
Fax: 3225 8723
e.mail: johnc.taylor@epa.qld.gov.au

Enquires John C Taylor
Telephone (07) 3224 6139
Your reference RCU2045
Our reference STH6221 / BNE901102 Appl'n. No. 3721 Part 3



**Queensland
Government**

11 November 2005

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

Attn. Jodie Smith – Referral Coordination Unit

Chief Executive
Department of Local Government, Planning, Sport and Recreation
P. O. Box 15031
CITY EAST QLD 4002

Dear Jodie

RE: Development application for referral coordination at Ghilgai Road Merrimac, Part Lot 390 SP149355, Gold Coast City Council.

The Environmental Protection Agency has reviewed the information provided in support of the above application and offers the attached comments.

It is requested that a copy of your final information request be forwarded for our records.

If you have any inquiries regarding this response please do not hesitate to contact John C Taylor by telephone, facsimile, or email: johnc.taylor@epa.qld.gov.au

Yours sincerely

John C Taylor
Principal Inspector
IDAS Coordination – SEQ (Brisbane District)
Southern Region

Your Reference: RCU2045

Applicant: sch4p4(6) Person c/- THG Resource Strategists

Application Type: Material Change of Use -

Referral Triggers: Development mentioned in *Integrated Planning Act 1997* Section 3.1.6, *Integrated Planning Regulation 1998* Schedule 2, and Schedule 8 (a) 'filling below a floodline'.

Location: Ghilgai Road Merrimac. Part Lot 390 SP149355.

Local Government: Gold Coast City Council.

CONCURRENCE AGENCY MATTERS

Contaminated Land - *Environmental Protection Act 1994 [EPAct]*

Information Requested

Sufficient information provided in accordance with the *Environmental Protection Act 1994* (EP Act) and the *Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland* (DEH, 1998) to enable a Suitability Statement to be issued for Lot 390 on SP149355, specifying that the land is suitable for the intended use. If the site is to remain on the EMR as a 'Managed' site a draft Site Management Plan for the intended use must be prepared and submitted to EPA Contaminated Land Unit.

Advice

The Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland may be obtained from the EPA's internet site at www.epa.gov.au, or by contacting the EPA's Contaminated Land Unit. Please ensure that the appropriate statutory fee [as of the 1 July 2005 \$945.00 per lot listed on the Environmental Management Register] is included with this application for the assessment of the site investigation and / or validation reports.

If you have any inquiries regarding this information request please do not hesitate to contact EPA's Project Manager, Miguel Zavaleta-Romero on 3225 1080.

Two copies of the response to the information request should be forwarded to :

**Environmental Protection Agency
Southern Regional Office (Brisbane)
[Flr. 15 288 Edward Street, Brisbane]
GPO Box 2771
BRISBANE QLD 4001**

Attn.: Project Manager, Miguel Zavaleta-Romero.

Memorandum



Queensland Government
Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Service

Enquiries
Telephone
Your reference
Our reference

Miguel Zavaleta
(07) 3225 1080 miguel.zavaleta@epa.qld.gov.au
3721 Part 3? File No: 901102

Thursday, 10 November 2005

To: J C Taylor – IDAS' Coordinator

From: Mark Paton, Chief Scientific Advisor – Contaminated Land Unit

Subject: Development description Material Change of Use for the land described as Lot 390 on SP149355 located at Ghilgai Road Merrimac - Council Application No.: Not provided - RCU No.: 2045 &/or
ECOTRACK Project No: No records

Dear John,

The EPA Contaminated Land Unit has concerns and the following information is requested in relation to Contaminated Land matters.

Information is requested :

Sufficient information provided in accordance with the *Environmental Protection Act 1994* (EP Act) and the *Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland* (DEH, 1998) to enable a Suitability Statement to be issued for **Lot(s) 390 on SP149355**, specifying that the land is suitable for the intended use. If the site is to remain on the EMR as a 'Managed' site a draft Site Management Plan for the intended use must be prepared and submitted to Environmental Protection Agency (EPA) (Contaminated Land Unit).

Advice

The Draft Guidelines for the Assessment and Management of Contaminated Land in Queensland may be obtained from the EPA's internet site at www.epa.qld.gov.au, or by contacting the EPA's Contaminated Land Unit. Please ensure that the appropriate statutory fee [as of the 1 July 2005 \$945.00 per lot listed on the Environmental Management Register] is included with this application for the assessment of the site investigation and / or validation reports.

Contact Miguel Zavaleta, Principal Environmental Officer, on (07) 3225 1080.

End of Info Request & Advice

Should you require any further information please contact the above officer on the telephone number or e-mail address provided.

Miguel Zavaleta
Team Leader – IPA Assessment
Principal Environmental Officer
Contaminated Land Unit

Published on DESI Disclosure Log
RTI Act 2009

Miguel Zavaleta-Romero

From: John C. Taylor [johnc.taylor@epa.qld.gov.au]
Sent: Thursday, 10 November 2005 1:50 PM
To: Christopher O'Loughlin; Darryl Byers; Miguel Zavaleta-Romero; Jon Nicholson
Subject: Dataset for RCU2045 - DLGPSR Request for Input to Information Request

Importance: High

Greetings All,
The dataset was in the DLGPSR mail today, it's now with Jan Thorpe being registered and sent to Jon N
Regards
JCT

-----Original Message-----

From: John C. Taylor [mailto:johnc.taylor@epa.qld.gov.au]
Sent: Friday, 4 November 2005 11:33 AM
To: Christopher O'Loughlin; Darryl Byers; Miguel Zavaleta-Romero; Jon Nicholson
Subject: RCU2045 - DLGPSR Request for Input to Information Request
Importance: High

Greetings All,

Please be advised that the above application commencement advice ex DLGPSR was in Wednesday afternoon's fax-mail. Attached is the response coversheet.

I have arranged for the fax to be sent to Jon Nicholson. Units will have relevant data sent from DLGPSR.

I note that CLU interests relate to a cattle dip site.

NOTE due date to me 11 November 2005

Regards,

John C Taylor
IDAS Coordinator - SEQ (Brisbane District)
Southern Region
Phone: 3224 6139
Fax: 3225 8723
e.mail: johnc.taylor@epa.qld.gov.au

Miguel Zavaleta-Romero

From: John C. Taylor [johnc.taylor@epa.qld.gov.au]
Sent: Friday, 4 November 2005 11:33 AM
To: Christopher O'Loughlin; Darryl Byers; Miguel Zavaleta-Romero; Jon Nicholson
Subject: RCU2045 - DLGPSR Request for Input to Information Request

Importance: High



AIInformationReque
stTemplateTes...

Greetings All,

Please be advised that the above application commencement advice ex DLGPSR was in Wednesday afternoon's fax-mail. Attached is the response coversheet.

I have arranged for the fax to be sent to Jon Nicholson. Units will have relevant data sent from DLGPSR.

I note that CLU interests relate to a cattle dip site.

NOTE due date to me 11 November 2005

Regards,

John C Taylor
IDAS Coordinator - SEQ (Brisbane District)
Southern Region
Phone: 3224 6139
Fax: 3225 8723
e.mail: johnc.taylor@epa.qld.gov.au

Lot 390 SP 149 355 ↓

EMR

3721

Hazardous Contaminant

Lot 2 on RP 178297

Base Parcel

42 RP839861

RP885337	42	RP818944	C	130	17783	NP	3	
RP885337	42	RP818944	C	130	17784	NP	3	
RP885337	42	RP818944	C	130	17785	NP	3	
DP149355	3	RP885337	C	130	38261	NP	4	
SP149355	3	RP885337	C	130	40521	NP	4	

9 Rows Found

Exit

Print

IDAS Coordination - SEQ, Southern Region

Information Request Coordination

Send response to reach IDAS Coordinator by 3pm on : 11 November 2005.

Their Reference: RCU2045

Your Reference: [Maybe different from top of page?]

Applicant: sch4p4(6) Person c/- THG Resource Strategists

Application Type: Material Change of Use -

Referral Triggers: Development mentioned in *Integrated Planning Act 1997* Section 3.1.6, *Integrated Planning Regulation 1998* Schedule 2, and Schedule 8 (a) 'filling below a floodline'.

Location: Ghilgai Road Merrimac. Part Lot 390 SP149355.

Local Government: Gold Coast City Council.

Team: Coordinating Officer:

Responding Officers [each to respond EITHER Info Request OR No Info Requested & Sign off]:

Specialty	Officer	Info Request Attached (with file path)	No Info Requested	Sign off	Date
Biodiversity	Scott Hetherington/ Robyn Hesse				
Cultural Heritage	Marcus Richardson Stewart Armstrong	N/A			
Environmental Planning	Jon Nicholson / Robyn Hesse				
QPWS / Marine Parks	Michael Bowe	N/A			
Coastal Planning		N/A			
Coastal Approvals	Allen Johns/	N/A			
Contaminated Land	Chris O'Loughlin / M Zavaleta-Romero				
Environmentally Relevant Activity/ies	S Summerville/ David Everett	N/A			

Work Unit Manager - Print Name:

Work Unit Manager - Sign-off:

Date signed-off:

Please deliver to IDAS Coordinator - SEQ by 3pm on Due Date at Top of this Page!

Miguel,

As requested, please find attached
an updated Statutory Declaration
for issues raised by EPA on Lot
390 SP149355, relating to the
development applications at
Breakwater Road & Highfield
Drive, Robina & Mermaid.

Regards

sch4p4(6) Personal information

21-3-06

140 Brunswick St
Fortitude Valley Q 4006
PO Box 205
Fortitude Valley Q 4006
Tel 07 3852 1822
Fax 07 3852 1750
atlas@buckvann.com.au
www.buckvann.com.au


Buckley Vann
TOWN PLANNING CONSULTANTS
vision...insights.

STATUTORY PLANNING
STRATEGIC PLANNING
URBAN DESIGN

WITH COMPLIMENTS

Statutory Declaration

Queensland
To Wit

I, sch4p4(6) Personal information of sch4p4(6) Personal information Queensland, Farmer,
do solemnly and sincerely declare that:

- 1 I am the resided owner of land at Ghilgai Road, Merrimac, described as Lot 390 on SP 149355.
- 2 I make this declaration from my own knowledge and belief, except where stated otherwise.
- 3 The details of Lot 390 on SP149355, at Ghilgai Road, Merrimac is shown at Attachment 1.
- 4 We also owned the land originally described as Lot 42 RP839861, which we subdivided to create the residential lots now in existence to the south-west of Ghilgai Road in the area marked "Ghilgai Road residential lots" on Attachment 1.
- 5 This land has been owned by my family for approximately 48 years.
- 6 To the best of my knowledge, this property was a rural lot prior to its purchase by my family.
- 7 The Brisbane Robina railway line runs through Lot 390 and splits the land into an eastern side and western side, as marked on Attachment 1.
- 8 There was an old cattle dip on the eastern side on my land, which was located in the area now containing the Ghilgai Road residential lots.
- 9 I understand that the contamination from this dip on lot 390 has not been fully remediated.
- 10 To the best of my knowledge, the only notifiable activity that has been conducted on my land is this cattle dip.
- 11 The western side of my land is proposed to be developed as part of the Breakwater Road development applications now lodged with Gold Coast City Council.
- 12 To the best of my knowledge, no industrial activity has occurred or been undertaken on the western side of my land that would give rise to any contamination.
- 13 I understand that, once the western side of my land is developed as part of the Breakwater Road development applications, the balance of the land (the eastern side of the lot) will remain on the Environmental Management Register, until such time that it is effectively decontaminated.



And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1867.

Declared by [sch4p4(6) Personal information])
at Cambooya)
in the State of Queensland this 21st)
day of March 2006)

[sch4p4(6) Personal information]

Signature of declarant

Before me:

[sch4p4(6) Personal information]

Signature of authorised witness

J. R. G.

82468

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RTI Act 2009

Attachment 1

This is attachment 1 to the declaration of sch4p4(6) Personal information made on the
21st day of *March* 2006

sch4p4(6) Personal information

Before me:

Published on DESI Disclosure Log
RTI Act 2009

20 March 2006

Environmental Protection Agency
GPO Box 2771
BRISBANE Qld 4001

■ STATUTORY PLANNING
■ STRATEGIC PLANNING
■ URBAN DESIGN

Attention: **Miguel Zavaleta-Romero**
Principal Environmental Officer

Dear Sir,

**RE: DEVELOPMENT APPLICATIONS FOR RECONFIGURING OF
LOTS AND OPERATIONAL WORKS AT HIGHFIELD DRIVE &
BREAKWATER ROAD, MERRIMAC & ROBINA
APPLICATION NOs: RCU 1871 & RCU 1904
RESPONSE TO FURTHER ISSUES RAISED BY EPA**

I refer to our recent meeting with Environmental Protection Agency (EPA) Officers, Mark Paton and Miguel Zavaleta-Romero, held on 13 March 2006 in the EPA office and attended by [sch4p4(6) Personal information] of Buckley Vann.

The above described applications were discussed at this meeting and the EPA raised concerns about the land, which is the subject of these applications, being contaminated. The concerns arise because the land immediately to the north of the site contained a cattle dip. When this land was developed, the cattle dip was remediated, however, the balance of the site in the vicinity of the dip is understood to still contain hazardous contaminants.

Through our discussions, it was determined that the area of land identified as containing hazardous contaminants is:

- separated from the area of land over which the proposed development relates by the Brisbane Robina railway line;
- further separated from the area of land to be developed by a distance of over 400 metres;
- not intended to be developed as part of the subject applications; and
- intended to be excised from the land to be developed and remain as a balance lot.

Accordingly, the purpose of this correspondence is to provide the EPA with information on the application, which confirms the points listed above.

The EPA officers confirmed at the meeting of 13 March 2006, that the subject land contains an allotment which is listed on the Environmental Management Register (EMR), specifically, Lot 390 SP149355.

Lot 390 has a total area of 92.27 hectares and is split by the Brisbane Robina railway line, which traverses the site in a north-west to south-east direction. The part of Lot 390, which is on the eastern side of railway line:

140 Brunswick St
Fortitude Valley Q 4006
PO Box 205
Fortitude Valley Q 4006
Tel 07 3852 1822
Fax 07 3852 1750
ABN 45 056 421 759
atlas@buckvann.com.au
www.buckvann.com.au



- directly adjoins the Ghilgai Road residential development;
- has an area of 67.62 hectares; and
- is the part of the lot that contains the contamination identified by EPA.

The part of Lot 390, which is on the western side of the railway line:

- has an area of 24.65 hectares;
- is part of the Breakwater Road development applications; and
- is not identified by the EPA records as containing contaminants.

Figure 1 below indicates the location of Lot 390 and shows how the railway line splits the site and the approximate location of where contaminants are recorded, which is in an area contiguous to the Ghilgai Road residential development.

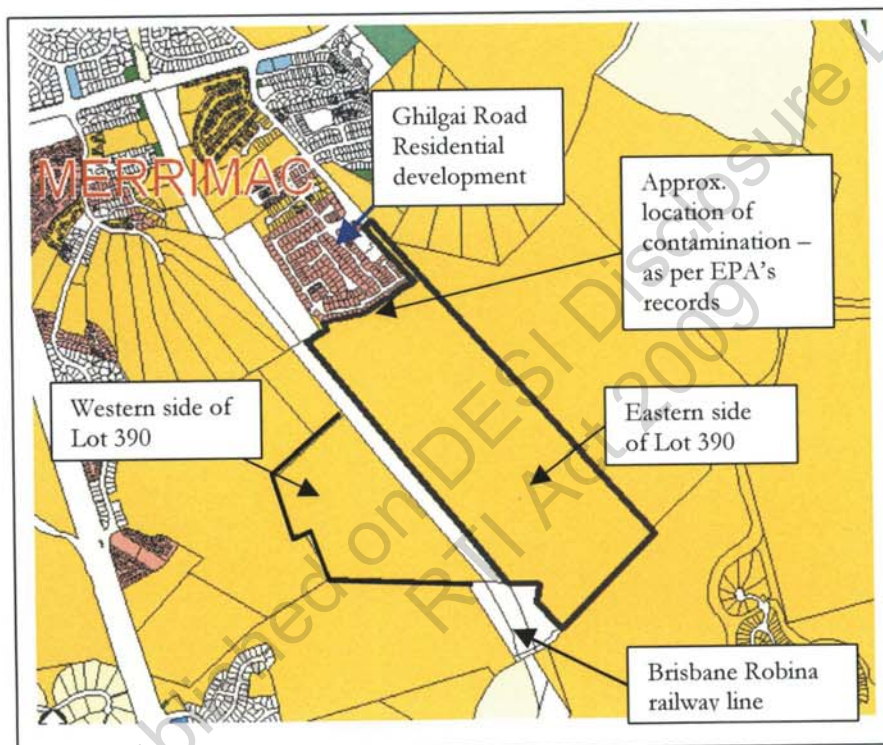


Figure 1: Location of Lot 390 SP149355

The Breakwater Road applications have been made over the following lots, and have been described accordingly on the application forms:

- Lot 2 RP223566;
- Lot 902 SP108453; and
- Part Lot 390 SP149355 (Balance of lot 390 SP149355 east of the Brisbane Robina railway line is not proposed to be further subdivided by this application).

Figure 2 below identifies the location of the land, which is the subject of the Breakwater Road development proposal, and shows that the eastern side of Lot 390 is not included as part of the land to be developed.

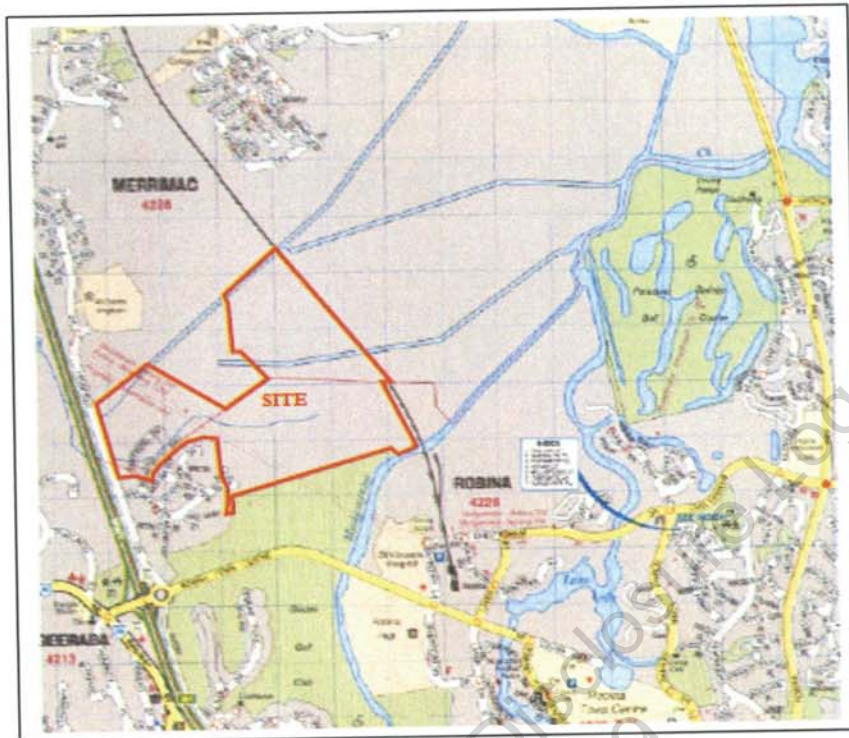


Figure 2: Subject Site

The reconfiguration of a lot plan, included as **Attachment A**, further demonstrates the extent of land to be developed in stages and that, as part of the reconfiguration process, the eastern side of Lot 390 will become a balance lot.

The EPA's records indicate that the type of hazardous contaminant identified on the eastern side of Lot 390 comes from a cattle dip, which was located on the land now containing the Ghilgai Road residential development. While the cattle dip itself was remediated at the time of this development, information on the relevant EPA file indicates the presence of hazardous contaminants on the area of the balance lot (now part of lot 390) in the vicinity of the former dip. This part of Lot 390 is separated from the area now proposed to be developed by the Gold Coast railway line, which provides a physical barrier.

The Property Enquirer search function on the Gold Coast City Council website includes a ruler (or distance tool), which measures the distance between points. This tool indicates the distance between the approximate area of contamination on the eastern part of Lot 390 and northern corner of the subject site (the western side of Lot 390) is around 411 metres. The proposed development is therefore well removed from the area of contamination.

As requested, a statutory declaration, signed by the owner of Lot 390 is included at **Attachment B**, which provides additional assurance that the only area of known contamination on Lot 390 is that which is recorded by the EPA on the eastern side of the lot and adjoining the Ghilgai Road residential development.



We trust that the above information and attachments provides your Agency with sufficient information to remove the western part of Lot 390 from the EMR as discussed. We would be pleased to discuss or explain any aspect of this material if required.

Should you have any queries regarding this advice or require further details, please do not hesitate to contact the writer or sch4p4(6) Personal of this office.

Yours faithfully
BUCKLEY VANN
Town Planning Consultants

sch4p4(6) Personal information

Published on DESI Disclosure Log
RTI Act 2009

ATTACHMENT A

Reconfiguration of Lot Plan

ATTACHMENT B

Statutory Declaration

Statutory Declaration

**Queensland
To Wit**

I, sch4p4(6) Personal information o sch4p4(6) Personal information Queensland, Farmer,
do solemnly and sincerely declare that:

- 1 I am the resided owner of land at Ghilgai Road, Merrimac, described as Lot 390 on SP 149355.
- 2 I make this declaration from my own knowledge and belief, except where stated otherwise.
- 3 The details of Lot 390 on SP149355, at Ghilgai Road, Merrimac is shown at Attachment 1.
- 4 We also owned the land originally described as Lot 42 RP839861, which we subdivided to create the residential lots now in existence to the south-west of Ghilgai Road in the area marked "Ghilgai Road residential lots" on Attachment 1.
- 5 This land has been owned by my family for approximately 48 years.
- 6 To the best of my knowledge, this property was a rural lot prior to its purchase by my family.
- 7 The Brisbane Robina railway line runs through Lot 390 and splits the land into an eastern side and western side, as marked on Attachment 1.
- 8 There was an old cattle dip on the eastern side on my land, which was located in the area now containing the Ghilgai Road residential lots.
- 9 I understand that the contamination from this dip on lot 390 has not been fully remediated.
- 10 To the best of my knowledge, the only notifiable activity that has been conducted on my land is this cattle dip.
- 11 The western side of my land is proposed to be developed as part of the Breakwater Road development applications now lodged with Gold Coast City Council.
- 12 To the best of my knowledge, no activity has occurred or been undertaken on the western side of my land that would give rise to any contamination.
- 13 I understand that, once the western side of my land is developed as part of the Breakwater Road development applications, the balance of the land (the eastern side of the lot) will remain on the Environmental Management Register, until such time that it is effectively decontaminated.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1867.

Declared by [sch4p4(6) Personal information]
at Cambooya)
in the State of Queensland this 20th)
day of March 2006)

[sch4p4(6) Personal information]
Signature of declarant

Before me:
[sch4p4(6) Personal information]
Signature of authorised witness

Published on DESI Disclosure Log
RTI Act 2009

Attachment 1

This is attachment 1 to the declaration of sch4p4(6) Personal information made on the
20th day of march 2006

Before me: sch4p4(6) Personal information

Published on DESI Disclosure Log
RTI Act 2009

Enquires John C Taylor
Telephone (07) 3224 6139
Your reference RCU1904
Our reference STH5894 / BNE901102 Appl'n. No. 3721 Pt.2



Key
**Queensland
Government**

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

18 July 2005

Chief Executive
Department of Local Government, Planning, Sport and Recreation
P. O. Box 15031
CITY EAST QLD 4002

Attn.: Jodie Smith – Referral Coordination Unit

Dear Sir/Madam

RE: Development application for referral coordination at Highfield Drive, Breakwater Road & Aquatic Drive, Robina and Merrimac.

The Environmental Protection Agency (EPA) acknowledges receipt of a request for Referral Coordination input into an information request for a development application under transitional arrangements of the *Integrated Planning Act 1997* Section 6.1.35C for the following proposal:

Applicant: Baymill Investments Pty Ltd &

sch4p4(6) Personal information

sch4p4(6) Personal information

Application Type: Reconfiguring a Lot – 3 to 17 lots. Assessed under superseded planning scheme – Albert Shire 1995.

Referral Triggers: Development within 100m of an area mentioned in *Integrated Planning Regulation 1998* Section 12, and Schedule 8 (a) 'filling below a floodline'.

Location: Highfield Drive, Breakwater Road & Aquatic Drive, Robina and Merrimac.
Lot 2 RP223566 Lot 902 SP108453, and Lot 390 SP149355.

Local Government: Gold Coast City Council.

The EPA has reviewed the information provided in support of the application and offers the following comments.

288 Edward Street Brisbane
Queensland 4000 Australia
GPO Box 2771 Brisbane
Queensland 4001 Australia
Telephone (07) 3224 6139
Facsimile (07) 3225 8723
Website www.env.qld.gov.au
ABN 87 221 158 706

CONCURRENCE AGENCY MATTERS

Environmentally Relevant Activities

The EPA has no information request in relation to Environmentally Relevant Activity matters. Please **contact Ralph Riese**, Principal Environmental Officer, Mining & Extractive Group on (07) 3224 6349 if you require any further information regarding Environmentally Relevant Activity matters.

Coastal Management District – *Coastal Protection and Management Act 1995*

The EPA has no information request in relation to Coastal Management matters. Please **contact Ian Biggs**, Principal Technical Officer, Coastal Unit on (07) 3225 1209 if you require any further information regarding Coastal Management matters.

Contaminated Land

The EPA Contaminated Land Unit has concerns and the following advice and information request is provided in relation to Contaminated Land matters.

Advice

The Environmental Protection Agency is the referral agency for a development application for material change of use of the Lot 390 on SP149355 and/or its child parcels. The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

The reconfiguration of the Lot 390 on SP149355 where hazardous contamination has been identified must be in accordance with the survey plan titled "Staged Reconfiguring of Lots Plan – Stage 1 to 7, Lots 2 RP223566, Lot 902 SP108453, Lot 390 SP149355" on plans drawing number G4280 PP13 to G4280 PP19 prepared by Heilbronn & Partners Pty Ltd dated 30 May 2005.

Information Requested

It is a requirement that the applicant notify the EPA Contaminated Land Unit in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA Contaminated Land Unit to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Please **contact Miguel Zavaleta-Romero**, Principal Environmental Officer on (07) 3225 1080 if you require any further information regarding Contaminated Land matters.

Cultural Heritage - Architectural

The EPA has no information request in relation to Cultural Heritage matters. Please **contact Stewart Armstrong**, Planning Manager (Cultural Heritage) on (07) 3225 8816 if you require any further information regarding Cultural Heritage - Architectural matters.

THIRD PARTY MATTERS

Biodiversity

The EPA has no information request in relation to Biodiversity matters. Please **contact Scott Hetherington**, Principal Planning (Biodiversity) Officer on 3225 8397 if you require any further information regarding Biodiversity matters.

Environmental Planning

The EPA has no information request in relation to Environmental Planning matters.

Please **contact Rohan Huguenin**, Senior Environmental Officer on (07) 3225 8818 if you require any further information regarding Environmental Planning matters.

It is requested that a copy of the final information request from your Department to the applicant be forwarded to the EPA for our records.

If you have any inquiries regarding this response please do not hesitate to contact John C Taylor by telephone, facsimile, or email: johnc.taylor@epa.qld.gov.au

Yours sincerely

sch4p4(6) Personal information

John C Taylor

Principal Inspector

IDAS Coordination – SEQ (Brisbane District)

Southern Region

Published on DESI Disclosure Log
RTI Act 2009

Enquires John C Taylor
Telephone (07) 3224 6139
Your reference RCU1871
Our reference STH5894 / BNE901102 Appl'n. No. 3721Pt2



**Queensland
Government**

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

12 July 2005

Chief Executive
Department of Local Government, Planning, Sport and Recreation
P. O. Box 15031
CITY EAST QLD 4002

Attn.: Jodie Smith – Referral Coordination Unit

Dear Sir/Madam

RE: Development application for referral coordination at Highfield Drive & Breakwater Road Robina.

The Environmental Protection Agency (EPA) acknowledges receipt of a request for Referral Coordination input into an information request for a development application under transitional arrangements of the *Integrated Planning Act 1997* Section 6.1.35C for the following proposal:

Applicant: Baymill Investments Pty Ltd &

sch4p4(6) Personal information

sch4p4(6) Personal information

Application Type: Reconfiguring a Lot – 3 to 4lots – 2 management lots, and 2 open space. Operational Works for development platforms, waterway and wetland system.

Referral Triggers: Development within 100m of an area mentioned in *Integrated Planning Regulation 1998* Section 12, and Schedule 8 (a) 'filling below a floodline'.

Location: Highfield Drive & Breakwater Road Robina. Lot 2 RP223566 Lot 902 SP108453, and Lot 390 SP149355.

Local Government: Gold Coast City Council.

The EPA has reviewed the information provided in support of the application and offers the following comments.

288 Edward Street Brisbane
Queensland 4000 Australia
GPO Box 2771 Brisbane
Queensland 4001 Australia
Telephone (07) 3224 6139
Facsimile (07) 3225 8723
Website www.env.qld.gov.au
ABN 87 221 158 788

CONCURRENCE AGENCY MATTERS

Environmentally Relevant Activities

The EPA has no information request in relation to Environmentally Relevant Activity matters. Please **contact Luke Zambelli**, Operations Manager, Water Group on (07) 3224 6885 if you require any further information regarding Environmentally Relevant Activity matters.

Coastal Management District – *Coastal Protection and Management Act 1995*

The EPA has no information request in relation to Coastal Management matters. Please **contact Ian Biggs**, Principal Technical Officer, Coastal Unit on (07) 3225 1209 if you require any further information regarding Coastal Management matters.

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The EPA Contaminated Land Unit has concerns and the following advice and information request is provided in relation to Contaminated Land matters.

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The Environmental Protection Agency is the referral agency for a development application for material change of use of the Lot 390 on SP149355 and/or its child parcels.

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

The reconfiguration of the Lot 390 on SP149355 where hazardous contamination has been identified must be in accordance with the survey plan titled "Staged Reconfiguring of Lots Plan – Stage 1 to 7, Lots 2 RP223566, Lot 902 SP108453, Lot 390 SP149355" on plans drawing number G4280 PP13 to G4280 PP19 prepared by Heilbronn & Partners Pty Ltd dated 30 May 2005.

Information Requested

It is a requirement that the applicant notify the EPA Contaminated Land Unit in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA Contaminated Land Unit to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Please **contact Miguel Zavaleta-Romero**, Principal Environmental Officer on (07) 3225 1080 if you require any further information regarding Contaminated Land matters.

Cultural Heritage - Architectural

The EPA has no information request in relation to Cultural Heritage matters.

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Please **contact Rohan Huguenin**, Senior Environmental Officer on (07) 3225 8818 if you require any further information regarding Biodiversity matters.

Environmental Planning

The EPA has no information request in relation to Environmental Planning matters.

Please **contact Rohan Huguenin**, Senior Environmental Officer on (07) 3225 8818 if you require any further information regarding Environmental Planning matters.

It is requested that a copy of the final information request from your Department to the applicant be forwarded to the EPA for our records.

If you have any inquiries regarding this response please do not hesitate to contact John C Taylor by telephone, facsimile, or email: johnc.taylor@epa.qld.gov.au

Yours sincerely

sch4p4(6) Personal information

John C Taylor
Principal Inspector
IDAS Coordination – SEQ (Brisbane District)
Southern Region

Published on DESI Disclosure Log
RTI Act 2009

Miguel Zavaleta-Romero

From: John C. Taylor [johnc.taylor@epa.qld.gov.au]
Sent: Tuesday, 9 August 2005 3:34 PM
To: Miguel Zavaleta-Romero; Rohan Huguenin
Cc: Darryl Byers
Subject: RCU1871 - DLGPSR Information Request to Applicant

Importance: High



RCU1871HighfieldD
veBreakwaterR...

Greetings All,

Today's mail contained the DLGPSR Information Request to the Applicant dated 26 July 2005!! for the above development, detailed below:

Our reference STH5894 / BNE901102 Appl'n. No. 3721Pt2

Applicant: Baymill Investments Pty Ltd &

sch4p4(6) Personal information

sch4p4(6) Personal information

Application Type: Reconfiguring a Lot - 3 to 4 lots - 2 management lots, and 2 open space. Operational Works for development platforms, waterway and wetland system.

Referral Triggers: Development within 100m of an area mentioned in Integrated Planning Regulation 1998 Section 12, and Schedule 8 (a) 'filling below a floodline'.

Location: Highfield Drive & Breakwater Road Robina. Lot 2 RP223566 Lot 902 SP108453, and Lot 390 SP149355.

Local Government: Gold Coast City Council.

Please compare the DLGPSR request, with the copy of the EPA request that I sent out [attached], and your contribution to me. Only CLU had an information request.

I have forwarded the DLGPSR copy received to Miguel for CLU file; and a copy of this email to STH5894.

Regards

John C Taylor
IDAS Coordinator - SEQ
Southern Region
Environmental Protection Agency
GPO Box 2771 Brisbane Q 4001
Flr 16, 288 Edward Street Brisbane
Phone: 07 3224 6139
Fax: 07 3225 8723
Email: johnc.taylor@epa.qld.gov.au

Darryl
Please file this document
with the application
N° 3721 part 2
File: 901102

Thanks
18/08/05

Enquires John C Taylor
Telephone (07) 3224 6139
Your reference RCU1871
Our reference STH5894 / BNE901102 Appl'n. No. 3721Pt2



12 July 2005

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

Chief Executive
Department of Local Government, Planning, Sport and Recreation
P. O. Box 15031
CITY EAST QLD 4002

Attn.: Jodie Smith – Referral Coordination Unit

Dear Sir/Madam

RE: Development application for referral coordination at Highfield Drive & Breakwater Road Robina.

The Environmental Protection Agency (EPA) acknowledges receipt of a request for Referral Coordination input into an information request for a development application under transitional arrangements of the *Integrated Planning Act 1997* Section 6.1.35C for the following proposal:

Applicant: Baymill Investments Pty Ltd &

sch4p4(6) Personal information

sch4p4(6) Personal information

Application Type: Reconfiguring a Lot – 3 to 4 lots – 2 management lots, and 2 open space. Operational Works for development platforms, waterway and wetland system.

Referral Triggers: Development within 100m of an area mentioned in *Integrated Planning Regulation 1998* Section 12, and Schedule 8 (a) 'filling below a floodline'.

Location: Highfield Drive & Breakwater Road Robina. Lot 2 RP223566 Lot 902 SP108453, and Lot 390 SP149355.

Local Government: Gold Coast City Council.

The EPA has reviewed the information provided in support of the application and offers the following comments.

CONCURRENCE AGENCY MATTERS

Environmentally Relevant Activities

The EPA has no information request in relation to Environmentally Relevant Activity matters. Please **contact Luke Zambelli**, Operations Manager, Water Group on (07) 3224 6885 if you require any further information regarding Environmentally Relevant Activity matters.

Coastal Management District – *Coastal Protection and Management Act 1995*

The EPA has no information request in relation to Coastal Management matters. Please **contact Ian Biggs**, Principal Technical Officer, Coastal Unit on (07) 3225 1209 if you require any further information regarding Coastal Management matters.

Contaminated Land

The EPA Contaminated Land Unit has concerns and the following advice and information request is provided in relation to Contaminated Land matters.

Advice

The Environmental Protection Agency is the referral agency for a development application for material change of use of the Lot 390 on SP149355 and/or its child parcels.

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

The reconfiguration of the Lot 390 on SP149355 where hazardous contamination has been identified must be in accordance with the survey plan titled "Staged Reconfiguring of Lots Plan – Stage 1 to 7, Lots 2 RP223566, Lot 902 SP108453, Lot 390 SP149355" on plans drawing number G4280 PP13 to G4280 PP19 prepared by Heilbronn & Partners Pty Ltd dated 30 May 2005.

Information Requested

It is a requirement that the applicant notify the EPA Contaminated Land Unit in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA Contaminated Land Unit to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Please **contact Miguel Zavaleta-Romero**, Principal Environmental Officer on (07) 3225 1080 if you require any further information regarding Contaminated Land matters.

Cultural Heritage - Architectural

The EPA has no information request in relation to Cultural Heritage matters. Please **contact Stewart Armstrong**, Planning Manager (Cultural Heritage) on (07) 3225 8816 if you require any further information regarding Cultural Heritage - Architectural matters.

THIRD PARTY MATTERS

Biodiversity

The EPA has no information request in relation to Biodiversity matters. Please **contact Rohan Huguenin**, Senior Environmental Officer on (07) 3225 8818 if you require any further information regarding Biodiversity matters.

Environmental Planning

The EPA has no information request in relation to Environmental Planning matters.

Please **contact Rohan Huguenin**, Senior Environmental Officer on **(07) 3225 8818** if you require any further information regarding Environmental Planning matters.

It is requested that a copy of the final information request from your Department to the applicant be forwarded to the EPA for our records.

If you have any inquiries regarding this response please do not hesitate to contact John C Taylor by telephone, facsimile, or email: johnc.taylor@epa.qld.gov.au

Yours sincerely

John C Taylor
Principal Inspector
IDAS Coordination – SEQ (Brisbane District)
Southern Region

John C. Taylor

From: John C. Taylor [johnc.taylor@epa.qld.gov.au]
Sent: Tuesday, 30 August 2005 9:29 AM
To: Rohan Huguenin; Miguel Zavaleta-Romero
Subject: RCU1871 - DLGPSR Information Request to Applicant

Importance: High



RCU1871HighfieldD
veBreakwaterR...

Greetings All,

Today's mail contained the DLGPSR Information Request to the Applicant for the above development, detailed below:

Our reference STH5894 / BNE901102 Appl'n. No. 3721Pt2

Applicant: Baymill Investments Pty Ltd & sch4p4(6) Personal information
sch4p4(6) Personal information

Application Type: Reconfiguring a Lot - 3 to 4lots - 2 management lots, and 2 open space. Operational Works for development platforms, waterway and wetland system.

Referral Triggers: Development within 100m of an area mentioned in Integrated Planning Regulation 1998 Section 12, and Schedule 8 (a) 'filling below a floodline'.

Location: Highfield Drive & Breakwater Road Robina. Lot 2 RP223566 Lot 902 SP108453, and Lot 390 SP149355.

Local Government: Gold Coast City Council.

Please compare the DLGPSR request, with the copy of the EPA request that I sent out [attached], and your contribution to me.

I have forwarded the DLGPSR copy received to CLU; and a copy of DLGPSR cover letter to file STH5894; both with this email as coversheet.

Regards

John C Taylor
IDAS Coordinator - SEQ
Southern Region
Environmental Protection Agency
GPO Box 2771 Brisbane Q 4001
Flr 16, 288 Edward Street Brisbane
Phone: 07 3224 6139
Fax: 07 3225 8723
Email: johnc.taylor@epa.qld.gov.au

COPY



Queensland
Government

Our Reference: RCU 1871
Enquiries: Jodie Smith
Extension: 323 71770
Address: PO Box 15031 City East Qld 4002
E-mail address: jodie.smith@dlgpsr.qld.gov.au

Planning Services

Department of
Local Government, Planning,
Sport and Recreation

26 July 2005

Baymill Investments Pty Ltd and sch4p4(6) Personal inform
C/- Buckley Vann Town Planning Consultants
PO Box 205
FORTITUDE VALLEY QLD 4006

Attention: sch4p4(6) Person

RE: REFERRAL COORDINATION — INFORMATION REQUEST

Dear Sir,

I refer to your letter of 6 June and received in this office on 7 June 2005, requesting referral coordination under the *Integrated Planning Act 1997* (IPA) for the following application-

APPLICANT: Baymill Investments Pty Ltd and sch4p4(6) Personal information
and sch4p4(6) Personal information

APPLICATION TYPE: Reconfiguring a lot

REFERRAL COORDINATION TRIGGER: Schedule 8(a) (Filling below the floodline)

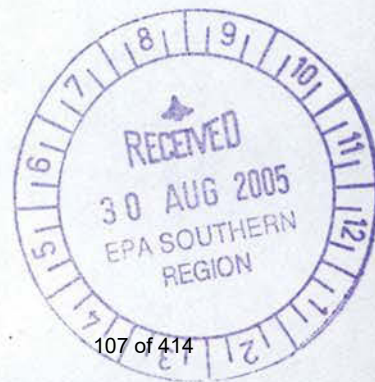
LOCATION: Highfield Drive and Breakwater Road, Merrimac and Robina QLD, described as Lot 2 on RP 223566, Lot 902 on SP 108453 and Lot 390 on SP 149355

LOCAL GOVERNMENT: Gold Coast City Council

I wish to advise that after preliminary assessment of your application additional information is required to fully assess the proposal. Details of the information requested are contained in pages 3 – 31 attached to this letter.

The following agencies were consulted in the preparation of this information request —

- | | |
|---|----------------------|
| • Gold Coast City Council | (Assessment Manager) |
| • Department of Natural Resources and Mines | (Concurrence agency) |
| • Department of Main Roads | (Concurrence agency) |
| • Powerlink | (Advice agency) |
| • Energex | (Advice agency) |
| • Environmental Protection Agency | (Third Party) |



- Department of Primary Industries and Fisheries (Third Party)
- Queensland Transport (Third Party)
- Office of Urban Management (Third Party)

The Department of Main Roads, as a concurrence advice agency, requires no further information.

The Act requires the applicant to provide a copy of the response to the information request to the Assessment Manager and any IDAS concurrence or advice agency. It is also recommended that copies of your information response be forwarded to the third parties listed above. Please note, under section 3.3.8 (3) of the IPA you are not required to send a copy of your information response to this Department.

Please note, you have 12 months to respond to this information request. The response must be made in one of the following three ways —

- Provide all the information requested; or
- Provide part of the information requested together with a notice asking the assessment manager and each IDAS referral agency to proceed with the assessment of the application; or
- Provide 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 IDAS referral agency to proceed with the assessment of the application.

It should be noted that in the event of an appeal against a decision on a development application, costs may be awarded against an applicant if the court considers the applicant did not give all information reasonably requested in the information request (s4.1.23(2)(g) of the IPA).

Further information or assistance may be obtained by contacting the above contact officer by telephone or e-mail.

Yours sincerely

sch4p4(6) Personal information

Kim Mahoney
Principal Planner
SEQ-WBB Planning Division

CC:
Gold Coast City Council
Department of Natural Resources and Mines
Department of Main Roads
Powerlink
Energex
Environmental Protection Agency
Department of Primary Industries and Fisheries
Queensland Transport
Office of Urban Management

MATTERS OF INTEREST TO THE ASSESSMENT MANAGER

The Gold Coast City Council, as assessment manager for the application, raises the following matters of concern and requests the following additional information:

INFORMATION REQUESTED

1. VISUAL AMENITY & LANDSCAPE CHARACTER

1.1 Snake Hill – three-storey development

- a. The Visual Amenity and Landscape Character Intent Report dated February 2005 by Yurrah Pty Ltd ('Yurrah Report') included 'computer model images' of Snake Hill depicting the extent of vegetative screening likely to be achieved for indicative two-storey buildings, which are shown as below the heights of existing tree canopies. However, the Snake Hill Design Principles (Appendix II of the Yurrah Report) indicate that buildings within the Building Location Envelope ('BLE') are '*... not to exceed 3 storeys in height*'. No material submitted with the application has addressed the likely visual appearance or impacts of three-storey buildings, nor is there any reference in the Snake Hill Design Principles to building height relationship to tree canopy height. While it appears from the computer model images that some parts of the BLE could accommodate three-storey buildings below the tree canopy, it also appears that three-storey buildings in other parts of the BLE would be visually prominent and detract from the wooded appearance of Snake Hill.

Information Requested

- b. The applicant is requested to provide additional computer model image illustrations showing three-storey dwellings in all parts of the BLE where buildings of three storeys are proposed. The images are to be in similar form to those submitted with the application in respect of two-storey dwellings (Visualisation Image C, Image D, Image E, Image I and Image J) ie. showing existing tree canopy heights, as well as future landscape screening.

1.2 Snake Hill – RL levels

- a. The information regarding tree heights (Tree Survey Plan – Snake Hill Drawing SK.06 dated 3 Feb 2005 by Yurrah Pty Ltd) cannot be interpreted to indicate the elevation of tree canopies and hence the relative heights of buildings and trees. 'Image C' of the Yurrah Report shows an indicative plan of development on a contour base, but the contours are unnumbered. The computer model images alone do not provide sufficient certainty that buildings will be below the tree canopies, given that the height restriction in the Snake Hill Design Principles is specified only in terms of the number of storeys, rather than a height above natural ground level. Neither do the restrictions on earthworks filling in the Snake Hill Design Principles ('*... reasonably necessary to achieve individual building pads and building accesses*') provide certainty that building platforms are not elevated above natural ground level.

Information Requested

- b. The applicant is requested to provide additional information regarding the elevation of roofs and existing tree canopies, possibly by annotating Visualisation Images C to J and any new three storey images, and show how the Snake Hill Design Principles (if incorporated into approval conditions) would ensure that the built form will be below the heights of tree canopies.

2. PLANNING

2.1 Canoe portage points

- a. The application states that the open space system will provide a range of outdoor recreation opportunities including canoe trails. Concept Plan G4280 CP1 and the Landscape Intent Plan SK04-A do not show canoe portage points from the proposed development to link up with Mudgeeraba Creek.

Information Requested

- b. The applicant is requested to identify on the Concept Plan and the Landscape Intent Plan the intended linkage with Mudgeeraba Creek.

2.2 Lot 2 open space

- a. The development application proposes that Lot 2 (30.65 hectare parcel of land) becomes open space under the control of a body corporate. The Planning Report by Buckley Vann and the Yurrah Report articulate the key principles and proposed outcomes in respect of the provision of open space. It is necessary that these statements now be supported by details of the proposed establishment, management and maintenance arrangements to ensure the outcomes will be achieved.
- b. This is particularly critical in respect of the proposed north-south and east-west public access network (currently represented indicatively on Landscape Intent Plan SK04-A dated 3 February 2005). Such network is necessary to provide pedestrian, cycle, bridle and canoe linkages for the community through Outriggers Drive Reserve, Kingary Wetland Reserve and Mudgeeraba Creek/Robina Station Reserve.

Information Requested

- c. The applicant is requested to provide an Open Space Management Plan (OSMP) in respect of proposed Lot 2 (open space). The OSMP is to address in detail the proposed design, management and maintenance of all open space areas, during both the construction and operational phases and is to include the following:
 - i. Delineation of areas accessible by the general public and areas not accessible by the general public;
 - ii. Delineation of different open space purposes – active recreation, passive recreation, conservation or environmental;
 - iii. Details of all softscape and hardscape treatment, including surfacing and built form, such as lighting, water features, shelters, furniture, public facilities, walls, fences, etc. In relation to proposed treatment of paths, it is imperative that access is provided freely, equitably and unencumbered throughout the areas represented on Drawing SK04-A. In this context all plans should provide for a minimum 3m wide reinforced pathway system, however in some areas infrastructure such as bridges and creek crossings will need to be provided;
 - iv. Proposed treatments for creek/waterway crossings (can be provided in a Landscape Intent, with indicative plans);
 - v. Landscape treatment for interface between the Council parks and 'entry points' to the development between Kingary Wetland Reserve, Outriggers Drive Reserve and Robina Station Reserve;
 - vi. Maintenance and emergency vehicular access in and around the subject area (public areas);

- vii. Statement of proposal detailing how the applicant proposes to accommodate free and unencumbered public access, with regards to tenure, maintenance and public liability. The applicant's Planning Report indicates (page 9) that use of proposed open space by the public would be provided for 'by easement or other tenure arrangements to be agreed with the Council'. The applicant is requested to put forward details in relation to the arrangements for which agreement is sought, including access as the stages within the construction phase are progressively completed. Consideration should be given to the appropriateness of a range of mechanisms, including partial dedication, easements, covenants, infrastructure agreements and how such mechanisms will relate to proposed community title arrangements;
- viii. Management and maintenance plan and schedule detailing the standard of works, timing of works (particularly having regard to the staging of the construction phase and transitional phase), maintenance periods, allocation of responsibilities and likely costings for the management and maintenance of open space areas, including hardscaping, softscaping, linkages and trails, declared plants and weeds, rubbish, stormwater and waterbodies (in respect of the latter, cross-reference could be made to the Waterbodies Management Plan – see section 8.7 of this information request); and
- ix. Compliance with Council's Land Development Guidelines, Landscape Works Documentation Manual and Park Dedication Guidelines.

2.3 Lot 4 dedicated public open space

Information Requested

- a. In relation to the proposed dedication of Lot 4 adjacent to Mudgeeraba Creek for public open space, the applicant is requested to provide:
 - i. Details of buffer areas and appropriate treatments for such (ecological, riparian and/or other), including but not be limited to the current state of the stream bank and 30m buffer area requirements;
 - ii. Details of revegetation/rehabilitation of the area, taking into account handover/dedication of a sustainable community waterway park area and provision for a crossing to the Robina Station Reserve; and
 - iii. Details in respect of the establishment and management of this area, including management during the construction phase, quality of open space at on/off maintenance and future ongoing management and maintenance requirements of the open space, in accordance with Council's Landscape Works Documentation Manual (Open Space Management Plan requirements).

3. TRAFFIC

3.1 Highfield Drive-Breakwater Road intersection

- a. The Traffic Report by Holland Traffic Consulting dated 3 February 2005 makes reference (in section 8, page 13) to an intersection upgrade in accordance with Drawing No. 93C108-1. That drawing is not included in the Traffic Report.

Information Requested

- b. The applicant is requested to provide intersection upgrade Drawing No. 93C108-1.

3.2 3,000 vehicles per day traffic flow

- a. Council's Land Development Guidelines have adopted a set of development goals which lead to and incorporate standards in relation to road reserve widths. These standards are set out in Council's standard drawings. The development proposal conveys an intent to exceed those standards. The material submitted with the application seeks to justify a generation from the development of up to 3,000 vpd and thus a total impact on Breakwater Road of 4,000 vpd. The arguments put forward to support an increased upper limit of 4,000 vpd are contained in section 10 of the Traffic Report. The reasoning contained in section 10 is summarised below and comment is supplied on that reasoning:

10.1 The history of Breakwater Road viz-a-viz Council's subdivisional standards

Section 10.1 seeks historical support from the 1989, 1996, 1999 and draft 2003 standards. *This does not provide adequate reason to depart from the current and relevant standards.*

10.2 Evolving standards

Section 10.2 seeks to base appropriate standards on a study undertaken for Council in relation to East Coomera in 2004. *That study supports a limit of 3,000 vpd unless speed control measures are adopted. There is no indication that such is proposed or could prove acceptable to existing residents.*

10.3 State-wide guidelines

Section 10.3 focuses in part on Queensland Streets and notes that that document refers to research indicating a range of acceptable volume limits of 1200 – 5000 vpd. *Whilst true, the argument does not report the fact that Queensland Streets reports a desirable catchment limit of 200 equivalent dwellings and an absolute maximum of 300 equivalent dwellings. This equates to a desirable limit of 2,000 vpd and an absolute maximum of 3,000 vpd.*

Reference is also made to speeds and the current 50 km/hr limit as well as the Queensland Streets' aim of 40 km/hr for streets with frontage access. *The effect of a wide carriageway as opposed to a narrow one, all else being equal, is to encourage higher speeds. This will of course be accentuated in relation to the longer distance trips generated by the proposed development, an issue which is not recognised in the Traffic Report. No means of limiting the speeds has been proposed.*

10.4 The question of retrospectivity

Section 10.4 likens Oxley Road and Winstanley Street to Breakwater Road in having residential frontage access and (potentially) high traffic volumes. *The situations quoted are the unfortunate result of poor planning in the past. There is no suggestion that these are desirable situations, merely that to reverse the situation would be a 'utopian' ideal. Current design philosophies which are well accepted in the development community no longer consider development in that form acceptable.*

10.5 Recommended criteria for future development

Section 10.5 of the Traffic Report refers to the adoption of 'utopian' criteria. *The 'utopian' comment made in section 10.4 of the Traffic Report related to the possibility of improving amenity on Oxley Road and Winstanley Street, not the extent of development now put forward by the applicant which would exceed*

accepted standards with consequent impacts on amenity. There is no reason put forward why current standards should not be maintained.

Information Requested

- b. The applicant is requested to indicate the form of treatment(s) proposed to Breakwater Road to facilitate the increase in the expected volume of traffic from 3,000 vpd to 4,000 vpd, including:
 - i. Plans of treatments;
 - ii. Estimates of speeds;
 - iii. Noise levels; and

3.3 Location of temporary access track in vicinity of western treatment wetland

- a. The proposed temporary access track will provide the potential to remove unacceptable construction traffic impact from Breakwater Road. The access track should be located in such a way that it does not cause unacceptable impact on nearby land uses, particularly in terms of noise, dust and vibration. It should be located such that the junction with Highfield Drive achieves normal and acceptable standards. There is no indication within the development application of the form of the junction with Highfield Drive, nor the precise location of the access track.

Information Requested

- b. The applicant is requested to provide drawings at various scales indicating:
 - i. The junction of the access track with Highfield Drive; and
 - ii. The location of the access track, so as to ensure both its availability for ongoing building activities post development-platform construction and the achievement of operational water quality objectives – see section 5.2 of this information request.

4. GEOTECHNICAL

- a. Whilst geotechnical engineering investigations and analyses submitted with the application are considered to be sufficient to obtain an appreciation of the site and to define geotechnical design assumptions for the first stage of project development, it is considered essential that proper geotechnical engineering be undertaken throughout final design and construction of the proposed development. The necessity for continued comprehensive geotechnical engineering stems directly from the soft foundation conditions that prevail and the seriousness of foundation behaviour in achievement of a successful development that is ultimately suitable for its intended purpose.
- b. Appropriate planning must be implemented from the outset to regularly investigate and monitor foundation behaviour and to update geotechnical engineering design assumptions and consequent development constraints.
- c. The contents of 'Attachment A' (Draft Geotechnical Conditions) prepared during the geotechnical conclave meeting of 12 July 2004 for the *Broadlakes* appeal provide a framework for such planning to be implemented. Whilst, clause 1 of Attachment A seeks to ensure the continued involvement of the existing geotechnical engineering consultant, it is appropriate that objective methodology be articulated as to how the investigation, design, construction and monitoring contemplated by the framework can be unambiguously interpreted and implemented.

Information Requested

- d. The applicant is therefore requested to provide a mechanism to commit to and document a methodology for implementing the contents of Attachment A. It is suggested that an appropriate mechanism would be a Geotechnical Design Report, called up by and summarised in the site based management plan referred to in section 10 of this information request so as to ensure the geotechnical engineering considerations are fully coordinated with other site considerations. The Geotechnical Design Report will facilitate the continual review and documentation of geotechnical design assumptions.
- e. The Geotechnical Design Report (which should incorporate the statements in Attachment A) should have as its focus the articulation of objective criteria/factors to be applied to guide the actions contemplated by Attachment A. For example, the criteria to be used to select the placement of a grid of settlement monitoring plates, the methods that should be used to analyse settlement and dissipation of pore water pressure under preload conditions and how these will be related to the targeted degree of consolidation, etc.
- f. The content of such a report should become part of this current application and any subsequent approval so that the complete picture of geotechnical engineering for the proposed development can be understood from the outset.
- g. While the report should establish a methodology for the entire project, it should be prepared bearing in mind that Council requires further details in relation to the next phase of site investigations and therefore the report should propose a methodology for those investigations for Council's consideration. In that regard, Attachment A recognised that the investigations to date are too coarse for final design and therefore specific foundation investigations would be necessary around the perimeter of the development platforms to more precisely define engineering conditions that directly affect stability of platform edges. Pore water pressure monitoring instrumentation would have to be constructed so that baseline site data can be gathered for use in subsequent engineering management of fill placement and preloading of development platforms.
- h. Because such investigations will influence final design and therefore the specifications and drawings that will be submitted in support of the next 'phase' of the development approval process, the report should describe and provide justification for the intended piezometer locations and instrument levels to be used, so that Council can assess the appropriateness of the proposed investigation methodology.

5. CIVIL ENGINEERING

5.1 Construction phase – water levels

- a. The Report on Civil Engineering Issues by Kavanaugh McAnany Pty Ltd dated February 2005 outlines the construction technique and sequencing in section 3.3. In section 3.3.16 it identifies that *'The prime objective of the sequencing was to construct the complete on-stream waterway and wetland system as early as possible'*.
- b. In reviewing the sequencing plans provided in Appendix D of that report, it can be seen that the on-stream works are completed at the end of Stage 5, being week 63 and the off-stream works being OFF1, OFF2, OFF3 and OFF5 are completed at the end of Stage 14, being week 241. Information is provided that the on-stream wetland areas

will be maintained at RL 0.6 while the off-stream wetland areas will be maintained at RL 0.0.

- c. Maintenance of these water levels is critical in maintaining flood storage and managing the ongoing earthworks activity throughout the construction phase of the project, however no information has been provided as to how these water levels will be maintained during the construction phase of the project.

Information Requested

- d. The applicant is requested to provide details on how the on-stream and off-stream wetland areas are to be maintained at the nominated levels to facilitate maintenance of flood storage and the earthworks activity prior to practical completion.

5.2 Access

- a. Upon completion of the works at the end of Stage 15, being week 289, the works generally comprise six development platforms and a series of off-stream wetlands and waterways. The Kavanaugh McAnany report identifies that infrastructure to be provided will include:
 - i. A 'temporary access track' – shown in the sequencing drawings as being indicatively across the western treatment wetland, but that 'will most likely run along the top of the bunds' once ON4 and OFF4 are constructed; and
 - ii. An 'an all-weather haul road across the on-stream wetlands to connect the northern and southern sections of the project'.
- b. Following the completion of construction stages, the on and off-stream waterways and associated wetland areas and the platforms will require ongoing maintenance and in particular management of the off-stream wetland areas water level at RL 0.0. No information has been provided as to how ongoing access is maintained to all areas for maintenance.

Information Requested

- c. The applicant is requested to provide information on the location and design of:
 - i. the temporary access track; and
 - ii. the all-weather haul road crossing.

In respect of the temporary access track, Council considers that careful design could ensure that the access track can be maintained beyond the development platform construction phase to divert traffic impacts associated with residential construction upon the development platforms away from Breakwater Road. In providing location and design details, the applicant is therefore requested to consider locating the route from the outset in an alignment that can be maintained beyond bulk earthworks – such route may be 'along the top of the bunds', as suggested by the Kavanaugh McAnany report.

In providing location and design information, specific details are to be provided regarding access to areas requiring maintenance and demonstration that the access track and haul road will not impact on flows, management and maintenance of the wetlands.

5.3 Infrastructure

- a. As indicated in section 5.2(b) of this information request, subsequent to the completion of the works, the on and off-stream waterways and associated wetland areas and the

platforms will require ongoing maintenance and in particular management of the off-stream wetland areas water level at RL 0.0. The application does not provide details of the infrastructure, such as power, required to operate the wetland system and how such infrastructure will be managed and maintained.

Information Requested

- b. The applicant is requested to provide details in relation to the provision, management and maintenance of power and other infrastructure for pumping facilities for the off-stream wetland areas.

6. HYDRAULICS

- a. The 'Report on Flooding and Water Quality Management' by Cardno Lawson Treloar Pty Ltd dated February 2005 indicates (at section 5.4, page 16) that 'Council's model assumes that full dredging of Mudgeeraba Creek has been completed for the extent of the model'. If this dredging has not taken place then this basic modelling assumption is compromised, which may affect the modelling results. To date extensive modelling has been undertaken by the applicant to demonstrate the likely impact of the development proposal. It is important that it be established that, in the case of non-dredging of Mudgeeraba Creek, the proposal complies with the same criteria that was applied in the previous modelling.

Information Requested

- b. The applicant is requested to provide additional commentary and modelling results which include a discussion of the changes to the model to allow for the actual conditions of Mudgeeraba Creek and the generally expected consequence of non-dredging on the flood impacts of the development. Modelling results and figures should be provided for the most critical local events for a representative non-dredged case to demonstrate that the impacts of the development are acceptable even if dredging of Mudgeeraba Creek does not occur.
- c. Since modelling is also required during the construction phase to confirm that at the various stages of the development the proposal does not create any adverse off-site hydraulic impacts, modelling a critical stage of construction should also include the representative non-dredged condition in Mudgeeraba Creek.

7. CONSTRUCTION PHASE SEDIMENT, EROSION & WATER QUALITY MANAGEMENT

7.1 Clean water diversion

- a. During the construction phase, clean water from the eastern portion of the site is shown as being diverted through the construction zone prior to release to Mudgeeraba Creek. The risk of sediment transportation by this flow is considered significant. The plans submitted do not adequately show and demonstrate:
 - i. how this flow is to transit the construction zone without transporting sediment into Mudgeeraba Creek; and
 - ii. the treatment devices that are to be used to either prevent sediment re-suspension or removal of sediments from this significant flow.

Information Requested

- b. The applicant is requested to provide additional dimensioned plans showing the transit flow path, channel design and treatment devices that will be used to manage off-

construction site flow, such that sediment re-suspension will be avoided or sediments will be adequately removed prior to release to Mudgeeraba Creek.

7.2 Wetland and waterbody monitoring and maintenance

- a. The health and performance of the wetlands and waterbodies during the operational phase is to be managed through the monitoring and maintenance plan proposed. During the construction phase, the health and performance of the wetlands and waterbodies as they are established is equally important to achieve water quality objectives.
- b. It is not apparent how the waterbodies and wetlands will be monitored and managed during the construction phase and the risk of failure is considered high without an appropriate monitoring and management plan in place, particularly as the site will be in the construction phase for many years.

Information Requested

- c. The applicant is requested to provide a monitoring and management plan for the wetlands and waterbodies during the construction phase and transition to the operational phase. The plans should be of similar form and quality to the operational phase monitoring and management plans and associated drawings.

7.3 On stream wetland use during construction

- a. The success of the water quality management strategy during construction relies heavily on the proper operation and maintenance of the onstream wetland system as it is progressively constructed. Protection of these systems from excessive siltation is critical to ensure Mudgeeraba Creek does not receive excessive and unnecessarily turbid and silted waters.
- b. It is apparent that sediment control measures are proposed, however it is not clear how these integrate with the onstream wetlands or how the wetlands are to be maintained and not damaged during cleansing/cleaning activities, particularly after heavy siltation, flow events and during preparation for the operation phase use. A further concern is the maintenance and management of the western wetland whilst the access track is maintained across it for the construction phase.

Information Requested

- c. The applicant is requested to provide additional information in the form of drawings and management plans as to how the wetlands are to be managed and maintained during the construction phase so as to achieve water quality objectives. Such documentation needs to demonstrate:
 - i. how the sediment and erosion control measures integrate with the wetlands as they are constructed in each stage; and
 - ii. how they will be managed during the transition phase as the site becomes operational and water quality objectives change.

It is noted that section 5.2 of this information request asks for further information on the design of the access track, possibly along the top of the bunds as suggested by the Kavanaugh McAnany report. Given the potential impacts of the access track on management of the wetlands, section 5.2(c) requests that it be demonstrated that the access track and haul road will not impact on flows, management and maintenance of the wetlands.

7.4 Off-stream waterbodies – monitoring and maintenance

- a. During construction, the off-stream waterbodies will be established as borrow pits and then converted to integrated open water lakes within operational wetlands. These waterbodies, while not operational, will fill from time to time with water from site rainfall and runoff and are likely to stratify and/or acidify and may stay in this state for some time, particularly during preloading when site activity is likely to be minimal.
- b. Management of stratification and associated algae and acidic waters is critical to protect Mudgeeraba Creek and this is acknowledged in the application. However, the application does not detail the management of these waterbodies during construction, although the intention appears that the waterbodies will be pumped dry quickly.

Information Requested

- c. The applicant is requested to provide additional management plans and calculations that demonstrate management of the off-stream waterbodies during construction, particularly the management of water level and water quality after filling/partial filling with rain, runoff, stormwater or flood waters.

7.5 Water quality objectives

- a. The water quality objectives agreed during the conclave process for the construction phase releases within and off the site have not been adopted fully in the application. The reason for this change is not stated, nor is supporting evidence provided to suggest that the objectives should be relaxed. The length of time that the site remains under construction is significant and normal construction standards are considered environmentally inappropriate.

Information Requested

- b. The applicant is requested to provide additional supporting documentation to demonstrate that the stated water quality objectives are appropriate for the receiving environment for the time the site is under construction. Otherwise, revised water quality objectives are requested in line with the conclave agreements during the Broadlakes appeal.

7.6 Construction area pump out after inundation

- a. The construction areas and sedimentation ponds are proposed to be pumped out directly into the surrounding waters after flood inundation. During the *Broadlakes* conclave process it was agreed that this would be a two-stage process with water level and water quality controls being implemented, to take advantage of the flood tail waters without compromising the onstream wetlands and Mudgeeraba Creek system when the tail waters become cleaner as the flood waters recede.
- b. The application appears to seek to not provide protection of water quality in this manner and the environmental health of Mudgeeraba Creek and the onstream wetlands is likely to be compromised as a consequence.

Information Requested

- c. The applicant is requested to provide additional evidence that pumping out the construction sites and associated sediment ponds after flood inundation directly into the flood tail waters without sediment reductions will not compromise the environmental health of the onstream wetlands and Mudgeeraba Creek. Such evidence should include sediment mass balance conditions over the tail water period during which pumping is proposed. Otherwise, the applicant is to provide alternate

management measures to ensure the environmental health of the onstream wetlands and Mudgeeraba Creek is not compromised.

8. OPERATIONAL PHASE WATERBODIES MANAGEMENT AND MAINTENANCE

8.1 Water balance modelling

- a. The water balance modelling undertaken appears comprehensive, yet it is noted that:
 - i. the structure of the mass balance model and its operating rules is not described;
 - ii. the modelling is based on rain station daily **rainfall** data over the last 80 years;
 - iii. the rain station used has not recorded daily **evaporation** rates over the last 80 years; and
 - iv. therefore, the modelling appears to have used monthly averages for evaporation.
- b. In relation to the structure and operation of the model, whilst inferences can be drawn, because the model should reflect how the lake system is expected to operate, it is an important element in understanding the viability of the proposed system.
- c. In relation to evaporation rates, the period over the last 10 years has been checked using daily rainfall and evaporation data available from the Bureau of Meteorology and significant periods were found to occur when water levels in the water bodies dropped more than 500mm for significant periods of time.
- d. The application is not clear as to the provision of top up water being harvested from Mudgeeraba Creek or Wilson's Drain, per the conclave agreements reached during the *Broadlakes* appeal, which is considered to be critical, particularly in view of the evaporation results referred to above.

Information Requested

- e. The applicant is requested to provide:
 - i. a description of the operation of the waterbody system and the assumptions and operating rules of the mass balance model;
 - ii. model outputs for the last 10 years using **daily rainfall** and **daily evaporation** data and demonstration that the water bodies water level can be maintained within a 200mm range of Top Water Level (TWL);
 - iii. if water levels cannot be demonstrated to be maintained within this range, drawings and management plans to demonstrate a water harvesting arrangement to maintain water levels in all waterbodies within 200mm of TWL per the conclave agreement reached during the *Broadlakes* appeal; and
 - iv. having regard to the water levels and the freshwater ecology outcomes sought to be achieved, details of specific species selection within the vegetated zones.

8.2 Development platform arrangements re: stormwater quality improvement devices

- a. The application sets out clearly the type and arrangement of stormwater quality improvement devices (SQIDs) to be used to manage water quality on the development platforms. The success of the stormwater quality management system is critically dependent on the extent and layout of the SQIDs.

- b. The extent and layout of the SQIDs can be inferred only from the MUSIC model and Figure 20 from the Stormwater Management Plan by Cardno Lawson Treloar. Whilst the modelling adequately demonstrates that the proposed system is capable of achieving the water quality objectives stated, the extent and layout of the SQIDs is uncertain. It is acknowledged that the form of development is uncertain, however the density, extent, coverage, length, area and number of SQIDs needs to be stated to ensure the successful application of the stormwater management plan proposed.

Information Requested

- c. The applicant is requested to provide additional documentation detailing the proposed minimum density, extent, coverage, length, area and number of SQIDs proposed as appropriate to support the assumptions in the MUSIC model.

8.3 Wetland sedimentation ponds

- a. The application provides for inlet sediment ponds/flow spreaders to protect the wetlands from sediment loads during the operational phase and to ensure even distribution of flow into the wetlands. The size of these devices is critical to the success of the operation of the wetlands. The documentation provided does not provide sufficient detail as to the intended size, cross section and arrangement of these devices to evaluate their likely performance.

Information Requested

- b. The applicant is requested to provide dimensioned arrangement drawings clearly showing the inlet and outlet arrangements as well as the size and depth of each device including a cross section and plan.

8.4 Gravel beds and wetlands for algae removal and control

- a. The Robina Lakes Management Plan identifies the wide range of problematic and undesirable water quality, ecological and recreational characteristics, including blue green algae blooms, leading to health risks, ecological impacts eg. fish kills and aesthetic impacts. The two crucial issues to ensure the health and management of the waterbodies are water level variations and hydraulic detention time.
- b. The gravel beds and wetlands proposed at the tail of the off-stream waterbodies provide an appropriate device for algae removal and control. The size and arrangement of the devices is critical to its success, as is the intended range of flows that are to be used to effectively manage the algae populations in the water bodies. Although the size and arrangement of the devices and the flow rates can be inferred, they are not sufficiently detailed to assess their performance with any certainty. Failure of these devices will result in the water quality objectives not being met.
- c. The applicant is requested to provide:
- dimensioned arrangement drawings showing the size and arrangement of these devices (gravel beds and wetlands), clearly marking the typical inlet and outlet structures, planting density, gravel size and flow paths;
 - design flows and calculations demonstrating the loading rates being applied are appropriate for the devices to remove 80% of algae cells from the flow; and
 - the natural detention times and algal growth rates on which the algal management system is based and calculations to demonstrate that waterbody turnover rates through the gravel beds and wetlands will be adequate to control

algal bloom conditions and problems identified in the *Robina Lakes Management Plan*.

8.5 Inlet and transfer devices

- a. The inlet conditions to the wetland water quality improvement system are critical for their successful operation. It is apparent that the devices themselves are of sufficient size, volume and arrangement to provide the duty proposed (except for algae removal). However, the inlet arrangements are not sufficiently documented to assess whether they are appropriate to prevent scouring of the inlet and for the proper operation of the wetlands and waterbodies and to confirm the assumptions made in the MUSIC model.

Information Requested

- b. The applicant is requested to provide dimensioned and labelled arrangement drawings that:
 - i. detail the devices that will transport stormwater off the platforms into the wetlands and waterbodies, and other such devices that direct stormwater flows into a wetland, waterbody, sediment pond or lake; and
 - ii. demonstrate that the water flows will not cause scouring of the inlet of the various devices, wetlands or waterbodies and that flows where necessary will be properly distributed;
 - iii. show a dimensioned typical longitudinal section and cross section of a waterbody interconnecting channel and pipe, confirming the RL of the weir, IL and diameter of the pipe and any valving proposed.

8.6 Algae and macrophyte and water weed control

- a. Management of aquatic plant life is critical for the hydraulic and environmental health of the system. The arrangement drawings and descriptions provided adequately explain the operation of the system overall. The plant and algae management plans describe adequately the intention and concept of how nuisance plants will be managed. The management plans do not provide sufficient detail to assess how macrophytes, algae and floating water weeds will be managed to ensure hydraulic conductance is maintained within the system or how nuisance or declared weeds species will be managed to prevent disturbance of the natural ecosystem relied upon to treat the stormwater.

Information Requested

- b. The applicant is requested to provide a macrophyte, algae and floating water weed management and maintenance plan that demonstrates how hydraulic flows between waterbodies will be maintained and nuisance aquatic weeds and algae will be controlled without compromising the natural ecosystem within the wetlands and waterbodies.

8.7 Waterbodies management plan

Information Requested

- a. In providing the further information the subject of this information request, it is critical that it be demonstrated that the various measures and outcomes can be integrated so as to result in waterbodies that provide a high quality water environment that is visually, aesthetically, functionally and ecologically appropriate and sustainable in the long-term with minimal management or intervention.

- b. To enable the various waterbody issues to be managed in a holistic manner for the life of the development, the applicant is requested to provide the information requested in this section of the information request, together with the management plans lodged with the application, in an overall Waterbodies Management Plan. To the extent not otherwise addressed, the applicant is to ensure the Waterbodies Management Plan addresses the matters set out in clause 5.4.6 of the Guragunbah (Merrimac/Carrara Floodplain) Structure Plan 1998, in particular the ongoing maintenance requirements and management measures in 5.4.6(viii) such as regular control of vegetation, impact of flood damage, edge treatments, replanting in relation to failure of vegetation and pumping costs.

9. ACID SULFATE SOIL (ASS) MANAGEMENT

- a. The results of the site investigations and analysis which have been provided in support of the application provide sufficient understanding of the ASS and groundwater constraints at the site and the potential impacts associated with the proposed development.
- b. The ASS Management Plan, the Groundwater Management Plan and the Erosion and Sediment Control Plan identify the management principles which must be applied, and the performance objectives which will need to be achieved to ensure that impacts are controlled within acceptable limits.
- c. There was however some information provided during the *Broadlakes* conclave process which is relevant when considering the feasibility of managing ASS and groundwater issues. This information has not yet been documented in support of the current application. This included, for example, evaluation of whether construction site water could be adequately contained, how ASS treatment could be integrated with specific construction activities and consideration of the practical limitations likely to be encountered when implementing ASS management and treatment measures.
- d. In addition, it is clear that in order to effectively manage the ASS risks associated with the proposed development, the site must be developed in a particular way. This must include the effective integration of ASS management measures (and those associated with other site constraints) with construction methodology, construction sequencing and materials handling.
- e. The ASS Management Plan, Groundwater Management Plan and the Erosion and Sediment Control Plan alone do not provide the level of detail or evidence of integration of management requirements with construction methodology which is required to confidently conclude that the proposed management objectives can be achieved.
- f. It is considered that the Site Based Management Plan (SBMP) referred to in section 10 of this information request is the appropriate mechanism for capturing the information provided during the *Broadlakes* conclave process, together with other detailed information as to implementation of the ASS management measures, including consideration of the practicalities of these within the context of proposed construction techniques and coordination with construction sequencing. The applicant is therefore requested to ensure these matters are included in the SBMP.

10. SITE-BASED MANAGEMENT PLAN (SBMP)

- a. The examination of the development proposal for this site has shown that there are important constraints, and associated potential impacts, which must be managed effectively in order to deliver the stated performance outcomes. Many of these constraints are potentially conflicting (ie the way in which one constraint is managed may affect the ability to manage another), or require management measures which will be affected by issues of practicality or coordination.
- b. Importantly, the long term effectiveness of the proposed management measures (ie whether the required environmental management outcomes can be delivered during the operational life of the development) is fundamentally dependent on the effectiveness of their implementation during the construction phase, and adherence to the central principles of the development concept. That is, the particular nature of this development concept is the result of a high level of collective expertise and many iterations, and many of the key management measures proposed can not readily be corrected at a later date if they are not effectively implemented during construction.
- c. Sufficient information on how the proposed management measures can be practically and effectively implemented is therefore required at this stage of the application process to ensure that the stated outcomes can be achieved. The opportunity to consider this level of information is fundamental to the assessment of the application and it is considered that preparation and submission of an SBMP is an appropriate mechanism to provide this level of information.
- d. An SBMP is considered a necessary supplement to the various plans lodged in support of the application to date in that:
 - i. The plans accompanying the various reports state the performance outcomes and management principles applicable to the development; the SBMP will describe how those are to be practically implemented;
 - ii. The plans accompanying the various reports address the management of constraints associated with each discipline; the SBMP will facilitate the integration of management techniques across disciplines to avoid conflicts; and
 - iii. The plans accompanying the various reports identify the site constraints critical to each discipline; the SBMP will ensure sufficient site-specific information is made available to enable management measures to be effectively integrated with the proposed construction sequencing and methodology.
- e. In short, at present there is no single document which clearly presents all the management commitments which have been made; the SBMP will provide the necessary consolidation for ensuring that all of the measures can be feasibly achieved in the manner and timeframes suggested.

Information Requested

- f. The applicant is therefore requested to provide a detailed SBMP. The purpose of this SBMP is to identify all the potential environmental impacts associated with both the construction and operational phases of the proposed development, and describe the management measures proposed to control these to within acceptable limits. It should describe the measures in sufficient detail to be site specific, and activity specific, and should discuss practical limitations and present contingencies. The measures described should be integrated and coordinated with construction sequencing and methodology.
- g. It is envisaged that the SBMP would:

- i. become the central document to guide the activities of the developer, designers, constructors and operators throughout the life of the project;
 - ii. be updated periodically to reflect changes such as approval conditions, or improved knowledge of the effectiveness of management measures;
 - iii. provide sufficient information to properly guide a designer, contractor, technical adviser, or auditor who has not had the benefit of the assessment and development of the concept which has occurred to date.
- h. The SBMP needs to be comprehensive enough to provide confidence that if it is complied with, the development performance outcomes will be achieved, and to allow it to be used as the basis for audits.
- i. An example of the structure and contents of such an SBMP follows:

I. Introduction

Including background, purpose of the SBMP, and relationship to other documentation, including reports and plans lodged with the application and further information supplied in response to this information request.

II. Project description

Including a description of the development concept, construction staging, construction methods and activities, and operation and maintenance activities.

III. Applicable legislation

Identify what legislation and approvals will apply to the proposal, and who will apply for and hold the various permits and approvals.

IV. Responsibilities and Reporting

Description of who will have responsibility for implementation and compliance during the various phases of the development, particularly having regard to the proposed community titling arrangements, and what reporting pathway will be applied.

V. Environmental Issues

Provide a statement of the environmental issues associated to the proposed development, the development activities they are linked to, and the principles to be applied to manage them. (ie. this section would be a concise synopsis of the impact assessment findings)

VI. Management Measures

A detailed description of the management measures to be implemented, in the context of site specific conditions, construction activities, and sequencing.

It is anticipated that there would be a section for each of the disciplines (eg erosion and sediment control, flooding, ASS, water quality, geotechnical, noise, air quality, vegetation, open space, water ecology, landscaping, etc) and that within each of these sections, the measures would be described for design, construction, and operation phases. The objectives of, responsibility for, and the timing of, each measure should also be stated.

This section in particular is expected to provide the 'list of things to do', and description of how and when to do them, during each phase of the proposed development. It is therefore important that this section is clear, concise and easy to use, and a tabular structure can be useful in achieving this.

The management measures should reflect the particular outcomes and management principles articulated in the assessment reports and management plans. For example, in respect of water quality, the SBMP should reflect the contents of the overall waterbodies management plan, including:

- Sediment & Erosion Control
- Stormwater Management
- Construction Phase Wetland & Water Body Management
- Transition Phase Wetland & Water Body Management
- Construction Site Inundation Pump Out & Water Quality Management
- Wetland & Water Body De-silting and Clean Out Procedures (Construction & Operation Phase)
- Wetland Re-Establishment Contingency
- SQID management & maintenance
- Consolidated Water Quality Objectives during construction & operation
- Water level maintenance
- Macrophyte, algae & floating water weed management

In setting out the measures in respect of each discipline, particular regard is to be had to the practicality of those measures having regard to the proposed engineering sequencing and methodology, as articulated in the Report on Civil Engineering Issues by Kavanaugh McAnany Pty Ltd and the Geotechnical Report by Shaw Urquhart Pty Ltd. For example, in relation to Snake Hill, the staging of filling, excavation, trenching, tunnel boring and foundations and works in areas surrounding Snake Hill to ensure that mature planting outcomes as contemplated by the Snake Hill Design Principles will be achieved.

VII. Monitoring and Reporting

This section should, under headings for each discipline, describe the monitoring techniques which will be used to measure the effectiveness of the management measures, who will do the monitoring, where it will be done, what method will be used, how often it will be done, when it will be done, and what performance criteria will be applied.

VIII. Contingency Plans

This section should contemplate the problems, incidents, and failures which could be anticipated to occur on site, and describe how these would be dealt with to ensure compliance with management objectives. These contingencies would be expected to range in magnitude from minor non-compliances detected during monitoring, through to more substantial issues such as failure to implement treatment measures which is discovered after the event, or events like floods.

IX. Non-compliance and corrective action

This section should describe the mechanism for reporting and correcting non-compliances, and who has responsibility for the various elements of this.

For further information in relation to this request please contact Jim Webb on telephone number (07) 5582-8903.

A total of 12 copies of the response to this Information Request should be forwarded to:-

Statutory Administration Group
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE QLD 9729

Published on DESI Disclosure Log
RTI Act 2009

MATTERS OF INTEREST TO DEPARTMENT OF NATURAL RESOURCES AND MINES

The Department of Natural Resources and Mines as a concurrence agency for the application raises the following matters of concern and requests the following additional information:

INFORMATION REQUESTED

1. SPP2/02: Planning and Managing Development Involving Acid Sulfate Soils

The number of boreholes drilled is below the requirements of SPP 2/02. Areas to be filled require investigation to 2m below current surface level. Areas to be excavated, including infrastructure trenching (sewage, channels, swales), also require investigation to 1m below the depth of disturbance.

- 1.1 Further boreholes be drilled and sampled according to SPP 2/02 Guidelines, and the results provided as part of the applicant's Information Response.
- 1.2 Cross sectional diagrams of site be provided indicating soil descriptions, treatment categories, excavation and filling depths, groundwater levels and predicted cone of depression.
- 1.3 Section 8 of the SPP 2/02 Guideline: *Investigation Related to Filling Activities*, be specifically addressed and management strategies presented as part of the applicant's response to the Information Response.

Laboratory testing did not include retained acidity testing.

- 1.4 Samples are required to be tested for retained acidity. The estimations for liming rates and costs of lime are likely to be inaccurate without retained acidity testing. These rates must be recalculated after further laboratory testing. Phase 2 sampling and verification testing should also include retained acidity testing.

Stockpiling of untreated ASS was not addressed in the EMP.

- 1.5 Further information on the earthworks strategy and if any untreated soil will be stockpiled on site is required.

Detailed corrective action has not been outlined in the Groundwater Management Plan.

- 1.6 Specific details be provided on corrective action measures in the Groundwater Management Plan.

Offsite impacts and monitoring have not been addressed in the ASS report.

- 1.7 Request offsite impacts be included as an 'Issue' in the EMP. Performance criteria should be ascertained and monitoring parameters established, as well as corrective action if environmental degradation is detected.

2. Water Issues

Should the development impact on a water-course, lake or springs as defined under *Water Act 2000*, then authorization may be required. Please contact Bruce Brogan on telephone 3224 7373 if you require further clarification.

ADVICE

Aboriginal Cultural Heritage

Under section 23 of the Aboriginal Cultural Heritage Act 2003 a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are \$750,000 for a corporation and \$75,000 for an individual.

A person will comply with the duty of care in relation to Aboriginal cultural heritage if the person is acting in compliance with cultural heritage duty of care guidelines gazetted under the Aboriginal Cultural Heritage Act 2003, attached, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under Part 7 of the Aboriginal cultural heritage legislation.

Duty of care guidelines highlight the need to search the Cultural Heritage Database and the Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, Department of Natural Resources and Mines. Application forms to undertake a free search of the Cultural Heritage Register and the Database as well as further advice in relation to this matter, may be obtained by contacting the Cultural Heritage Coordination Unit, NR&M on 3238 3838.

For further information in relation to this request please contact Andrew Macpherson on telephone 3884 5375.

A copy of the response to the information request can be forwarded to:

**Andrew Macpherson
Senior Officer (Planning and Environment)
Department of Natural Resources and Mines
PO Box 864
IPSWICH QLD 4305**

MATTERS OF INTEREST TO POWERLINK

Powerlink as an advice agency for the application provides the following advice and requests the following additional information:

ADVICE

Powerlink currently have no infrastructure within the easement corridor however we understand that the corridor is of sufficient width to accommodate the construction of a future high-voltage transmission line on the western side of the existing Energex 110kV line. The timing for Powerlink's line construction will depend on future electricity demand from residential, commercial and industrial growth in the Gold Coast and hinterland region. It is therefore essential that the viability of the easement corridor be preserved.

Although tower locations have not yet been determined for the future transmission line it is likely that they would be offset from the existing 110kv Energex structures. Should this occur vehicle access to the future tower site is required, therefore the development should accommodate both articulated and non-articulated vehicles and plant that may have an 80 tonne GVM. In particular we draw your attention to the proposed bridge, which will link "Development Platform 5 and 6" shown on drawing FS1 prepared by Kavanagh McAnany. Insufficient detail is provided with respect to access from the proposed road to the possible future tower site.

Information Requested

1. Powerlink requires further advice from the developer regarding access measures to accommodate our requirements at this site and other future tower sites located within the easement.

Future tower heights have not yet been determined however we note from the above-mentioned earthworks drawing that the development platforms will be raised as much as 4.8 metres above existing ground level. The significant height increase may adversely impact the development if Powerlink investigations reveal that tower heights need to be increased to accommodate statutory clearance heights of the conductor. This may result in a larger and more visually impacting tower being constructed.

Whilst it is acknowledged that the development site is largely contained within an existing flood plain the proposed earthworks appear to create a formalised channel incorporating permanent water features. From the information provided we are unable to determine what (if any) mitigation measures are proposed to minimise erosion and debris impact that may occur in the vicinity of the future tower sites.

Information Requested

2. Please provide further information on what (if any) mitigation measures are proposed to minimise erosion and debris impact that may occur in the vicinity of the future tower sites.

For further information in relation to this request please contact sch4p4(6) Personal info on telephone sch4p4(6) Personal info

A copy of the response to the information request can be forwarded to:

sch4p4(6) Personal info

Team Leader Property Services
Powerlink Queensland
33 Harold Street
VIRGINIA QLD 4014

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MATTERS OF INTEREST TO ENERGEX

Energex as an advice agency for the application provides the following advice:

INFORMATION REQUESTED

Energex advised they have written directly to Mr sch4p4(6) Per Buckley Vann Town Planning Consultants (letter dated 14 July 2005) as part of the information request. The contents of that document have been summarised below:

Several concerns have been identified regarding the impact of the proposed development upon the existing jointly owned Energex / Powerlink electricity corridor that partially traverses the development site. From Energex records, we confirm that this corridor presently contains one 110kV line (linking substations located at Nerang & Mudgeeraba) and one 11kV local distribution line.

From Powerlink records, we can confirm that Powerlink currently have no infrastructure within the easement corridor however we understand that the corridor is of sufficient width to accommodate the construction of a future high-voltage transmission line on the western side of the existing Energex 110kV line. The timing for Powerlinks line construction will depend on future electricity demand from residential, commercial and industrial growth in the Gold Coast and hinterland region. It is therefore essential that the viability of the easement corridor be preserved.

Please note the following:

Access to the Towers:

Access to the existing towers on the easement is essential for maintenance and repair works, and for the construction of the future Powerlink lines. Access via tracks, and clear access pad areas around the towers are required to be provided. Due to the future construction, the access pads shall be required for the full width of the easement at the tower locations. The proposed development makes no clear provisions for access to the towers, and several aspects of the proposal appear to detract from current access arrangements.

Whilst it is acknowledged that the area is situated in an existing flood plain, the creation of formalised water features such as canoe trails in the easement corridor has a considerable impact on our existing utilisation of the easement and construction requirements for future lines.

Further, the location of the water features in conjunction with some elements of the development and earthworks, such as in the area around development platform 5, may serve to isolate the existing and future infrastructure. Please note that in conditions below (in letter dated 14 July 2005 sent directly to applicant) we require that provision be made in the development to provide the required access arrangements and ensure that the ongoing viability of the easement for electricity purposes is preserved.

Filling and Ground Level Changes on the Easement:

Concerns are raised regarding the extent of fill and level changes on the easement. In particular (but not limited to) the earthworks associated with development platform 5, the bridge connecting development platform 5 to 6 and the canoe portage point traversing the easement all propose significant increases in the existing ground level. This has the

potential to compromise existing safety clearances from the ENERGEX powerlines. When considering the proposed level increases around development platform 5, and particularly the proposed carparking area encroaching on the easement, this has a further impact for the future Powerlink lines. The Powerlink towers may be required to be significantly larger in order to achieve required height clearances over the raised land form resulting in increased visual impact and construction costs. Therefore ENERGEX requires that the existing ground levels on the easement be retained to ensure the retention of existing conductor to ground clearances.

In respect to the proposed bridge crossing between development platforms 5 and 6, further information will be required to determine the height of the bridge in the easement. As above, we require that the bridge not compromise the existing safety clearances. The eventual construction of the bridge must incorporate electrical hazard mitigation techniques, particularly during construction and with particular consideration of any metal structures on the bridge.

Stability of Existing and Future Towers:

Again it is acknowledged that the easement covers an existing floodplain, however the proposed canoe trails and treatment of flood events result in a situation of permanent inundation in areas around the existing infrastructure and in close proximity to the likely future tower locations. Concerns are therefore raised regarding the potential impact on the tower areas of scouring and debris in flood situations, and the effect on structural stability due to the permanent inundation proposed by the canoe trails. In particular, impacts resulting from scouring and run-off from development platform 5 directly into the easement around the existing and future electricity towers have not been clearly addressed.

Whilst extensive information is included in the application regarding stormwater and flood management, we require that specific consideration be given to the above matters to ensure the ongoing safety of the infrastructure.

Landscaping and Vegetation Plan:

Minimal details have been provided as to height of proposed landscaping on the easement. ENERGEX prefers that landscaping not be included on easements, to allow unimpeded access for maintenance and to minimise the potential for power outages due to trees falling across lines. Where consideration is given to landscaping proposals, we require detailed identification of species and location to ensure that appropriate heights and planting locations are achieved.

Please note, ENERGEX retains rights under easement conditions to remove landscaping for access and maintenance. Therefore landscaping should be designed to minimise the need for disruptive maintenance.

For further information in relation to this request please contact sch4p4(6) Pe on telephone sch4p4(6) Perso

A copy of the response to the information request can be forwarded to:

sch4p4(6) Perso

**Senior Town Planner
Network Strategic Investment Department
Energex Ltd
GPO Box 1461
BRISBANE QLD 4001**

MATTERS OF INTEREST TO ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency as a third party for the application provides the following advice and requests the following additional information:

Contaminated Land

ADVICE

The Environmental Protection Agency is the referral agency for a development application for material change of use of the Lot 390 on SP149355 and/or its child parcels.

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

The reconfiguration of the Lot 390 on SP149355 where hazardous contamination has been identified must be in accordance with the survey plan titled "Staged Reconfiguring of Lots Plan – Stage 1 to 7, Lots 2 RP223566, Lot 902 SP108453, Lot 390 SP149355" on plans drawing number G4280 PP13 to G4280 PP19 prepared by Heilbronn & Partners Pty Ltd dated 30 May 2005.

INFORMATION REQUESTED

It is a requirement that the applicant notify the EPA Contaminated Land Unit in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA Contaminated Land Unit to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Please contact Miguel Zavaleta-Romero, Principal Environmental Officer on telephone 3225 1080 if you require any further information regarding Contaminated Land matters.

For further information in relation to this request please contact John C Taylor on telephone 3224 6139.

A copy of the response to the information request can be forwarded to:

**John C Taylor
Principal Inspector
IDAS Coordination – SEQ (Brisbane District)
Southern Region
Environmental Protection Agency
GPO Box 2771
BRISBANE QLD 4001**

MATTERS OF INTEREST TO DEPARTMENT OF PRIMARY INDUSTRIES AND FISHERIES

The Department of Primary Industries and Fisheries (DPI&F) as a third party for the application provides the following advice and requests the following additional information:

ADVICE

Please be advised that the basis of DPI&F's comments lies within the jurisdiction of the *Fisheries Act 1994*, and that a site inspection was not undertaken for the purposes of these comments.

No information has been provided as to potential interference to the drains mentioned on site, except Wilson's Drain and the main section of Worongary Creek. Conceptual designs of the proposal indicate that significant wetland areas are to be created. However, when comparing these concept designs with plans and aerial photography of the site, it appears that some of the proposed development platforms conflict with the location of existing agricultural drains. Insufficient information is provided as to whether these drains are to be filled, altered or remain undisturbed, etc.

DPI&F understands that documentation submitted for the previous development proposal on this site indicated that the agricultural drains present were of low value to fisheries productivity and fisheries resources. However, these areas are still viable waterways and DPI&F requires thorough documentation should any modification be considered.

DPI&F's interest with this proposal is the management and protection of the fisheries value of any aquatic features within or adjacent to the development site, and the capacity of the proposal to impact upon fisheries productivity, fish habitat and fish migration paths.

INFORMATION REQUESTED

DPI&F requests that the information detailed in the Sections below determine:

- Whether approvals are required under the *Fisheries Act 1994* for the proposal and the likelihood of those approvals.
- The total impacts to fisheries resources, and whether these impacts have been fully minimised and mitigated.
- Whether conditions should be attached to any approval forthcoming from Council, in order to ensure impacts to fisheries resources are mitigated.

1.0 Plans

- 1.1 Appropriate scaled plan/s (or overlay) showing the location of existing and proposed waterways and any disturbances to aquatic features within and adjacent to the development site in relation to current and proposed property boundaries and if appropriate, show the purpose of those disturbances (ie. *waterway barrier*, etc).

2.0 Information

- 2.1 A description, and information regarding the nature of the existing aquatic features within, and adjacent to, the development site.
- 2.2 Comparison of the existing and potential values of the existing and proposed aquatic features as fish habitat and to fish migration.

- 2.3 Provide a description, and information regarding the nature of any waterway barrier works detailing:
- The location on the waterway.
 - The limit (extent) of waterway 'backup' at the top water level.
 - Whether the barrier is a temporary or permanent presence.
 - The purpose of the barrier.
 - The type of barrier, and construction materials used.
- 2.4 Provide a description of any measures to ensure continuation of any existing fish migration past the barrier. Description of proposed buffers detailing the following:
- The nature of the buffer (ie. Fenced, grassed, treed, managed, natural, etc).
 - The widths measured between the aquatic features and the development platforms and current and proposed property boundaries.
 - Any uses in the buffer and any maintenance requirements.
 - The tenure of the buffer, and the proposed responsibility agency for the management and maintenance of the buffer area.
 - The suitability of the buffer (see below).

Please be advised that any construction of waterway barriers will require specific approvals through DPI&F. Also note approvals are not automatic upon application and may be issued or refused as appropriate to the application, impacts, circumstances, policies etc.

Please refer to the attachment which provides an explanation of terminology and information relevant to this information request.

For further information in relation to this request please contact Rowan Berney on telephone 5430 4960.

A copy of the response to the information request can be forwarded to:

**Rowan Berney
Department of Primary Industries and Fisheries
PO Box 5165
Sunshine Coast Mail Centre
NAMBOUR QLD 4560**

MATTERS OF INTEREST TO QUEENSLAND TRANSPORT

The Queensland Transport as a third party for the application provides the following advice:

ADVICE

The information as submitted in the development application has been reviewed in accordance with guidelines described in the Queensland Transport/Main Roads/QDCILCP document "Shaping Up" Second edition, 1999. This document focuses on incorporating planning philosophies and recommended design initiatives to reduce the overall reliance on private motor vehicles.

1. The proposed development has to achieve the Departmental standard of 90% of the commercial properties within 400 metres walking distance of the designated bus route for the commercial precinct. The bus route is to be designed within a minimum of 20 metres road reserve width. The designated bus route is to be the shortest route through the proposed development to minimize travel time, while still maintaining the standard.
2. Planning layouts are to incorporate network linkage from the site to Robina railway station, including passenger transport, cycleways and pedestrian linkage to the station and to All Saints Anglican School.
3. Passenger transport bus and taxi infrastructure provision within the site particularly at major traffic attractors, such as commercial/retail areas.
4. The Developer shall be responsible for mitigation of all impacts from the railway, particularly noise, in accordance with any relevant environmental protection Acts, both now and in the future when the railway is upgraded and trains run at a greater frequency.
5. Increased run off from the development shall be the Developer's or the Council's responsibility. The existing drainage including drainage in QR's land from backwater from detention works is to be upgraded at their cost. Council is to approve any filling of the flood plain. QR accepts no responsibility.
6. QR not to be liable for any electrical effects such as EMF, interference to communications, TV's etc.

For further information in relation to this request please contact Mark Moro on telephone 3291 2701.

A copy of the response to the information request can be forwarded to:

**Mark Moro
Regional Transport Planning Advisor
Queensland Transport
8 Buyna Street
EAGLE FARM QLD 4009**

MATTERS OF INTEREST TO OFFICE OF URBAN MANAGEMENT

The Office of Urban Management as a third party for the application provides the following advice:

ADVICE

It is requested that the applicant and the local government, in progressing this matter, have regard to the Principles and relevant Strategies of the Draft South East Queensland Regional Plan – in particular, those relating to protecting the coast and waterways, flooding and regional open space (Strategies S1.5, 1.8 and S1.26).

For further information in relation to this request please contact sch4p4(6) Personal on telephone sch4p4(6) Personal

A copy of the response to the information request can be forwarded to:

sch4p4(6) Personal infor

**Principal Planner
Office of Urban Management
PO Box 15031
CITY EAST QLD 4002**



The installation of a fishway may be required as part of any approval, to ensure fish passage across the barrier. Further information on 'waterway barrier works' and 'fishways' can be found at www.dpi.qld.gov.au/fishweb.

- **Water Quality:-** Water quality is a key issue for the maintenance of healthy fish habitats and fisheries productivity. As such, DPI&F fully supports best practice and appropriate water quality management. The Environmental Protection Agency (EPA) is acknowledged as the lead State agency with respect to water quality issues. Consequently, DPI&F accepts the decision of the EPA in relation to appropriate water quality assessment, standards, management, and monitoring.
- **Acid Sulfate Soils:-** Acid Sulfate Soils (ASS) have the potential to adversely impact upon water quality and fisheries resources. DPI&F fully supports the avoidance of potential ASS or, where this cannot be achieved, best practice and appropriate ASS management. The Department of Natural Resources and Mines (NR&M) and the EPA are acknowledged as the lead State agencies with respect to potential ASS. Therefore, DPI&F accepts the decision of these agencies in relation to sampling, management, and monitoring of potential ASS.
- **Biting Midges and Mosquitos:-** Please note that mosquito and biting midge control has the capacity to create or manage severe impacts upon aquatic features, marine plants, fisheries productivity, fish habitat and fish (via chemical application and habitat modification). As such, the appropriate management of biting midges and mosquitos should be addressed where applicable.

For Further Information Contact:

Department of Primary Industries & Fisheries
Southern Fisheries Centre
13 Beach Road
Deception Bay Qld 4508

Telephone 07 3817 9527 Facsimile 07 3817 9522

Terminology and Information Relevant to DPI&F Fisheries

Terminology

Aquatic Features – any fresh, brackish or saline water features. This term includes natural, altered or artificial rivers, creeks, swamps, dams, drains, watercourses, etc; whether permanently or intermittently flowing. These features have the capacity to impact fisheries productivity, fish habitat and fish migration paths, and to carry impacts away from the site.

Declared Fish Habitat Areas – see definition below.

Development Activities – any works (eg, construction, landscaping) associated with the development including building, stormwater management and outlets, parks, paths etc.

Fish – see the *Fisheries Act 1994* for the complete definition. The term includes fish, prawns, crabs, worms, shellfish, and other animals that live in the water or the substratum.

Marine Plants – see definition below.

Waterway Barrier Works – see definition below.

General Information

For the benefit of the applicant, information on fisheries interests can be found at www.dpi.qld.gov.au/fishweb. Please note that DPI&F does not normally support the following activities within, or immediately adjacent to, aquatic features with fisheries values:

- Reclamation.
 - Impacts from proposals, which do not have an overriding requirement to impact upon aquatic features.
 - Ongoing private tenure.
 - Any proposals where alternatives of lesser impact to aquatic features exist.
 - Any development without appropriate buffers.
- **Marine Plants:-** All marine plants in Queensland are protected. Section 8 of the Fisheries Act 1994 defines marine plants as the following:
 - A plant (a tidal plant) that usually grows on, or adjacent to, tidal land; whether it is living or dead, standing or fallen.
 - Material of a tidal plant, or other plant material on tidal land.
 - A plant, or material of a plant, prescribed under a management plan or regulation to be a marine plant.

This definition includes (but is not limited to) mangroves, seagrass, saltcouch, and samphire vegetation species. A marine plant does not include a declared plant under the *Land Protection Act 2002*. If it is proposed to disturb any marine plants, a permit application under Section 51 of the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Permits to disturb marine plants are not automatic upon application, and may be issued or refused as appropriate to the particular application, circumstances, impacts, policies, and information supplied.

- **Fish Habitat Area:-** If it is proposed to undertake any works within a declared Fish Habitat Area (FHA) (under the *Fisheries Act*) a permit application under Section 51 of the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Permits under the *Fisheries Act* are not automatic upon application, and may be issued or refused as appropriate to the legislation and policies applicable to the particular FHA, the individual application, circumstances, impacts, and information supplied.

FHA's are declared over areas of key fish habitats throughout Coastal Queensland. Further information and the location and plans of the FHA network can be found at www.dpi.qld.gov.au/fishweb/13401.html.

- **Buffer Requirements:-** DPI&F normally supports the retention of a vegetated buffer between a development and aquatic features and marine plants. This buffer provides (but is not limited to) the following:
 - An ecological filter for water runoffs.
 - A screen for airborne impacts (in both directions).
 - A management barrier.
 - An improved capacity for natural movement and processes.
 - A reduction of the direct pressure for alteration.
 - Water temperature moderation.
 - Access management.

DPI&F's policy recommends a minimum buffer of 50m of established natural vegetation between developments and freshwater aquatic features; and a 100m buffer of established vegetation between developments, tidal aquatic features or marine plants, and declared FHA's. These policy recommendations should form the basis of buffer considerations from a fisheries perspective. It is appreciated that the final buffer determination, by the responsible agencies, will also consider a range of other buffer issues including the type of proposal, the capacity for impacts, environmental characteristics, biodiversity values, etc. Further information on buffers can be found at www.dpi.qld.gov.au/fishweb.

- **Waterway Barrier Works (the maintenance of fish passage):-** If it is proposed to construct new, or to raise/lower an existing, weir/dam/water-pipe and other barrier across a waterway (both freshwater and tidal), including temporary structures, a permit application under the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Approvals for waterway barrier works are not automatic upon application, and may be issued or refused as appropriate to the individual application, circumstances, impacts, policies and information supplied.

John C. Taylor

From: John C. Taylor [johnc.taylor@epa.qld.gov.au]
Sent: Tuesday, 30 August 2005 9:46 AM
To: Miguel Zavaleta-Romero; Rohan Huguenin
Subject: RCU1904 - DLGPSR Information Request to Applicant

Importance: High



RCU1904HighfieldD
veBreakwaterR...

Greetings All,

Today's mail contained the DLGPSR Information Request to the Applicant, dated 26 August 2005, for the above development, detailed below:

Our reference STH5894 / BNE901102 Appl'n. No. 3721 Pt.2

Applicant: Baymill Investments Pty Ltd & sch4p4(6) Personal information
sch4p4(6) Personal inform

Application Type: Reconfiguring a Lot - 3 to 17 lots. Assessed under superseded planning scheme - Albert Shire 1995.

Referral Triggers: Development within 100m of an area mentioned in Integrated Planning Regulation 1998 Section 12, and Schedule 8 (a) 'filling below a floodline'.

Location: Highfield Drive, Breakwater Road & Aquatic Drive, Robina and Merrimac. Lot 2 RP223566 Lot 902 SP108453, and Lot 390 SP149355.

Local Government: Gold Coast City Council.

Please compare the DLGPSR request, with the copy of the EPA request that I sent out [attached], and your contribution to me.

I have forwarded the DLGPSR copy received to CLU; and a copy of the DLGPSR coverletter & EPA input to Rohan for file STH5894; both with this email as coversheet.

Regards

John C Taylor
IDAS Coordinator - SEQ
Southern Region
Environmental Protection Agency
GPO Box 2771 Brisbane Q 4001
Flr 16, 288 Edward Street Brisbane
Phone: 07 3224 6139
Fax: 07 3225 8723
Email: johnc.taylor@epa.qld.gov.au

Name: Jodie Smith
Title: A/Referral Coordination Officer
Division: SEQWBB Planning
Telephone: 323 71770
Facsimile: 323 71738
E-Mail: Jodie.smith@dlgpsr.qld.gov.au
Internet: www.lgp.qld.gov.au

F a c s i m i l e

To:	<div style="border: 1px solid red; padding: 2px;">sch4p4(6) Personal</div>	Buckley Vann	3852 1750
CC:	Jim Webb	Gold Coast CC	5596 3653
	Andrew Macpherson	DNRM	3884 5322
	Gary Swanson	DMR	<div style="border: 1px solid red; padding: 2px;">5596 0511 sch4p4(6) Personal inf</div>
	<div style="border: 1px solid red; padding: 2px;">sch4p4(6) Personal information</div>	Energex	
		Powerlink	
	John Taylor	EPA	3225 8723
	Coralie Stebbing	DPIF	5430 4994
	<div style="border: 1px solid red; padding: 2px;">sch4p4(6) Personal information</div>	QT	<div style="border: 1px solid red; padding: 2px;">sch4p4(6) Personal i</div>
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Date: 26 August 2005

Pages:(incl. this one)

**Re: RCU 1904— Highfield Drive and Breakwater Road, Merrimac & Robina
- INFORMATION REQUEST**

Dear Greg

Please find attached a Referral Coordination Information Request for a development application involving land at the above address.

The original will be forwarded to you in the next mail.

If you have any questions please contact me on the above number.

Regards,

sch4p4(6) Personal information

Jodie Smith



Our Reference: RCU 1904
Enquiries: Jodie Smith
Extension: 323 71770
Address: PO Box 15031 City East Qld 4002
E-mail address: jodie.smith@dlgpsr.qld.gov.au



Planning Services

Department of
**Local Government, Planning,
Sport and Recreation**

26 August 2005

Baymill Investments Pty Ltd

8 sch4p4(6) Personal information

C/- Buckley Vann Town Planning Consultants
PO Box 205
FORTITUDE VALLEY QLD 4006

Attention: Greg Vann

RE: REFERRAL COORDINATION — INFORMATION REQUEST

Dear Sir

I refer to your letter dated 24 June 2005 and received in this office on 30 June 2005, requesting referral coordination under the *Integrated Planning Act 1997* (IPA) for the following application:

APPLICANT:

Baymill Investments Pty Ltd &

sch4p4(6) Personal information

sch4p4(6) Personal information

APPLICATION TYPE:

Reconfiguring a lot

**REFERRAL
COORDINATION
TRIGGER:**

Sch 8 (a) (Filling below the floodline)

LOCATION:

**Highfield Drive, Breakwater Road and Acquatic Drive
Merrimac and Robina QLD, described as Lot 2 on RP223566,
Lot 902 on SP108453 and Part of Lot 390 on SP149355**

LOCAL GOVERNMENT: Gold Coast City Council

I wish to advise that after preliminary assessment of your application additional information is required to fully assess the proposal. Details of the information requested are contained in pages 3 – 37 attached to this letter.

The following agencies were consulted in the preparation of this information request:

- | | |
|--|----------------------|
| • Gold Coast City Council | (Assessment Manager) |
| • Department of Natural Resources and Mines | (Concurrence agency) |
| • Department of Main Roads | (Concurrence agency) |
| • Energex | (Advice Agency) |
| • Powerlink | (Advice Agency) |
| • Environmental Protection Agency | (Third Party) |
| • Department of Primary Industries and Fisheries | (Third Party) |
| • Queensland Transport | (Third Party) |
| • Office of Urban Management | (Third Party) |

The Act requires the applicant to provide a copy of the response to the information request to the Assessment Manager and any IDAS concurrence or advice agency. It is also recommended that copies of your information response be forwarded to the third parties listed above. Please note, under section 3.3.8 (3) of the IPA you are not required to send a copy of your information response to this Department.

Please note, you have 12 months to respond to this information request. The response must be made in one of the following three ways —

- Provide all the information requested; or
- Provide part of the information requested together with a notice asking the assessment manager and each IDAS referral agency to proceed with the assessment of the application; or
- Provide 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 IDAS referral agency to proceed with the assessment of the application.

It should be noted that in the event of an appeal against a decision on a development application, costs may be awarded against an applicant if the court considers the applicant did not give all information reasonably requested in the information request (s4.1.23(2)(g) of the IPA).

Further information or assistance may be obtained by contacting the above contact officer by telephone or e-mail.

Yours sincerely

sch4p4(6) Personal information

Kim Mahoney
Principal Planner
SEQ-WBB Planning Division

CC:
Gold Coast City Council
Department of Main Roads
Energex
Powerlink
Environmental Protection Agency
Department of Natural Resources and Mines
Department of Primary Industries and Fisheries
Queensland Transport
Office of Urban Management

MATTERS OF INTEREST TO THE ASSESSMENT MANAGER

The Gold Coast City Council, as assessment manager for the application, raises the following matters of concern and requests the following additional information:

ADVICE

PREAMBLE

- 0.1 The applicant's covering letter dated 27 May 2005 indicates that the application *'follows an earlier development application lodged on 1 March 2005 for reconfiguring a lot involving the creation of management lots and operational work to create a waterway and wetland system and development platforms above flood level on the same land'* and it is *'generally in accordance with the intended outcome of the earlier development application'*. The application number of that previous application is PN15880/23/DA1.
- 0.2 An information request in respect of that application was issued by DLGPSR on 26 July 2005 (DLGPSR reference: RCU 1871).
- 0.3 The present application was lodged by the applicant on 31 May 2005. The application number of this application is PN15880/23/DA2.
- 0.4 To the extent that the present application *'follows'* and is *'generally in accordance with'* the March application (and the application documentation refers to documentation lodged with the March application) a number of items of the information request for the March application are also relevant to the present application.
- 0.5 To avoid repetition and to make clear that there are common information request items, this information request (where indicated) calls up items of the previous information request. This information request is also taken to include those items and the information response is to provide those items in respect of the present application.
- 0.6 In this information request:
 - (a) the 1 March 2005 application PN15880/23/DA1 will be referred to as the **'March application'**.
 - (b) the 26 July 2005 information request will be referred to as the **'26 July information request'**.

INFORMATION REQUESTED

1. VISUAL AMENITY & LANDSCAPE CHARACTER

1.1 SNAKE HILL – THREE-STOREY DEVELOPMENT

- a. The Landscape Intent Report dated May 2005 by Yurrah Pty Ltd does not include the "computer model images" of Snake Hill depicting the extent of vegetative screening likely to be achieved for indicative two-storey buildings, which were in the previous Visual Amenity and Landscape Character Intent Report (February 2005). However these images are referred to in the Landscape Intent Report (p.16 para 3) and the number, position and scale of the 14 houses proposed for Snake Hill appear not to have changed significantly since February 2005.

- b. The Snake Hill Design Guidelines (Appendix II of the Landscape Intent Report) indicate that buildings within the BLEs are "*.. not to exceed 3 storeys in height*", and both the Plan of Development G4280 PP08 and BDA Figure 3.3 Built Form propose some 3 storey buildings. No material submitted with the application has addressed the likely visual appearance or impacts of 3 storey buildings, nor is there any reference in the Design Guidelines to building height relationship to tree canopy height. While it appears from the February 2005 computer model images that some parts of the BLE could accommodate 3-storey buildings below the tree canopy, it also appears that 3-storey buildings in other parts of the BLE would be visually prominent and detract from the desired wooded appearance of the hill.

Information requested

- c. The applicant is requested to provide additional computer model image illustrations showing three-storey dwellings in all parts of the BLE where buildings of three storeys are proposed. The images are to be in similar form to those submitted in February 2005 in respect of two-storey dwellings Visualisation Image C, Image D, Image E, Image I and Image J ie. showing existing tree canopy heights, as well as future landscape screening.

1.2 SNAKE HILL – RL LEVELS

- a. The information regarding tree heights (Tree Survey Plan – Snake Hill Dwg SK.06 dated 3 Feb 2005 by Yurrah Pty Ltd) cannot be interpreted to indicate the elevation of tree canopies and hence the relative heights of buildings and trees. "Image C" of the February 2005 Yurrah Report shows an indicative plan of development on a contour base, but the contours are unnumbered. The computer model images alone do not provide sufficient certainty that buildings will be below the tree canopies, given that the height restriction in the Design Guidelines is specified only in terms of number of stories rather than a height above natural ground level. Neither do the restrictions on earthworks filling in the Design Guidelines ("*... reasonably necessary to achieve individual building pads and building accesses*") provide certainty that building platforms are not elevated above natural ground level.

Information requested

- b. The applicant is requested to provide additional information regarding the elevation of roofs and existing tree canopies, possibly by annotating the previous Visualisation Images C – J and any new 3-storey images, and show how the Design Guidelines (if incorporated into approval conditions) would ensure that the built form will be below the heights of tree canopies.

1.3 SNAKE HILL BRIDGE

- a. The proposed bridge to Snake Hill crosses into the "View corridor to Broadbeach" shown as a tree-free zone in the Yurrah Indicative Landscape Concept Plan. Potential visual intrusion issues should be resolved.

Information requested

- b. Information is required regarding design resolution of the potential visual intrusion of the proposed bridge to Snake Hill into the 'View corridor to Broadbeach'.

1.4 SNAKE HILL AND THE SBMP

- a. A Site Based Management Plan has not been submitted with the present application.
- b. As indicated in the 26 July information request, a SBMP would resolve and integrate several issues associated with earthworks and open space. In particular a SBMP is an appropriate instrument to integrate and cross-reference civil works to the Indicative Landscape Intent Plan (Yurrah Drawing SK04-B).

Information requested

- c. Without limiting the issues to be addressed by the SBMP (see section 10 of this information request), the applicant is requested to ensure that the following Snake Hill-related issues are addressed in the SBMP, specifically responsive to the staging and titling now proposed by the present application:
 - i. integration and cross-referencing to the Indicative Landscape Intent Plan (Yurrah Drawing SK04-B);
 - ii. Snake Hill Design Guidelines, including the EMP/VMP recommendations and the filling, excavation, trenching, tunnel boring and foundations close to the trunks of retained trees;
 - iii. safety audit of retained trees, removal of dangerous limbs by a qualified arborist;
 - iv. staging of the earthworks in areas surrounding Snake Hill to ensure that the proposed planting can take place at least 5 years prior to development of areas within the BLE; and
 - v. clarification of community title responsibilities for future tree works and maintenance of trees planted within the tree retention areas.

1.5 PRECINCT 2

- a. The proposal to construct two 8 storey buildings in Precinct 2 is inconsistent with the proposed Urban Design Code PC10 (scale and relative visual dominance do not dominate the Guragunbah landscape), as recognised in the Yurrah Report (3.3.2 p. 26 para 3). The Deemed to Comply clause DC10 refers only to the Indicative Concept Plan (BDA Job 2423 Issue A April 2005) which makes no reference to 8 storey buildings.
- b. The inclusion of a 10 – 15 m wide “Visual Buffer” around the 8 storey developments, intended for “appropriate landscape screening” (Yurrah Report 3.3.2 p. 26 para 3) will not achieve screening of buildings of this height. Only one of the 18 tree species proposed for planting on development platforms (Yurrah p.11) is capable of eventually growing to more than 20 metres (and then only in dense forest situations).

Information requested

- c. The applicant is requested to provide additional information regarding the landscape screening proposed in the 10 – 15 m wide buffers around the proposed 8 storey buildings and to show, by cross sections and sight lines, the likely visual impacts of such buildings as viewed from nearby houses, from Robina, and from the highway and railway.

- d. The applicant is requested to clarify its intentions in respect of the possibility of 8 storey buildings and the intended inter-relationship between the Urban Design Code, Urban Design Analysis and the Precinct 2 Structure Plan.

1.6 SWALE DRAINS

- a. Plans show each development platform ringed by swale drains which collect and channel stormwater (eg Cardno Lawson & Treloar Figure 8). However, the various cross-sections show these as level benches (eg Kavanaugh McAnany Drawing 4967-C3).

Information requested

- b. The applicant is requested to clarify the nature of these areas.

1.7 LOCATION F AREAS

- a. It is not clear whether the various green bands and recreational spaces (Location F on the Plan of Development G4280 PP08) will be part of the common property for the Principal Body Corporate or the subsidiary bodies corporate.

Information requested

- b. The applicant is requested to clarify the nature of these areas.

2. PLANNING

2.1 CANOE PORTAGE POINTS

- a. The 26 July information request, at paragraph 2.1, requested that the applicant identify on the Concept Plan and Landscape Intent Plan, the intended linkage with Mudgeeraba Creek.

Information requested

- b. The same information is requested in relation to Plan of Development G4280 PP08 and indicative Landscape Intent Plan SK04-B.

2.2 LOT 17 OPEN SPACE

- a. The 26 July information request, at paragraph 2.2(c), requested that the applicant provide an Open Space Management Plan (OSMP) in respect of proposed Lot 2 of the reconfiguration the subject of that application.
- b. The present application does not include an OSMP in respect of what is now specified as Lot 17.
- c. It is noted that the Planning Report dated May 2005 by Buckley Vann Pty Ltd, at section 6.5, seeks 'Council's further consideration of the dedication of this land as public open space' and in that regard arguments are presented for and against dedication.

- d. As elsewhere indicated in the Planning Report the Court, in P&E Appeal No. 1131 of 2001, indicated that it was not prepared to impose a condition requiring dedication of the lot as public open space due to management and operation concerns. However, it is noted that the judgment refers to possible partial dedication to secure *'the other public linkages through the site'*.
- e. Council's Parks and Recreational Services have therefore made a network assessment of the immediate site and surrounds with regards to strategic recreational objectives. The 'Green Heart' project is the application of the objectives set out in the Guragunbah Structure Plan.
- f. Council has therefore nominated specific areas for dedication within the subject site that can be integrated into the surrounding 'Green Heart' project, provided the applicant can demonstrate that the areas meet section 1.4.4.10 Urban Residential Objective 9, Albert Shire Planning Scheme and the Guragunbah Structure Plan. The nominated areas are set out in section (j) below, which requests provision of a network of linear connections and local park areas and facilities.

Information requested

Densities

- g. The applicant is to provide a breakdown of proposed densities for the proposed development platforms to enable accurate calculations of open space requirements/calculations (ref. Section 1.4.4.10 Urban Residential Objective 9);

OSMP

- h. This information request is taken to include a request for the information set out in section 2.2(c) of the 26 July information request, but in respect of what is now specified as Lot 17.
- i. In providing the information requested in section 2.2(c) (as per above) in respect of the present application, the applicant is to ensure the information is specifically responsive to the proposed staging of the reconfiguration of lots and the intention that the final stage of reconfiguration (Stage 7) will be the inclusion of proposed Lot 17 into the Principal Body Corporate common property, particularly in respect of the following items:
- i. Item 2.2(c)(vii) in relation to public access (both pre and post-Stage 7);
 - ii. Item 2.2(c)(viii) in relation to management and maintenance responsibilities and costings (both pre and post-Stage 7);
 - iii. Item 2.2(c)(viii) in relation to proposed canoe trails, in particular:
 - Tenure of all waterways
 - Maintenance requirements for all waterways
 - Delineation between private and public areas (and any proposed control measures)
 - Management of access
 - Liability and insurance requirements for Council, the public and any proposed body corporate.

Dedication of linear connections and Local Parks

- j. In providing the OSMP, the applicant is requested to provide information as to dedication of the following areas to Council in fee simple, demonstrating compliance with section 1.4.4.10 Urban Residential Objective 9, Albert Shire Planning Scheme and the Guragunbah Structure Plan:
- i. Dedication of a **public open space network** within the site area to provide terrestrial linear connections in a North-South and East-West configuration; as depicted on the Indicative Landscape Intent Plan Dwg # SK04-B, dated May 2005. The area should be a minimum 15m wide, accommodating a 3m wide reinforced concrete path. Such shall be exclusive of waterways, however, will require crossings and possibly some sections of boardwalk;
 - ii. Dedication of a **Local Park** in the south of the subject site in the area adjacent to Mudgeeraba Creek, to accommodate the increase in residential density and future recreational requirements of residents and broader community objectives;
 - iii. Dedication of a **Local Park** in the north of the subject site – most appropriately suited to the area indicated as future active kick 'n' throw in the area adjacent to Snake Hill.

As requested in section 2.2(c)(iii) of the 26 July information request, the applicant is to detail proposed softscape and hardscape treatment of those areas.

In providing the information requested in section 2.2(c)(vii) and (viii) of the 26 July information request, the applicant is to specifically address how the dedicated areas will relate to the balance of Lot 17 that will remain in private ownership (eg. how management and maintenance of interface areas could be structured).

2.3 LOT 2 DEDICATED PUBLIC OPEN SPACE

- a. The 26 July information request, at paragraph 2.3, requested that the applicant provide information in relation to the proposed dedication of proposed Lot 4 of the reconfiguration the subject of that application.

Information requested

- b. This information request is taken to include a request for the information set out in paragraph 2.3 of the 26 July information request, but in respect of what is now specified as Lot 2.

2.4 OPEN SPACE GENERALLY

Information requested

- a. The applicant is requested to provide a breakdown of communal, private and public open space requirements as a result of this development, to be indicated in each precinct of the development.
- b. The applicant is requested to provide a statement of reconciliation relating to the provision of all open space areas, timeliness of construction and dedication and any potential intermediate access measures, having regard to the protracted time frame for likely completion of the entire development and opportunities for early stages to provide public recreational/open space areas and connections. This is important in providing priority infrastructure strategic planning for the area and connection with the surrounding community.

2.5 URBAN DESIGN CODE

- a. The applicant has indicated agreement to the imposition of a condition on the ROL component of the June 2005 application that *'Development in each of the proposed Lots 1 and 13-15 shown on the Staged Reconfiguring of Lots Plan G4280 PP07 shall comply with the Urban Design Code'*.

Information requested

- b. The applicant is requested to explain how compliance with the Urban Design Code will achieve the appropriate level of control of development when the Compliance provision of the Code provides:

'Development complies with the Urban Design Code if the development complies with:

- (a) the deemed to comply criteria in Column 2; or*
- (b) the performance criteria in Column 1'.*

- c. The applicant is requested to explain why development should not be required to comply with both Column 1 Performance Criteria and Column 2 Deemed to Comply Criteria.
- d. In particular the applicant is asked to address the following:
- i. With respect to PC 1, 7, 9 and 10, demonstrate how complying generally in accordance with Indicative Concept Plan No. 2423 Issue A, April 2005, achieves the relevant Performance Criteria;
 - ii. With respect to PC 4, explain how the formula set forth in DC 4 would achieve the Performance Criteria that *'The site coverage of development must be consistent with the low density tourism, recreation and nature conservation character of the surrounding area'*;
 - iii. With respect to PC 5, explain how a 3.0 metre setback for an 8 storey building would ensure an appropriate level of amenity for adjoining dwellings;
 - iv. With respect to PC 8, clarify whether the number of car parking spaces provided for in DC 8 is a maximum or minimum requirement;
 - v. With respect to PC 10, Visual Appearance of Buildings, explain whether it is proposed to develop the Lots in accordance with the Structure Plans in Attachment 1 to the Code.

2.6 COMMUNITY MANAGEMENT STATEMENT

Information requested

- a. The applicant is requested to submit a Community Management Statement(s) for the various tiers of Bodies Corporate addressing responsibilities for the various areas of open space shown in the Plan of Development.

3. TRAFFIC

3.1 3,000 VEHICLES PER DAY TRAFFIC FLOW

- a. Council's Land Development Guidelines have adopted a set of development goals which lead to and incorporate standards in relation to road reserve widths. These standards are set out in Council's standard drawings. The development proposal conveys intent to exceed those standards, a position which is consistent between the March application and the present application. The material submitted with both applications seeks to justify a generation from the development of up to 3,000 vpd and thus a total impact on Breakwater Road of 4,000 vpd. The arguments put forward to support an increased upper limit of 4,000 vpd are contained in section 9 of the May 2005 Traffic Report, but replicate the reasoning contained in section 10 of the February 2005 Traffic Report.
- b. The March application suggested some treatments in Breakwater Road 'if thought to be required'. The 26 July information request requested that the applicant indicate the form of treatment(s) proposed to Breakwater Road to facilitate the increase in the expected volume of traffic from 3,000 vpd to 4,000 vpd, including:
 - i. Plans of treatments;
 - ii. Estimates of speeds;
 - iii. Noise levels; and
- c. The present application resiles from this position; the May 2005 Traffic Report stating that there is, in the report writer's opinion, no need for any form of treatment. That position is consistent but the consideration for the potential for such works to be 'thought to be required' is now omitted.

3.2 LOCATION OF TEMPORARY ACCESS TRACK IN VICINITY OF WESTERN TREATMENT WETLAND

- a. The proposed temporary access track was incorporated in the March application to accommodate construction traffic associated with the development of the platforms.
- b. The 26 July information request, at paragraph 3.3 (and 5.2), requested information as to the access track, ensuring its availability for ongoing building activities post development-platform construction and the achievement of operational water quality objectives.

Information requested

- c. This information request is taken to include a request for the information set out in paragraph 3.3 (and 5.2) of the 26 July information request.

3.3 PUBLIC TRANSPORT PROVISION

- a. The March application made reference to the potential for extending Breakwater Road in accordance with Council standards to accommodate a bus route and contained details of a possible cross section.
- b. Whereas the potential for such bus route is still flagged in the present application, details of a possible cross section are now omitted.

Information requested

- c. The applicant is requested to provide details of the cross section proposed.

4. GEOTECHNICAL

4.1 SECTION 4 OF THE 26 JULY INFORMATION REQUEST – GEOTECHNICAL ENGINEERING MANAGEMENT PLAN

- a. The present application is based on geotechnical engineering information that accompanied the March application and extends the geotechnical engineering by consideration of constraints on footing systems for structures on proposed development platforms and infrastructure.
- b. Even though the geotechnical engineering documents supporting the March application are not physically part of the documentation for the present application, the Shaw:Urquhart report of 20 May 2005 infers that a prerequisite of the present application is full implementation of the recommendations of Shaw:Urquhart report (05002/2-B) and the 'Attachment A' draft conclave geotechnical conditions.
- c. Section 4 of the 26 July information request sought a mechanism to commit to and document a methodology that articulates objective criteria/factors to be applied to guide the actions contemplated by Attachment A. The request suggested that an appropriate mechanism would be a 'Geotechnical Design Report'. To clarify, Council envisages that the document would be in the nature of what may be better understood as a 'Geotechnical Engineering Management Plan' and it is suggested that, in providing the requested information, that the document be titled as such. This will assist to distinguish it from the "geotechnical design reports" which will necessarily be prepared following each stage of the future investigations, monitoring and review of design assumptions contemplated by Attachment A. Notwithstanding the now suggested title, the requested substance of the document (as explained in section 4 of the 26 July information request) remains the same, namely, a document that sets out objective methodology as to how the investigation, design, construction and monitoring contemplated by Attachment A can be unambiguously interpreted and implemented.

Information requested

- d. The request for a Geotechnical Engineering Management Plan applies equally to the present application. The need for a proper management plan is evident in that Shaw:Urquhart's report of 20 May 2005 deals with matters which would be outcomes of clause 10 of Attachment A, without the benefit of knowledge gained via the processes covered in clauses 1 to 9.
- e. Therefore, without repeating the full text of section 4 of the 26 July information request, this information request is taken to include a request that the applicant also provide that information (management plan) in support of the present application. As discussed in section 4(d) the 26 July information request, the applicant is also to ensure that the management plan is called up by and summarised in the SBMP (referred to in section 10 of that request) so as to ensure the geotechnical engineering considerations are fully coordinated with other site considerations.

4.2 ADDITIONAL ITEMS

Information requested

- a. The applicant is requested to provide the following information arising from material lodged in support of the present application:
 - i. According to Document 6 (Kavanaugh McAnany Report on Civil Engineering Issues in Support of the MCU, ROL and OPW Applications for the proposed Breakwater Road Development dated April 2005) the final sculpturing of development platforms will result in finished surface levels as high as RL5.3m. Design of treatment of the soft, compressible foundation soils has been based on a finished earthworks level of RL4.8m with an allowance of 10kPa surcharge for structure loading. Provide information regarding those areas where the finished earthworks levels exceed RL4.8m and how will the foundation treatment be modified to accommodate these higher levels?
 - ii. According to Document 6 (Kavanaugh McAnany Report on Civil Engineering Issues in Support of the MCU, ROL and OPW Applications for the proposed Breakwater Road Development dated April 2005) stormwater will be discharged via grassed swales underlain by sand filled bio-retention trenches with these swales traversing the slopes around the edges of the development platforms. Provide further information as to how will slope stability be impacted by ingress of water from these swales and trenches?
 - iii. With respect to potential tilting of structures, what current or future site data has been or will be used to confirm the suitability of high level footings in Location A, Drawing G4280 PP08?
 - iv. With respect to Location C, Drawing G4280 PP08, what site data dictates that the footing system should be piles?
 - v. How is it proposed to deal with connections of services to pile-supported structures and what magnitudes of differential settlement are to be accommodated?
 - vi. What magnitudes of settlements and differential settlements are to be catered for in design of infrastructure?
- b. The applicant is to ensure that the information provided in response to these issues is also reflected in the Geotechnical Engineering Management Plan requested in section 4.1 above.

5. CIVIL ENGINEERING

5.1 PLATFORM LEVELS

- a. In the Kavanaugh McAnany Report on Civil Engineering Issues in Support of the MCU, ROL and OPW Applications for the proposed Breakwater Road Development dated April 2005, in section 2.2, advice is given that the final platform levels will vary from RL 4.43m AHD to RL 5.3m AHD. This shaping of the platforms is to accommodate stormwater drainage within the platforms however these modified levels will, with long term consolidation, be below the design flood levels nominated in the balance of section 2.

Information requested

- b. The applicant is requested to provide justification for construction of final construction levels that will result in development levels lower than the flood criteria levels resulting from long term settlement.
- c. Kavanaugh McAnany have provided drawing 4967C3/SK6 depicting earthworks and drainage for Platform 7 and Snake Hill. The extent of earthworks on Snake Hill however is not shown on this drawing, with only the perimeter swale/bio-retention trench shown to be constructed on the existing slopes of Snake Hill. The drawing does provide a note stating "*final layout subject to Snake Hill design guidelines*".
- d. In order to assess the extent of earthworks on Snake Hill and the implications of the earthworks to the trees to be retained, the applicant is requested to provide the nature and extent of bulk earthworks associated with the development for Snake Hill.

5.2 DRAINAGE

- a. Section 4 of the Kavanaugh McAnany report dated April 2005 provides information on drainage to the development platforms. Further information is provided by way of drawings 4967-C3/SK1 to SK6.
- b. SK1 shows typical details for three types of swales and these details are dimensioned with the exception of the depth of the bio-retention trench. Cardno Lawson and Treloar on their figure 9 of their May 2005 report, titled Flooding and Water Quality Management Report for Breakwater Road Development, show that the depth of the bio-retention trench is one metre.

Information requested

- c. The applicant is requested to confirm that the drainage design is based on a bio-retention trench depth of one metre and that these trenches are able to drain to the appropriate outlets.
- d. During the conclave between Mr Gould and Mr McAnany dated 16 July 2004, in regard to the P&E court appeal number 1131 of 2001, the issue of drainage to the public open space was addressed. In that conclave agreement, the following is recorded "*it is agreed that it would be reasonable to expect the active recreation area to be dry enough for at least limited use within 24 hours following draw down. It is further agreed that this should be achieved in the private, open space areas but may involve the installation of a network of seepage drains or other forms of sub-soil drainage.*" Kavanaugh McAnany drawings SK1 to SK6 do not show the drainage associated with the public open space. The applicant is requested to provide details on the nature and extent of drainage to be provided to ensure that the public open space can be appropriately drained.

5.3 SEWERAGE RETICULATION

- a. In the Kavanaugh McAnany report of April 2005 reference is made to discharging of sewerage to pump station MU8 having a capacity or capable of being upgrade to 511 detached dwellings or accommodation units.

Information requested

- b. The applicant is requested to provide documentation as to whether or not the existing sewerage system has the capacity to accommodate the additional dwellings or accommodation units proposed.

5.4 WATER SUPPLY

- a. The Kavanaugh McAnany report of April 2005 advises that the development will be connected into the 225mm diameter main in Breakwater Road and that the concept layout for water reticulation is shown on drawing 4967-C3/SK8.

Information requested

- b. Drawing 4967-C3/SK8 has not been provided. The applicant is requested to provide a copy of this drawing. The applicant is also requested to provide evidence of available water supply to the development from the existing Gold Coast City Council supply system.

5.5 ELECTRICAL AND TELECOMMUNICATIONS RETICULATION

- a. In the Kavanaugh McAnany report of April 2005, advice is given that the electrical and telecommunications reticulation will be connected to the Broadlakes Stages 1 and 2 infrastructure.

Information requested

- b. The applicant is requested to provide advice from the power authority and the communications authority that infrastructure can accommodate the additional development proposed.

5.6 STAGING

- a. The applicant has provided The Heilbronn Group drawings G4280 PP13 to PP19 showing the staged titling over seven stages. The titling staging provided does not correspond with the construction staging of the development platforms provided in Kavanaugh McAnany's report dated February 2005. The titling and construction staging must relate to each other to enable the titling to be made available at completion of the construction of the works.

Information requested

- b. The applicant is requested to provide staging documentation demonstrating appropriate sequencing of bulk earthworks, on and off-stream wetlands, civil infrastructure and titling to ensure that all works are completed for the appropriate stage prior to issue of title.

5.7 BONDING

- a. Due to the nature and extent of the development, performance bonds related to the civil engineering construction works are to be considered as part of the application process. Kavanaugh McAnany's February 2005 report provides civil engineering quantities related to the bulk earthworks and construction of the building platforms. These quantities enable an estimate of the construction works to be undertaken in order to assess bonding requirements for the bulk earthworks.

- b. Details on the civil engineering infrastructure associated with the present application have not been provided to enable an estimate of the works value to be undertaken.

Information requested

- c. The applicant is requested to provide qualitative information by stage for the construction of the civil engineering infrastructure works such that an assessment of the works value and bonding requirements can be undertaken.

5.8 SECTION 5 OF THE 26 JULY INFORMATION REQUEST

Information requested

- a. In addition to the above information, the civil engineering information request items in section 5 of the 26 July information request is also relevant and requested as part of this information request for the present application, namely:
 - i. Construction phase water levels (5.1);
 - ii. Access (5.2); and
 - iii. Infrastructure (5.3).
- b. The applicant is therefore requested to ensure that information responsive to all items in section 5 of the 26 July information request is provided in support of the present application.

6. HYDRAULICS

6.1 DREDGING OF MUDGEERABA CREEK

- a. The 26 July information request, at section 6, noted that the 'Report on Flooding and Water Quality Management' by Cardno Lawson Treloar Pty Ltd ('CLT') dated February 2005 indicated (at section 5.4, page 16) that '*Council's model assumes that full dredging of Mudgeeraba Creek has been completed for the extent of the model*'. In consequence, that information request sought additional commentary and modelling results, including a discussion of the changes to the model to allow for the actual conditions of Mudgeeraba Creek and the generally expected consequence of non-dredging on the flood impacts of the development.
- b. The present application includes a different report by CLT dated May 2005, 'Flooding and Water Quality Management Report'. This report does not state whether the modelling assumed that full dredging of Mudgeeraba Creek has been completed, but does state that the report '*is to be read in conjunction with*' the previous report. It is assumed therefore that the modelling assumed full dredging of Mudgeeraba Creek which has not occurred.

Information requested

- c. The applicant is requested to clarify this matter and for whatever case has been assumed for the modelling, provide commentary and information similar to that requested in section 6 of the 26 July information request to demonstrate that adverse consequences during flood will be avoided regardless of whether such dredging is undertaken or not.

6.2 FLOOD LEVELS

- a. In the 'Report on Civil Engineering Issues in Support of the MCU, ROL and OPW Applications for the Proposed Breakwater Road Development' by Kavanaugh McAnany Pty Ltd dated April 2005, it is stated that *'Flood levels across the site as obtained from Cardno Lawson Treloar modelling can be summarised as follows 100 year ARI event: 4.26m AHD; 200 year ARI event: 4.54m AHD; 500 year ARI event: 4.73m AHD'*. Details for the latter assessments do not appear to have been provided in either CLT reports received as part of the applications.

Information requested

- b. The applicant is requested to provide details and justification for the flood levels derived from modelling for the 200 year ARI event and the 500 year ARI event.

6.3 BRIDGE ASSESSMENT

- a. The May 2005 CLT Report provides information of the HEC RAS modelling undertaken to assess bridge afflux.

Information requested

- b. The applicant is requested to provide a CD with the data used to undertake and report the results in the report. The data requested are the input and output files for the HEC RAS modelling reported.

6.4 FLOOD STORAGE

- a. The May 2005 CLT Report states, in section 4.4, *'Based on advice from Kavanaugh McAnany, flood storages within the site are increased over the existing situation'*.

Information requested

- b. The applicant is requested to provide the information which leads to this conclusion for the present application.

7. CONSTRUCTION PHASE SEDIMENT, EROSION & WATER QUALITY MANAGEMENT

7.1 GILBERT & SUTHERLAND SEDIMENT AND EROSION CONTROL REPORT

- a. The application references the Gilbert & Sutherland (G&S) report of February 2005, and appears to rely upon it to support the present application. The G&S February 2005 report provides detailed construction phasing that is inconsistent with the development/construction phasing of the present application. The success or otherwise of the sediment and erosion control plan and hence the protection of water quality and associated environmental values is critically linked to the phasing of construction and the development of the on stream wetland system.

Information requested

- b. The applicant is requested to confirm, to what extent it relies on the February 2005 G&S report, and to confirm that undertakings made in that report are made for the present application.

7.2 CONSTRUCTION PHASING

- a. The construction phasing of the development in the present application is different to that detailed in the March application, and in so far as protection of water quality and release environments of Mudgeeraba Creek, the phasing is inconsistent with the stated objectives in the February 2005 G&S report on which the application appears to rely.
- b. Of particular concern is the development of the on stream wetland system as the final phase, whereas to achieve the water quality objectives and protection of the Mudgeeraba Creek system and Robina Lakes down stream, this wetland needs to be developed concurrently in accordance with the February 2005 G&S report.

Information requested

- c. The applicant is requested to confirm that the construction phasing of the development will be in accordance with the February 2005 G&S report and not in accordance with the Statement of Proposed Staging, Titling and Tenure in the present application. If the staging is to follow the phases outlined in this application, the applicant is requested to provide an updated and revised Sediment & Erosion Control Plan of similar detail and quality to the February 2005 G&S report.

7.3 CONSTRUCTION TRAFFIC/HAUL ROAD RUNOFF CONTROL

- a. The present application indicates that all construction traffic will be via Breakwater Drive and not via a private haul road. The runoff from the construction traffic corridor is likely to contain elevated sediment, heavy metal and hydrocarbon loads that if released into the environment uncontrolled over the period of development (5 – 10 years) is likely to cause significant contamination in the discharge area and impact adversely on the environment. There does not appear to be any device proposed to manage the stormwater quality of runoff from Breakwater Drive.

Information requested

- b. The applicant is requested to provide additional plans that show how runoff from Breakwater Drive will be managed throughout the development period, consistent with the staging of the development and the construction phases proposed.

7.4 Section 7 of the 26 July information request

- a. In so far as the February 2005 G&S report is relied on and is considered to be of good quality and content, it contains a number of inconsistencies/inadequacies in respect of which further information is requested. Those items are set out in section 7 of the 26 July information request, namely:
 - i. Clean water diversion (7.1)
 - ii. Wetland and waterbody monitoring and maintenance (7.2)
 - iii. On stream wetland use during construction (7.3)
 - iv. Off-stream waterbodies – monitoring and maintenance (7.4)
 - v. Water quality objectives (7.5)
 - vi. Construction area pump out after inundation (7.6).

Information requested

- b. Without repeating the full text of each of the above (Section 7 of 26 July information request) items in this information request, this information request is taken to include a request that the applicant also provide that information in support of the present application.

8. OPERATIONAL PHASE WATERBODIES MANAGEMENT AND MAINTENANCE

8.1 CARDNO LAWSON TRELOAR WATER QUALITY MANAGEMENT REPORT

- a. The application references the Cardno Lawson Treloar (CLT) report of February 2005 and appears to rely upon it to support the present application. The CLT February 2005 report provides detailed discussion on the operation, management and monitoring of the on and off stream wetlands and water quality management systems. It is unclear whether the same systems/procedures will be provided under the development scheme described in the present application.

Information requested

- b. The applicant is requested to confirm to what extent it relies on the CLT February 2005 report and to confirm that undertakings made in that report are made for this application.

8.2 DEVELOPMENT PAD LAYOUT – SQIDS

- a. The layout of the development pads, is indicated as typical but not final. The stormwater quality improvement devices (SQIDS) have been shown to service the typical layout (concept) and model the system more fully. The gross pollutant traps (GPTs) appear to be located off the construction pads and only service the under/low flow pipe of the bioretention systems and nothing else. The purpose of the GPTs is unclear and the reliance on these devices for modelling the system unknown.

Information requested

- b. The applicant is requested to provide:
 - i. a copy of the MUSIC model used to evaluate the stormwater management system;
 - ii. additional drawings showing the connection arrangements for the GPTs;
 - iii. details on how litter and trash will be harvested from the stormwater flows or collected from the development pad areas after a storm cycle.

8.3 WATER QUALITY OBJECTIVES

- a. The application proposes water quality objectives consistent with the March application and the conclave agreements reached for the *Broadlakes* appeal, except the commitment to control algae to less than 5000 cells/mL from the off stream water bodies. Control of algae populations is important to manage and minimise impacts on Mudgeeraba Creek.

Information requested

- b. The applicant is requested to confirm the commitment to control algae concentrations to less than 5000 cells/mL in the off stream water bodies.

8.4 WATER LEVEL MAINTENANCE AND CONNECTIVITY WITH UPPER CATCHMENTS AND RECEIVING WATER ENVIRONMENTS

- a. A number of the operational works and development staging drawings are inconsistent with Figure 8 of CLT May 2005 report, particularly with respect of connections to Broken Gully, Wilsons Drain and Mudgeeraba Creek. The need for water make up from either Mudgeeraba Creek or Wilsons Drain is not specifically stated, though Figure 8 suggests a connection for harvesting. The system as described should function and meet the water quality objectives, though the water quality modelling has not been able to be duplicated to achieve the same result as stated in the CLT May 2005 report.

Information requested

- b. The applicant is requested to provide the following additional information:
 - i. a copy of the music model used to evaluate the entire stormwater management system;
 - ii. confirmation as to drawing precedence and what reliance can be placed on CLT Figure 8 of May 2005 over the operational work and development staging drawings;
 - iii. confirmation or otherwise whether water is to be harvested from Broken Gully, Wilsons Drain and/or Mudgeeraba Creek to maintain water levels in the wetland/lake systems;
 - iv. Drawings showing the connections to Broken Gully, Wilsons Drain and Mudgeeraba Creek, particularly the drop gate.

8.5 SYSTEM OPERATION

- a. The water quality management system is described in drawings and summarised in various reports to a lesser extent. The actual description of the operation of the system as a whole, is not documented and open to interpretation. Success of the system is dependent on its operation as designed by CLT, not interpretation by others.

Information requested

- b. The applicant is requested to provide a detailed written description of the operation of the water quality management system to clearly document the design intent, particularly flow paths, recycles, pump operations and flows into and out of the on stream and off stream systems.

8.6 SECTION 8 OF THE 26 JULY INFORMATION REQUEST

- a. In so far as the February 2005 G&S report is relied on and is considered to be of good quality and content, it contains a number of inconsistencies/inadequacies in respect of which further information is requested. Those items are set out in section 8 of the 26 July information request, namely:
 - i. Water balance modelling (8.1)

- ii. Development platform arrangements re: stormwater quality improvement devices (8.2)
- iii. Wetland sedimentation ponds (8.3)
- iv. Gravel beds and wetlands for algae removal and control (8.4)
- v. Inlet and transfer devices (8.5)
- vi. Algae and macrophyte and water weed control (8.6)
- vii. Waterbodies management plan (8.7)

Information requested

- b. Without repeating the full text of each of the above (Section 8 of 26 July information request) items in this information request, this information request is taken to include a request that the applicant also provide that information in support of the present application.

9. ACID SULFATE SOIL (ASS) MANAGEMENT

- a. No new assessment or advice on ASS issues or their management has been provided in support of the present application. The application includes the February 2005 Gilbert and Sutherland report which was submitted in support of the March application and also provides a second document, 'Acid Sulphate Soil, Groundwater and Sediment and Erosion Control Report Breakwater Road Development', Gilbert and Sutherland, May 2005, which reiterates the findings of the February 2005 report. This additional report presents no new issues in relation to ASS which arise from the present application, and relies entirely on the ASS measures which have been proposed as part of the March application.
- b. Whilst the present application does not suggest there are any ASS issues which have not already been considered as part of the March application, there are a number of construction elements which are now more closely defined and which therefore raise the following issues:
 - i. It is not clear how the staging proposed for the construction of the waterways and development platforms in the March application should be reconciled with the staging which has been described in Appendix B of the Planning Report for the present application. The staging and the sequencing of construction activities developed as part of the March application was important to the effective management of ASS issues and associated water quality issues; and
 - ii. The assumption that there are no ASS management issues specifically associated with the works which are proposed under the present application is fundamentally based on the successful implementation of the ASS management measures which have been proposed as part of the March application. That is, there are earthworks proposed as part of the present application which (collectively) are quite substantial and which will disturb soils which were originally ASS, but which are proposed to be fully treated. Examples of such excavations include the construction of roads, bridges, building foundations and drainage works. If the soils excavated as part of these works are fill material which has not been effectively treated, or are from below the level of the treated placed fill, then additional ASS treatment and management measures may be required to prevent ASS related impacts.

- c. Section 9 of the 26 July information request (headed 'Acid Sulfate Soil (ASS) Management') is also relevant to the present application. That is, it will be necessary to receive and review the information set out in section 9 in order to be satisfied that the ASS issues associated with the present application can be effectively managed. This is consistent with the applicant's reliance on the assessment material submitted in support of the March application when considering ASS and associated water quality issues.

Information requested

- d. Without repeating the full text of section 9 of the 26 July information request, this information request is taken to include a request that the applicant also provide that information in support of the present application.
- e. The applicant is requested to ensure the Site Based Management Plan requested in section 10 of the 26 July information request includes the construction elements proposed in the present application and the treatment and management measures associated with those elements.

10. SITE-BASED MANAGEMENT PLAN (SBMP)

- a. Section 10 of the 26 July information request sought a Site Based Management Plan (SBMP). The request set out the concerns sought to be addressed by seeking that information, the importance of a SBMP and a suggested structure and content of the SBMP.
- b. Given the large scale of the development and the complexities involved with its staged construction, it is a realistic option that the construction of the overall development may not occur in a continuous manner and prolonged periods of inactivity on the site could occur. Given this, concerns exist as to the potential maintenance of uncompleted parts of the development in such times. This concern is most significant as it relates to the wetlands and waterways, control of stormwater quality management, maintenance of flood storage volumes and visual impacts given that proposed lot 17 is not intended to be included in the Principal Body Corporate common property until the final stage of development.
- c. The request for the information (SBMP) applies equally to the present application. Council envisages that the document would be in the nature an integrated management plan ie. a SBMP that ensures the integration of all management measures relating to the site's constraints and proposed activities.

Information requested

- d. Therefore, without repeating the full text of section 10 of the 26 July information request, this information request is taken to include a request that the applicant also provide that information (management plan) in support of the present application.
- e. In providing the Site Based Management Plan, the applicant is requested to ensure that the information it contains is specifically responsive to the issues raised in both the March application and the present application, as well as both information requests (including the concerns expressed in paragraph (b) above), in the context of the reconfiguration staging and construction elements proposed by the present application.

Should you wish to clarify any issues contained in the above letter please do not hesitate to contact Jim Webb on telephone number (07) 5582-8903.

A total of 12 copies of the response to this Information Request should be forwarded to:-

**Statutory Administration Group
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE QLD 9729**

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MATTERS OF INTEREST TO DEPARTMENT OF NATURAL RESOURCES AND MINES

The Department of Natural Resources and Mines as a concurrence agency for the application raises the following matters of concern and requests the following additional information:

INFORMATION REQUESTED

1. SPP2/02: Planning and Managing Development Involving Acid Sulfate Soils

The number of boreholes drilled is below the requirements of SPP 2/02. Areas to be filled do require investigation to 2m below current surface level. Areas to be excavated, including infrastructure trenching (sewage, channels, swales), also require investigation to 1m below the depth of disturbance.

- 1.1 Further boreholes be drilled and sampled according to SPP 2/02 Guidelines, and the results provided as part of the applicant's Information Response.
- 1.2 Cross sectional diagrams of site be provided indicating soil descriptions, treatment categories, excavation and filling depths, groundwater levels and predicted cone of depression.
- 1.3 Section 8 of the SPP 2/02 Guideline: *Investigation Related to Filling Activities*, be specifically addressed and management strategies presented as part of the applicant's Information Response.

Laboratory testing did not include retained acidity testing.

- 1.4 Samples are required to be tested for retained acidity. The estimations for liming rates and costs of lime are likely to be inaccurate without retained acidity testing. These will have to be recalculated after further laboratory testing. Phase 2 sampling and verification testing should include retained acidity testing.

Stockpiling of untreated ASS was not addressed in the EMP.

- 1.5 Further information on the earthworks strategy and if untreated soil will be stockpiled on site is required.

Detailed corrective action has not been outlined in the Groundwater Management Plan.

- 1.6 Specific details be provided on corrective action measures in the Groundwater Management Plan.

Offsite impacts and monitoring have not been addressed in the ASS report.

- 1.7 It is requested offsite impacts be included as an "Issue" in the EMP. Performance criteria should be ascertained and monitoring parameters established as well as corrective action if environmental degradation is detected.

2. Water Issues

Should the development impact on a water-course, lake or springs as defined under *Water Act 2000*, then authorization may be required. Please contact Amos Saraber on (07) 54662255 if you require further clarification.

3. Aboriginal Cultural Heritage

Under section 23 of the Aboriginal Cultural Heritage Act 2003 a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are \$750,000 for a corporation and \$75,000 for an individual.

A person will comply with the duty of care in relation to Aboriginal cultural heritage if the person is acting in compliance with cultural heritage duty of care guidelines gazetted under the Aboriginal Cultural Heritage Act 2003, attached, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under Part 7 of the Aboriginal cultural heritage legislation.

Duty of care guidelines highlight the need to search the Cultural Heritage Database and the Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, Department of Natural Resources and Mines. Application forms to undertake a free search of the Cultural Heritage Register and the Database as well as further advice in relation to this matter, may be obtained by contacting the Cultural Heritage Coordination Unit, NR&M on (07) 323 83838.

For further information in relation to this request please contact Andrew Macpherson on telephone 3884 5375.

A copy of the response to the information request can be forwarded to:

**Andrew Macpherson
Senior Officer (Planning and Environment)
Department of Natural Resources and Mines
PO Box 864
IPSWICH QLD 4305**

MATTERS OF INTEREST TO DEPARTMENT OF MAIN ROADS

The Department of Main Roads as a concurrence agency for the application raises the following matters of concern and requests the following additional information:

INFORMATION REQUESTED

1. Traffic Impact

The Department has reviewed the information provided in the traffic assessment undertaken by Holland Traffic Consulting Pty Ltd dated 20 May 2005. The applicant is advised that the Department requires the following additional information to adequately assess the potential impacts of the development on the safety and efficiency of the State-controlled road network.

- 1.1 The growth rate used for background traffic within the report (2% pa) is considered to be unrealistically low given the recent growth in the Robina Town Centre area. The applicant is required to amend the background traffic volumes used in the assessment to take into account compound growth rates of 11% per annum 2000-2011 and 3.0% per annum 2011-2022.
- 1.2 Using the revised background traffic volumes the applicant is required to revise the detailed analysis to determine any significant impacts the development generated traffic may have on the operation of the entire Mudgeeraba interchange for the ten year post construction design period. This analysis should identify all impacts of the subject development and propose improvement measures to mitigate these impacts.
- 1.3 The applicant is also required to provide clarification of the development generated traffic flows assumed at the Mudgeeraba interchange, including the provision of details on the directional distribution assumptions used during the AM and PM peak periods.

For further information in relation to this request please contact Susan Kidd on telephone 5596 9488.

A copy of the response to the information request can be forwarded to:

**Susan Kidd
South Coast Hinterland
Department of Main Roads
PO Box 442
NERANG QLD 4211**

MATTERS OF INTEREST TO ENERGEX LIMITED

Energex as an advice agency for the application provides the following advice:

INFORMATION REQUESTED

Energex advised they have written directly to Mr Greg Vann, Buckley Vann Town Planning Consultants (letter dated 14 July 2005) as part of the information request. The contents of that document have been summarised below:

Several concerns have been identified regarding the impact of the proposed development upon the existing jointly owned Energex / Powerlink electricity corridor that partially traverses the development site. From Energex records, we confirm that this corridor presently contains one 110kV line (linking substations located at Nerang & Mudgeeraba) and one 11kV local distribution line.

From Powerlink records, we can confirm that Powerlink currently have no infrastructure within the easement corridor however we understand that the corridor is of sufficient width to accommodate the construction of a future high-voltage transmission line on the western side of the existing Energex 110kV line. The timing for Powerlinks line construction will depend on future electricity demand from residential, commercial and industrial growth in the Gold Coast and hinterland region. It is therefore essential that the viability of the easement corridor be preserved.

Please note the following:

Access to the Towers:

Access to the existing towers on the easement is essential for maintenance and repair works, and for the construction of the future Powerlink lines. Access via tracks, and clear access pad areas around the towers are required to be provided. Due to the future construction, the access pads shall be required for the full width of the easement at the tower locations. The proposed development makes no clear provisions for access to the towers, and several aspects of the proposal appear to detract from current access arrangements.

Whilst it is acknowledged that the area is situated in an existing flood plain, the creation of formalised water features such as canoe trails in the easement corridor has a considerable impact on our existing utilisation of the easement and construction requirements for future lines.

Further, the location of the water features in conjunction with some elements of the development and earthworks, such as in the area around development platform 5, may serve to isolate the existing and future infrastructure. Please note that in conditions below (in letter dated 14 July 2005 sent directly to applicant) we require that provision be made in the development to provide the required access arrangements and ensure that the ongoing viability of the easement for electricity purposes is preserved.

Filling and Ground Level Changes on the Easement:

Concerns are raised regarding the extent of fill and level changes on the easement. In particular (but not limited to) the earthworks associated with development platform 5, the bridge connecting development platform 5 to 6 and the canoe portage point traversing the easement all propose significant increases in the existing ground level. This has the potential to compromise existing safety clearances from the ENERGEX powerlines. When

considering the proposed level increases around development platform 5, and particularly the proposed carparking area encroaching on the easement, this has a further impact for the future Powerlink lines. The Powerlink towers may be required to be significantly larger in order to achieve required height clearances over the raised land form resulting in increased visual impact and construction costs. Therefore ENERGEX requires that the existing ground levels on the easement be retained to ensure the retention of existing conductor to ground clearances.

In respect to the proposed bridge crossing between development platforms 5 and 6, further information will be required to determine the height of the bridge in the easement. As above, we require that the bridge not compromise the existing safety clearances. The eventual construction of the bridge must incorporate electrical hazard mitigation techniques, particularly during construction and with particular consideration of any metal structures on the bridge.

Stability of Existing and Future Towers:

Again it is acknowledged that the easement covers an existing floodplain, however the proposed canoe trails and treatment of flood events result in a situation of permanent inundation in areas around the existing infrastructure and in close proximity to the likely future tower locations. Concerns are therefore raised regarding the potential impact on the tower areas of scouring and debris in flood situations, and the effect on structural stability due to the permanent inundation proposed by the canoe trails. In particular, impacts resulting from scouring and run-off from development platform 5 directly into the easement around the existing and future electricity towers have not been clearly addressed.

Whilst extensive information is included in the application regarding stormwater and flood management, we require that specific consideration be given to the above matters to ensure the ongoing safety of the infrastructure.

Landscaping and Vegetation Plan:

Minimal details have been provided as to height of proposed landscaping on the easement. ENERGEX prefers that landscaping not be included on easements, to allow unimpeded access for maintenance and to minimise the potential for power outages due to trees falling across lines. Where consideration is given to landscaping proposals, we require detailed identification of species and location to ensure that appropriate heights and planting locations are achieved.

Please note, ENERGEX retains rights under easement conditions to remove landscaping for access and maintenance. Therefore landscaping should be designed to minimise the need for disruptive maintenance.

For further information in relation to this request please contact sch4p4(6) Pe on telephone sch4p4(6) Pers

A copy of the response to the information request can be forwarded to:

sch4p4(6) Pers

**Senior Town Planner
Network Strategic Investment Department
Energex Ltd
GPO Box 1461
BRISBANE QLD 4001**

MATTERS OF INTEREST TO POWERLINK QUEENSLAND

Powerlink as an advice agency for the application provides the following advice and requests the following additional information:

ADVICE

Powerlink currently have no infrastructure within the easement corridor however we understand that the corridor is of sufficient width to accommodate the construction of a future high-voltage transmission line on the western side of the existing Energex 110kV line. The timing for Powerlink's line construction will depend on future electricity demand from residential, commercial and industrial growth in the Gold Coast and hinterland region. It is therefore essential that the viability of the easement corridor be preserved.

Although tower locations have not yet been determined for the future transmission line it is likely that they would be offset from the existing 110kv Energex structures. Should this occur vehicle access to the future tower site is required, therefore the development should accommodate both articulated and non-articulated vehicles and plant that may have an 80 tonne GVM. In particular we draw your attention to the proposed bridge, which will link "Development Platform 5 and 6" shown on drawing FS1 prepared by Kavanagh McAnany. Insufficient detail is provided with respect to access from the proposed road to the possible future tower site.

Information Requested

1. Powerlink requires further advice from the developer regarding access measures to accommodate our requirements at this site and other future tower sites located within the easement.

Future tower heights have not yet been determined however we note from the above-mentioned earthworks drawing that the development platforms will be raised as much as 4.8 metres above existing ground level. The significant height increase may adversely impact the development if Powerlink investigations reveal that tower heights need to be increased to accommodate statutory clearance heights of the conductor. This may result in a larger and more visually impacting tower being constructed.

Whilst it is acknowledged that the development site is largely contained within an existing flood plain the proposed earthworks appear to create a formalised channel incorporating permanent water features. From the information provided we are unable to determine what (if any) mitigation measures are proposed to minimise erosion and debris impact that may occur in the vicinity of the future tower sites.

Information Requested

2. Please provide further information on what (if any) mitigation measures are proposed to minimise erosion and debris impact that may occur in the vicinity of the future tower sites.

For further information in relation to this request please contact sch4p4(6) Personal inf on telephone sch4p4(6) Person

A copy of the response to the information request can be forwarded to:

sch4p4(6) Personal info

Team Leader Property Services
Powerlink Queensland
33 Harold Street
VIRGINIA QLD 4014

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RTI Act 2009

MATTERS OF INTEREST TO ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency as a third party for the application provides the following advice and requests the following additional information:

Contaminated Land

ADVICE

The Environmental Protection Agency is the referral agency for a development application for material change of use of the Lot 390 on SP149355 and/or its child parcels.

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

The reconfiguration of the Lot 390 on SP149355 where hazardous contamination has been identified must be in accordance with the survey plan titled "Staged Reconfiguring of Lots Plan – Stage 1 to 7, Lots 2 RP223566, Lot 902 SP108453, Lot 390 SP149355" on plans drawing number G4280 PP13 to G4280 PP19 prepared by Heilbronn & Partners Pty Ltd dated 30 May 2005.

INFORMATION REQUESTED

It is a requirement that the applicant notify the EPA Contaminated Land Unit in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA Contaminated Land Unit to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Please **contact Miguel Zavaleta-Romero**, Principal Environmental Officer on (07) 3225 1080 if you require any further information regarding Contaminated Land matters.

For further information in relation to this request please contact John C Taylor on telephone 3224 6139.

A copy of the response to the information request can be forwarded to:

John C Taylor
Principal Inspector
IDAS Coordination – SEQ (Brisbane District)
Southern Region
Environmental Protection Agency
GPO Box 2771
BRISBANE QLD 4001

MATTERS OF INTEREST TO DEPARTMENT OF PRIMARY INDUSTRIES AND FISHERIES

The Department of Primary Industries and Fisheries as a third party for the application provides the following advice and requests the following additional information:

ADVICE

DPI&F understands that the development proposed in this application is identical to that commented on by this Department in June 2005. The operational works proposed in this application are identical to those proposed in the previous application in terms of the development platforms. The original development platforms works must be completed prior to commencement of any operational works proposed in this current application.

As with the previous application, no information has been provided as to the potential interference to the onsite agricultural drains, except Wilson's Drain and the main section of Worongary Creek. Conceptual designs repeated in the current application again indicate that some of the proposed development platforms conflict with the location of existing agricultural drains. Insufficient information is provided as to whether these drains are to be filled, altered, remain intact, etc.

DPI&F reiterates a need for thorough documentation should any existing waterway modification be considered as part of the development. It has been acknowledged that previous ecological assessments of the subject site have shown the existing agricultural drains to be of low value to fisheries productivity and fisheries resources. However, they are still considered viable waterways and as such are of interest to this Department. DPI&F has again asked for a similar suite of information as requested for the previous MCU application.

DPI&F's interest with this proposal is the management and protection of the fisheries value of any aquatic features within or adjacent to the development site and the capacity of the proposal to impact upon fisheries productivity, fish habitat and fish migration paths.

DPI&F would request that the information detailed in the Sections below be included in the Coordinated Information Request issued under Section 3.3.7(2) (a) of the *Integrated Planning Act 1997* to determine:

- Whether approvals are required under the *Fisheries Act 1994* for the proposal and the likelihood of those approvals.
- The total impacts to fisheries resources, and whether these impacts have been fully minimised and mitigated.
- Whether conditions should be attached to any approval forthcoming from Council, in order to ensure impacts to fisheries resources are mitigated.

INFORMATION REQUESTED

1. Plans

- 1.1 Provide appropriately scaled plan/s showing the location of existing and proposed waterways and any disturbances to aquatic features within and adjacent to the development site in relation to current and proposed property boundaries and if appropriate, show the purpose of those disturbances (ie waterway barrier, etc).

2. Information

- 2.1 Provide a description, and information regarding the nature of the existing aquatic features within and adjacent to the development site.
- 2.2 Provide a comparison of the existing and potential values of the existing and proposed aquatic features as fish habitat and to fish migration.
- 2.3 Provide a description and nature of any waterway barrier works detailing:
- Their location on the waterway.
 - The limit (extent) of 'backup' at the top water level.
 - Whether the barrier is a temporary or permanent presence.
 - The purpose of the barrier.
 - The type of barrier, and construction materials to be used.
 - Any measures used to ensure continuation of any existing fish migration past the barrier.
- 2.4 Provide a description of proposed buffers detailing:
- The nature of the buffer (ie. Fenced, grassed, treed, managed, natural, etc).
 - The widths measured between the aquatic features and the development platforms and current and proposed property boundaries.
 - Any uses in the buffer, and any maintenance requirements.
 - The tenure of the buffer, and the proposed responsible agency for the management of the buffer area.
 - The suitability of the buffer (see below).

Please be advised that the construction of any waterway barriers will require specific approvals through DPI&F. Also note approvals are not automatic upon application and may be issued or refused as appropriate to the application, impacts, circumstances, policies, etc. Please refer to the attachment which provides an explanation of terminology and information relevant to this information request.

Please be advised that the basis of DPI&F's comments lies within the jurisdiction of the *Fisheries Act 1994*, and that a site inspection was not undertaken for the purposes of these comments.

If you require any further information regarding this matter, in the first instance, please contact Rowan Berney on telephone 07 5430 4960 or email rowan.berney@dpi.qld.gov.au.

A copy of the response to the information request can be forwarded to:

Rowan Berney
Department of Primary Industries and Fisheries
PO Box 5165 SCMC
NAMBOUR QLD 4560

MATTERS OF INTEREST TO QUEENSLAND TRANSPORT

The Queensland Transport as a third party for the application provides the following advice:

ADVICE

The information as submitted in the development application has been reviewed in accordance with guidelines described in the Queensland Transport/Main Roads/QDCILCP document "Shaping Up" Second edition, 1999. This document focuses on incorporating planning philosophies and recommended design initiatives to reduce the overall reliance on private motor vehicles.

1. The proposed development has to achieve the Departmental standard of 90% of the commercial properties within 400 metres walking distance of the designated bus route for the commercial precinct. The bus route is to be designed within a minimum of 20 metres road reserve width. The designated bus route is to be the shortest route through the proposed development to minimize travel time, while still maintaining the standard.
2. Planning layouts are to incorporate network linkage from the site to Robina railway station, including passenger transport, cycleways and pedestrian linkage to the station and to All Saints Anglican School.
3. Passenger transport bus and taxi infrastructure provision within the site particularly at major traffic attractors, such as commercial/retail areas.
4. The Developer shall be responsible for mitigation of all impacts from the railway, particularly noise, in accordance with any relevant environmental protection Acts, both now and in the future when the railway is upgraded and trains run at a greater frequency.
5. Increased run off from the development shall be the Developer's or the Council's responsibility. The existing drainage including drainage in QR's land from backwater from detention works is to be upgraded at their cost. Council is to approve any filling of the flood plain. QR accepts no responsibility.
6. QR not to be liable for any electrical effects such as EMF, interference to communications, TV's etc.

For further information in relation to this request please contact Mark Moro on telephone 3291 2701.

A copy of the response to the information request can be forwarded to:

**Mark Moro
Regional Transport Planning Advisor
Queensland Transport
8 Buyna Street
EAGLE FARM QLD 4009**

MATTERS OF INTEREST TO OFFICE OF URBAN MANAGEMENT

The Office of Urban Management as a third party for the application provides the following advice:

ADVICE

It is requested that the applicant and the local government, in progressing this matter, have regard to the Principles and relevant Strategies of the Draft South East Queensland Regional Plan – in particular, those relating to protecting the coast and waterways, flooding and regional open space (Strategies S1.5, 1.8 and S1.26).

For further information in relation to this request please contact sch4p4(6) Personal in on telephone sch4p4(6) Pers

A copy of the response to the information request can be forwarded to:

sch4p4(6) Personal inform

**Principal Planner
Office of Urban Management
PO Box 15031
CITY EAST QLD 4002**

5.0 RESIDENTIAL CHOICE PLACE CODE

5.1 Purpose

This Place Code seeks to support the provision of a range of housing choice that is responsive to the changing demographic structure of the City, whilst maintaining an efficient land use pattern. The purpose of this domain is to support the development of a residential pattern comprising mixed dwelling types, including detached dwellings, attached dwellings and apartment buildings that relate well to each other. This code seeks to:

- support residential densities that are moderately higher than traditional detached dwelling areas;
- facilitate a wide variety of home office, home occupation and residential support services to be located within the domain commensurate with local residents' needs; and
- achieve a high standard of residential amenity across the range of dwelling types in the domain.

5.2 Application

5.2.1 The Place Code contained in this domain applies to development indicated as self, code or impact assessable in the Table of Development at Clause 3.0.

5.2.2 Performance Criteria PC1-PC14 apply to all code and impact assessable development in this domain. For development identified as self assessable in Clause 3.0, only the acceptable solutions to Performance Criteria PC1-PC5 apply.

5.3 Development Requirements

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
DEVELOPMENT THAT IS SELF ASSESSABLE, CODE ASSESSABLE OR IMPACT ASSESSABLE	
BUILDING HEIGHT	
PC1 All buildings must be of a height which is in keeping with the predominant residential character of the surrounding area. Building height must not result in a significant loss of visual amenity.	AS1.1.1 The building has a maximum of two storeys. OR AS1.1.2 The subject site is designated with a specific maximum building height exceeding two storeys on Overlay Map OM6 - Maximum Building Height and the building does not exceed the indicated maximum building height.
ACCOMMODATION DENSITY	
PC2 Accommodation density must be consistent with the residential character of the local area and contribute to the achievement of a variety of dwelling types in the local area.	AS2.1.1 The dwelling density is one dwelling per lot. OR AS2.1.2 The dwelling density does not exceed one dwelling per 400m ² of site area. OR AS2.1.3 The site is designated with a specific maximum residential density on Overlay Map OM4 - Residential Density and the development does not exceed the indicated maximum residential density.
SITE COVERAGE	
PC3 The site coverage of all buildings must not result in a built form that is bulky and visually intrusive.	AS3.1.1 The site coverage does not exceed 50% of the site area where a detached dwelling is proposed.

The installation of a fishway may be required as part of any approval, to ensure fish passage across the barrier. Further information on 'waterway barrier works' and 'fishways' can be found at www.dpi.qld.gov.au/fishweb.

- **Water Quality:-** Water quality is a key issue for the maintenance of healthy fish habitats and fisheries productivity. As such, DPI&F fully supports best practice and appropriate water quality management. The Environmental Protection Agency (EPA) is acknowledged as the lead State agency with respect to water quality issues. Consequently, DPI&F accepts the decision of the EPA in relation to appropriate water quality assessment, standards, management, and monitoring.
- **Acid Sulfate Soils:-** Acid Sulfate Soils (ASS) have the potential to adversely impact upon water quality and fisheries resources. DPI&F fully supports the avoidance of potential ASS or, where this cannot be achieved, best practice and appropriate ASS management. The Department of Natural Resources and Mines (NR&M) and the EPA are acknowledged as the lead State agencies with respect to potential ASS. Therefore, DPI&F accepts the decision of these agencies in relation to sampling, management, and monitoring of potential ASS.
- **Biting Midges and Mosquitos:-** Please note that mosquito and biting midge control has the capacity to create or manage severe impacts upon aquatic features, marine plants, fisheries productivity, fish habitat and fish (via chemical application and habitat modification). As such, the appropriate management of biting midges and mosquitos should be addressed where applicable.

For Further Information Contact:

Department of Primary Industries & Fisheries
Southern Fisheries Centre
13 Beach Road
Deception Bay Qld 4508

Telephone 07 3817 9527 Facsimile 07 3817 9522

Terminology and Information Relevant to DPI&F Fisheries

Terminology

Aquatic Features – any fresh, brackish or saline water features. This term includes natural, altered or artificial rivers, creeks, swamps, dams, drains, watercourses, etc; whether permanently or intermittently flowing. These features have the capacity to impact fisheries productivity, fish habitat and fish migration paths, and to carry impacts away from the site.

Declared Fish Habitat Areas – see definition below.

Development Activities – any works (eg, construction, landscaping) associated with the development including building, stormwater management and outlets, parks, paths etc.

Fish – see the *Fisheries Act 1994* for the complete definition. The term includes fish, prawns, crabs, worms, shellfish, and other animals that live in the water or the substratum.

Marine Plants – see definition below.

Waterway Barrier Works – see definition below.

General Information

For the benefit of the applicant, information on fisheries interests can be found at www.dpi.qld.gov.au/fishweb. Please note that DPI&F does not normally support the following activities within, or immediately adjacent to, aquatic features with fisheries values:

- Reclamation.
- Impacts from proposals, which do not have an overriding requirement to impact upon aquatic features.
- Ongoing private tenure.
- Any proposals where alternatives of lesser impact to aquatic features exist.
- Any development without appropriate buffers.
- **Marine Plants:** - All marine plants in Queensland are protected. Section 8 of the Fisheries Act 1994 defines marine plants as the following:
 - A plant (a tidal plant) that usually grows on, or adjacent to, tidal land; whether it is living or dead, standing or fallen.
 - Material of a tidal plant, or other plant material on tidal land.
 - A plant, or material of a plant, prescribed under a management plan or regulation to be a marine plant.

This definition includes (but is not limited to) mangroves, seagrass, saltcouch, and samphire vegetation species. A marine plant does not include a declared plant under the *Land Protection Act 2002*. If it is proposed to disturb any marine plants, a permit application under Section 51 of the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Permits to disturb marine plants are not automatic upon application, and may be issued or refused as appropriate to the particular application, circumstances, impacts, policies, and information supplied.

- **Fish Habitat Area:-** If it is proposed to undertake any works within a declared Fish Habitat Area (FHA) (under the *Fisheries Act*) a permit application under Section 51 of the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Permits under the *Fisheries Act* are not automatic upon application, and may be issued or refused as appropriate to the legislation and policies applicable to the particular FHA, the individual application, circumstances, impacts, and information supplied.

FHA's are declared over areas of key fish habitats throughout Coastal Queensland. Further information and the location and plans of the FHA network can be found at www.dpi.qld.gov.au/fishweb/13401.html.

- **Buffer Requirements:-** DPI&F normally supports the retention of a vegetated buffer between a development and aquatic features and marine plants. This buffer provides (but is not limited to) the following:
 - An ecological filter for water runoffs.
 - A screen for airborne impacts (in both directions).
 - A management barrier.
 - An improved capacity for natural movement and processes.
 - A reduction of the direct pressure for alteration.
 - Water temperature moderation.
 - Access management.

DPI&F's policy recommends a minimum buffer of 50m of established natural vegetation between developments and freshwater aquatic features; and a 100m buffer of established vegetation between developments, tidal aquatic features or marine plants, and declared FHA's. These policy recommendations should form the basis of buffer considerations from a fisheries perspective. It is appreciated that the final buffer determination, by the responsible agencies, will also consider a range of other buffer issues including the type of proposal, the capacity for impacts, environmental characteristics, biodiversity values, etc. Further information on buffers can be found at www.dpi.qld.gov.au/fishweb.

- **Waterway Barrier Works (the maintenance of fish passage):-** If it is proposed to construct new, or to raise/lower an existing, weir/dam/water-pipe and other barrier across a waterway (both freshwater and tidal), including temporary structures, a permit application under the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Approvals for waterway barrier works are not automatic upon application, and may be issued or refused as appropriate to the individual application, circumstances, impacts, policies and information supplied.

11/8/05

File note of meeting/discussion

☐ Meeting ☐ Telephone

Date: 11/08/05 Time:

Between of

And of

Subject:

[sch4p4(6)] of Hickey Lawyers called 5/8/05 to find out what hazardous contaminate is on the site L390 SP149355 Child parcel of base parcel L42 RP839861. Asked Scientific advisor Elissaveth Black as scientific report was done on L2 RP178297. She advised it is arsenic on the property due to run off from the property above as property is on a slope, above the acceptable levels (a hundred milograms/ kg). Phoned [sch4p4(6)] and advised of this.

[sch4p4(6)] Per

Leil McKenzie

Trainee

Contaminated Land Unit

Published on DESI Disclosure Log
RTI Act 2009

Action sheet

Department of Environment
Conservation and Tourism

Folio	B/U	Action officer	Action complete	Additional comments
		sch4p4(6) Personal info	25/08/95 11/8/05	File to records. Note to File: Solicitor acting on behalf of owner of JL390 SP.149355, wanted to know what h42 contain on site. Advised it's arsenic are arsenic. due to run off.

John C. Taylor

From: John C. Taylor [johnc.taylor@epa.qld.gov.au]
Sent: Tuesday, 9 August 2005 3:34 PM
To: Miguel Zavaleta-Romero; Rohan Huguenin
Cc: Darryl Byers
Subject: RCU1871 - DLGPSR Information Request to Applicant

Importance: High



RCU1871HighfieldD
veBreakwaterR...

Greetings All,

Today's mail contained the DLGPSR Information Request to the Applicant dated 26 July 2005!! for the above development, detailed below:

Our reference STH5894 / BNE901102 Appl'n. No. 3721Pt2

Applicant: Baymill Investments Pty Ltd &

sch4p4(6) Personal information

sch4p4(6) Personal information

Application Type: Reconfiguring a Lot - 3 to 4 lots - 2 management lots, and 2 open space. Operational Works for development platforms, waterway and wetland system.

Referral Triggers: Development within 100m of an area mentioned in Integrated Planning Regulation 1998 Section 12, and Schedule 8 (a) 'filling below a floodline'.

Location: Highfield Drive & Breakwater Road Robina. Lot 2 RP223566 Lot 902 SP108453, and Lot 390 SP149355.

Local Government: Gold Coast City Council.

Please compare the DLGPSR request, with the copy of the EPA request that I sent out [attached], and your contribution to me. Only CLU had an information request.

I have forwarded the DLGPSR copy received to Miguel for CLU file; and a copy of this email to STH5894.

Regards

John C Taylor
IDAS Coordinator - SEQ
Southern Region
Environmental Protection Agency
GPO Box 2771 Brisbane Q 4001
Flr 16, 288 Edward Street Brisbane
Phone: 07 3224 6139
Fax: 07 3225 8723
Email: johnc.taylor@epa.qld.gov.au

Name: Jodie Smith
Title: A/Referral Coordination Officer
Division: SEQWBB Planning
Telephone: 323 71770
Facsimile: 323 71738
E-Mail: Jodie.smith@dlgpsr.qld.gov.au
Internet: www.lgp.qld.gov.au

F a c s i m i l e

To: [sch4p4(6) Personal information] **Buckley Vann** [sch4p4(6) Personal information]

CC: **Jim Webb** **Gold Coast CC** **5596 3653**
Andrew Macpherson **DNRM** **3884 5322**
Eddie Peters **DMR** **5596 9511**
[sch4p4(6) Personal information] **Energex** [sch4p4(6) Personal information]
[sch4p4(6) Personal information] **Powerlink**
John Taylor **EPA** **3225 8723**
Coralie Stebbing **DPIF** **5430 4994**
[sch4p4(6) Personal information] **QT** [sch4p4(6) Personal information]
[sch4p4(6) Personal information] **OUM**

Date: 26 July 2005

Pages:(incl. this one) 34

Re: RCU 1871 – Highfield Drive and Breakwater Road, Merrimac & Robina
- INFORMATION REQUEST

Dear [sch4p4(6) Personal information]

Please find attached a Referral Coordination Information Request for a development application involving land at the above address.

The original will be forwarded to you in the next mail.

If you have any questions please contact me on the above number.

Regards,

[sch4p4(6) Personal information]

Jodie Smith

Our Reference: RCU 1871
Enquiries: Jodie Smith
Extension: 323 71770
Address: PO Box 15031 City East Qld 4002
E-mail address: jodie.smith@dlgpsr.qld.gov.au



Planning Services

Department of
**Local Government, Planning,
Sport and Recreation**

26 July 2005

Baymill Investments Pty Ltd and [sch4p4(6) Personal informa
C/- Buckley Vann Town Planning Consultants
PO Box 205
FORTITUDE VALLEY QLD 4006

Attention: Greg Vann

RE: REFERRAL COORDINATION — INFORMATION REQUEST

Dear Sir,

I refer to your letter of 6 June and received in this office on 7 June 2005, requesting referral coordination under the *Integrated Planning Act 1997* (IPA) for the following application-

APPLICANT: Baymill Investments Pty Ltd and [sch4p4(6) Personal information
[sch4p4(6) Personal information]

APPLICATION TYPE: Reconfiguring a lot

REFERRAL COORDINATION TRIGGER: Schedule 8(a) (Filling below the floodline)

LOCATION: Highfield Drive and Breakwater Road, Merrimac and Robina QLD, described as Lot 2 on RP 223566, Lot 902 on SP 108453 and Lot 390 on SP 149355

LOCAL GOVERNMENT: Gold Coast City Council

I wish to advise that after preliminary assessment of your application additional information is required to fully assess the proposal. Details of the information requested are contained in pages 3 – 31 attached to this letter.

The following agencies were consulted in the preparation of this information request —

- | | |
|---|----------------------|
| • Gold Coast City Council | (Assessment Manager) |
| • Department of Natural Resources and Mines | (Concurrence agency) |
| • Department of Main Roads | (Concurrence agency) |
| • Powerlink | (Advice agency) |
| • Energex | (Advice agency) |
| • Environmental Protection Agency | (Third Party) |

- Department of Primary Industries and Fisheries (Third Party)
- Queensland Transport (Third Party)
- Office of Urban Management (Third Party)

The Department of Main Roads, as a concurrence advice agency, requires no further information.

The Act requires the applicant to provide a copy of the response to the information request to the Assessment Manager and any IDAS concurrence or advice agency. It is also recommended that copies of your information response be forwarded to the third parties listed above. Please note, under section 3.3.8 (3) of the IPA you are not required to send a copy of your information response to this Department.

Please note, you have 12 months to respond to this information request. The response must be made in one of the following three ways —

- Provide all the information requested; or
- Provide part of the information requested together with a notice asking the assessment manager and each IDAS referral agency to proceed with the assessment of the application; or
- Provide 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 IDAS referral agency to proceed with the assessment of the application.

It should be noted that in the event of an appeal against a decision on a development application, costs may be awarded against an applicant if the court considers the applicant did not give all information reasonably requested in the information request (s4.1.23(2)(g) of the IPA).

Further information or assistance may be obtained by contacting the above contact officer by telephone or e-mail.

Yours sincerely

sch4p4(6) Personal information

Kim Mahoney
Principal Planner
SEQ-WBB Planning Division

CC:
Gold Coast City Council
Department of Natural Resources and Mines
Department of Main Roads
Powerlink
Energex
Environmental Protection Agency
Department of Primary Industries and Fisheries
Queensland Transport
Office of Urban Management

MATTERS OF INTEREST TO THE ASSESSMENT MANAGER

The Gold Coast City Council, as assessment manager for the application, raises the following matters of concern and requests the following additional information:

INFORMATION REQUESTED

1. VISUAL AMENITY & LANDSCAPE CHARACTER

1.1 Snake Hill – three-storey development

- a. The Visual Amenity and Landscape Character Intent Report dated February 2005 by Yurrah Pty Ltd ('Yurrah Report') included 'computer model images' of Snake Hill depicting the extent of vegetative screening likely to be achieved for indicative two-storey buildings, which are shown as below the heights of existing tree canopies. However, the Snake Hill Design Principles (Appendix II of the Yurrah Report) indicate that buildings within the Building Location Envelope ('BLE') are '*... not to exceed 3 storeys in height*'. No material submitted with the application has addressed the likely visual appearance or impacts of three-storey buildings, nor is there any reference in the Snake Hill Design Principles to building height relationship to tree canopy height. While it appears from the computer model images that some parts of the BLE could accommodate three-storey buildings below the tree canopy, it also appears that three-storey buildings in other parts of the BLE would be visually prominent and detract from the wooded appearance of Snake Hill.

Information Requested

- b. The applicant is requested to provide additional computer model image illustrations showing three-storey dwellings in all parts of the BLE where buildings of three storeys are proposed. The images are to be in similar form to those submitted with the application in respect of two-storey dwellings (Visualisation Image C, Image D, Image E, Image I and Image J) ie. showing existing tree canopy heights, as well as future landscape screening.

1.2 Snake Hill – RL levels

- a. The information regarding tree heights (Tree Survey Plan – Snake Hill Drawing SK.06 dated 3 Feb 2005 by Yurrah Pty Ltd) cannot be interpreted to indicate the elevation of tree canopies and hence the relative heights of buildings and trees. 'Image C' of the Yurrah Report shows an indicative plan of development on a contour base, but the contours are unnumbered. The computer model images alone do not provide sufficient certainty that buildings will be below the tree canopies, given that the height restriction in the Snake Hill Design Principles is specified only in terms of the number of storeys, rather than a height above natural ground level. Neither do the restrictions on earthworks filling in the Snake Hill Design Principles ('*... reasonably necessary to achieve individual building pads and building accesses*') provide certainty that building platforms are not elevated above natural ground level.

Information Requested

- b. The applicant is requested to provide additional information regarding the elevation of roofs and existing tree canopies, possibly by annotating Visualisation Images C to J and any new three storey images, and show how the Snake Hill Design Principles (if incorporated into approval conditions) would ensure that the built form will be below the heights of tree canopies.

2. PLANNING

2.1 Canoe portage points

- a. The application states that the open space system will provide a range of outdoor recreation opportunities including canoe trails. Concept Plan G4280 CP1 and the Landscape Intent Plan SK04-A do not show canoe portage points from the proposed development to link up with Mudgeeraba Creek.

Information Requested

- b. The applicant is requested to identify on the Concept Plan and the Landscape Intent Plan the intended linkage with Mudgeeraba Creek.

2.2 Lot 2 open space

- a. The development application proposes that Lot 2 (30.65 hectare parcel of land) becomes open space under the control of a body corporate. The Planning Report by Buckley Vann and the Yurrah Report articulate the key principles and proposed outcomes in respect of the provision of open space. It is necessary that these statements now be supported by details of the proposed establishment, management and maintenance arrangements to ensure the outcomes will be achieved.
- b. This is particularly critical in respect of the proposed north-south and east-west public access network (currently represented indicatively on Landscape Intent Plan SK04-A dated 3 February 2005). Such network is necessary to provide pedestrian, cycle, bridle and canoe linkages for the community through Outriggers Drive Reserve, Kingary Wetland Reserve and Mudgeeraba Creek/Robina Station Reserve.

Information Requested

- c. The applicant is requested to provide an Open Space Management Plan (OSMP) in respect of proposed Lot 2 (open space). The OSMP is to address in detail the proposed design, management and maintenance of all open space areas, during both the construction and operational phases and is to include the following:
 - i. Delineation of areas accessible by the general public and areas not accessible by the general public;
 - ii. Delineation of different open space purposes – active recreation, passive recreation, conservation or environmental;
 - iii. Details of all softscape and hardscape treatment, including surfacing and built form, such as lighting, water features, shelters, furniture, public facilities, walls, fences, etc. In relation to proposed treatment of paths, it is imperative that access is provided freely, equitably and unencumbered throughout the areas represented on Drawing SK04-A. In this context all plans should provide for a minimum 3m wide reinforced pathway system, however in some areas infrastructure such as bridges and creek crossings will need to be provided;
 - iv. Proposed treatments for creek/waterway crossings (can be provided in a Landscape Intent, with indicative plans);
 - v. Landscape treatment for interface between the Council parks and 'entry points' to the development between Kingary Wetland Reserve, Outriggers Drive Reserve and Robina Station Reserve;
 - vi. Maintenance and emergency vehicular access in and around the subject area (public areas);

- vii. Statement of proposal detailing how the applicant proposes to accommodate free and unencumbered public access, with regards to tenure, maintenance and public liability. The applicant's Planning Report indicates (page 9) that use of proposed open space by the public would be provided for 'by easement or other tenure arrangements to be agreed with the Council'. The applicant is requested to put forward details in relation to the arrangements for which agreement is sought, including access as the stages within the construction phase are progressively completed. Consideration should be given to the appropriateness of a range of mechanisms, including partial dedication, easements, covenants, infrastructure agreements and how such mechanisms will relate to proposed community title arrangements;
- viii. Management and maintenance plan and schedule detailing the standard of works, timing of works (particularly having regard to the staging of the construction phase and transitional phase), maintenance periods, allocation of responsibilities and likely costings for the management and maintenance of open space areas, including hardscaping, softscaping, linkages and trails, declared plants and weeds, rubbish, stormwater and waterbodies (in respect of the latter, cross-reference could be made to the Waterbodies Management Plan – see section 8.7 of this information request); and
- ix. Compliance with Council's Land Development Guidelines, Landscape Works Documentation Manual and Park Dedication Guidelines.

2.3 Lot 4 dedicated public open space

Information Requested

- a. In relation to the proposed dedication of Lot 4 adjacent to Mudgeeraba Creek for public open space, the applicant is requested to provide:
 - i. Details of buffer areas and appropriate treatments for such (ecological, riparian and/or other), including but not be limited to the current state of the stream bank and 30m buffer area requirements;
 - ii. Details of revegetation/rehabilitation of the area, taking into account handover/dedication of a sustainable community waterway park area and provision for a crossing to the Robina Station Reserve; and
 - iii. Details in respect of the establishment and management of this area, including management during the construction phase, quality of open space at on/off maintenance and future ongoing management and maintenance requirements of the open space, in accordance with Council's Landscape Works Documentation Manual (Open Space Management Plan requirements).

3. TRAFFIC

3.1 Highfield Drive-Breakwater Road intersection

- a. The Traffic Report by Holland Traffic Consulting dated 3 February 2005 makes reference (in section 8, page 13) to an intersection upgrade in accordance with Drawing No. 93C108-1. That drawing is not included in the Traffic Report.

Information Requested

- b. The applicant is requested to provide intersection upgrade Drawing No. 93C108-1.

3.2 3,000 vehicles per day traffic flow

- a. Council's Land Development Guidelines have adopted a set of development goals which lead to and incorporate standards in relation to road reserve widths. These standards are set out in Council's standard drawings. The development proposal conveys an intent to exceed those standards. The material submitted with the application seeks to justify a generation from the development of up to 3,000 vpd and thus a total impact on Breakwater Road of 4,000 vpd. The arguments put forward to support an increased upper limit of 4,000 vpd are contained in section 10 of the Traffic Report. The reasoning contained in section 10 is summarised below and comment is supplied on that reasoning:

10.1 The history of Breakwater Road viz-a-viz Council's subdivisional standards

Section 10.1 seeks historical support from the 1989, 1996, 1999 and draft 2003 standards. *This does not provide adequate reason to depart from the current and relevant standards.*

10.2 Evolving standards

Section 10.2 seeks to base appropriate standards on a study undertaken for Council in relation to East Coomera in 2004. *That study supports a limit of 3,000 vpd unless speed control measures are adopted. There is no indication that such is proposed or could prove acceptable to existing residents.*

10.3 State-wide guidelines

Section 10.3 focuses in part on Queensland Streets and notes that that document refers to research indicating a range of acceptable volume limits of 1200 – 5000 vpd. *Whilst true, the argument does not report the fact that Queensland Streets reports a desirable catchment limit of 200 equivalent dwellings and an absolute maximum of 300 equivalent dwellings. This equates to a desirable limit of 2,000 vpd and an absolute maximum of 3,000 vpd.*

Reference is also made to speeds and the current 50 km/hr limit as well as the Queensland Streets' aim of 40 km/hr for streets with frontage access. *The effect of a wide carriageway as opposed to a narrow one, all else being equal, is to encourage higher speeds. This will of course be accentuated in relation to the longer distance trips generated by the proposed development, an issue which is not recognised in the Traffic Report. No means of limiting the speeds has been proposed.*

10.4 The question of retrospectivity

Section 10.4 likens Oxley Road and Winstanley Street to Breakwater Road in having residential frontage access and (potentially) high traffic volumes. *The situations quoted are the unfortunate result of poor planning in the past. There is no suggestion that these are desirable situations, merely that to reverse the situation would be a 'utopian' ideal. Current design philosophies which are well accepted in the development community no longer consider development in that form acceptable.*

10.5 Recommended criteria for future development

Section 10.5 of the Traffic Report refers to the adoption of 'utopian' criteria. *The 'utopian' comment made in section 10.4 of the Traffic Report related to the possibility of improving amenity on Oxley Road and Winstanley Street, not the extent of development now put forward by the applicant which would exceed*

accepted standards with consequent impacts on amenity. There is no reason put forward why current standards should not be maintained.

Information Requested

- b. The applicant is requested to indicate the form of treatment(s) proposed to Breakwater Road to facilitate the increase in the expected volume of traffic from 3,000 vpd to 4,000 vpd, including:
 - i. Plans of treatments;
 - ii. Estimates of speeds;
 - iii. Noise levels; and

3.3 Location of temporary access track in vicinity of western treatment wetland

- a. The proposed temporary access track will provide the potential to remove unacceptable construction traffic impact from Breakwater Road. The access track should be located in such a way that it does not cause unacceptable impact on nearby land uses, particularly in terms of noise, dust and vibration. It should be located such that the junction with Highfield Drive achieves normal and acceptable standards. There is no indication within the development application of the form of the junction with Highfield Drive, nor the precise location of the access track.

Information Requested

- b. The applicant is requested to provide drawings at various scales indicating:
 - i. The junction of the access track with Highfield Drive; and
 - ii. The location of the access track, so as to ensure both its availability for ongoing building activities post development-platform construction and the achievement of operational water quality objectives – see section 5.2 of this information request.

4. GEOTECHNICAL

- a. Whilst geotechnical engineering investigations and analyses submitted with the application are considered to be sufficient to obtain an appreciation of the site and to define geotechnical design assumptions for the first stage of project development, it is considered essential that proper geotechnical engineering be undertaken throughout final design and construction of the proposed development. The necessity for continued comprehensive geotechnical engineering stems directly from the soft foundation conditions that prevail and the seriousness of foundation behaviour in achievement of a successful development that is ultimately suitable for its intended purpose.
- b. Appropriate planning must be implemented from the outset to regularly investigate and monitor foundation behaviour and to update geotechnical engineering design assumptions and consequent development constraints.
- c. The contents of 'Attachment A' (Draft Geotechnical Conditions) prepared during the geotechnical conclave meeting of 12 July 2004 for the *Broadlakes* appeal provide a framework for such planning to be implemented. Whilst, clause 1 of Attachment A seeks to ensure the continued involvement of the existing geotechnical engineering consultant, it is appropriate that objective methodology be articulated as to how the investigation, design, construction and monitoring contemplated by the framework can be unambiguously interpreted and implemented.

Information Requested

- d. The applicant is therefore requested to provide a mechanism to commit to and document a methodology for implementing the contents of Attachment A. It is suggested that an appropriate mechanism would be a Geotechnical Design Report, called up by and summarised in the site based management plan referred to in section 10 of this information request so as to ensure the geotechnical engineering considerations are fully coordinated with other site considerations. The Geotechnical Design Report will facilitate the continual review and documentation of geotechnical design assumptions.
- e. The Geotechnical Design Report (which should incorporate the statements in Attachment A) should have as its focus the articulation of objective criteria/factors to be applied to guide the actions contemplated by Attachment A. For example, the criteria to be used to select the placement of a grid of settlement monitoring plates, the methods that should be used to analyse settlement and dissipation of pore water pressure under preload conditions and how these will be related to the targeted degree of consolidation, etc.
- f. The content of such a report should become part of this current application and any subsequent approval so that the complete picture of geotechnical engineering for the proposed development can be understood from the outset.
- g. While the report should establish a methodology for the entire project, it should be prepared bearing in mind that Council requires further details in relation to the next phase of site investigations and therefore the report should propose a methodology for those investigations for Council's consideration. In that regard, Attachment A recognised that the investigations to date are too coarse for final design and therefore specific foundation investigations would be necessary around the perimeter of the development platforms to more precisely define engineering conditions that directly affect stability of platform edges. Pore water pressure monitoring instrumentation would have to be constructed so that baseline site data can be gathered for use in subsequent engineering management of fill placement and preloading of development platforms.
- h. Because such investigations will influence final design and therefore the specifications and drawings that will be submitted in support of the next 'phase' of the development approval process, the report should describe and provide justification for the intended piezometer locations and instrument levels to be used, so that Council can assess the appropriateness of the proposed investigation methodology.

5. CIVIL ENGINEERING

5.1 Construction phase – water levels

- a. The Report on Civil Engineering Issues by Kavanaugh McAnany Pty Ltd dated February 2005 outlines the construction technique and sequencing in section 3.3. In section 3.3.16 it identifies that '*The prime objective of the sequencing was to construct the complete on-stream waterway and wetland system as early as possible*'.
- b. In reviewing the sequencing plans provided in Appendix D of that report, it can be seen that the on-stream works are completed at the end of Stage 5, being week 63 and the off-stream works being OFF1, OFF2, OFF3 and OFF5 are completed at the end of Stage 14, being week 241. Information is provided that the on-stream wetland areas

will be maintained at RL 0.6 while the off-stream wetland areas will be maintained at RL 0.0.

- c. Maintenance of these water levels is critical in maintaining flood storage and managing the ongoing earthworks activity throughout the construction phase of the project, however no information has been provided as to how these water levels will be maintained during the construction phase of the project.

Information Requested

- d. The applicant is requested to provide details on how the on-stream and off-stream wetland areas are to be maintained at the nominated levels to facilitate maintenance of flood storage and the earthworks activity prior to practical completion.

5.2 Access

- a. Upon completion of the works at the end of Stage 15, being week 289, the works generally comprise six development platforms and a series of off-stream wetlands and waterways. The Kavanaugh McAnany report identifies that infrastructure to be provided will include:
 - i. A 'temporary access track' – shown in the sequencing drawings as being indicatively across the western treatment wetland, but that 'will most likely run along the top of the bunds' once ON4 and OFF4 are constructed; and
 - ii. An 'an all-weather haul road across the on-stream wetlands to connect the northern and southern sections of the project'.
- b. Following the completion of construction stages, the on and off-stream waterways and associated wetland areas and the platforms will require ongoing maintenance and in particular management of the off-stream wetland areas water level at RL 0.0. No information has been provided as to how ongoing access is maintained to all areas for maintenance.

Information Requested

- c. The applicant is requested to provide information on the location and design of:
 - i. the temporary access track; and
 - ii. the all-weather haul road crossing.

In respect of the temporary access track, Council considers that careful design could ensure that the access track can be maintained beyond the development platform construction phase to divert traffic impacts associated with residential construction upon the development platforms away from Breakwater Road. In providing location and design details, the applicant is therefore requested to consider locating the route from the outset in an alignment that can be maintained beyond bulk earthworks – such route may be 'along the top of the bunds', as suggested by the Kavanaugh McAnany report.

In providing location and design information, specific details are to be provided regarding access to areas requiring maintenance and demonstration that the access track and haul road will not impact on flows, management and maintenance of the wetlands.

5.3 Infrastructure

- a. As indicated in section 5.2(b) of this information request, subsequent to the completion of the works, the on and off-stream waterways and associated wetland areas and the

platforms will require ongoing maintenance and in particular management of the off-stream wetland areas water level at RL 0.0. The application does not provide details of the infrastructure, such as power, required to operate the wetland system and how such infrastructure will be managed and maintained.

Information Requested

- b. The applicant is requested to provide details in relation to the provision, management and maintenance of power and other infrastructure for pumping facilities for the off-stream wetland areas.

6. HYDRAULICS

- a. The 'Report on Flooding and Water Quality Management' by Cardno Lawson Treloar Pty Ltd dated February 2005 indicates (at section 5.4, page 16) that '*Council's model assumes that full dredging of Mudgeeraba Creek has been completed for the extent of the model*'. If this dredging has not taken place then this basic modelling assumption is compromised, which may affect the modelling results. To date extensive modelling has been undertaken by the applicant to demonstrate the likely impact of the development proposal. It is important that it be established that, in the case of non-dredging of Mudgeeraba Creek, the proposal complies with the same criteria that was applied in the previous modelling.

Information Requested

- b. The applicant is requested to provide additional commentary and modelling results which include a discussion of the changes to the model to allow for the actual conditions of Mudgeeraba Creek and the generally expected consequence of non-dredging on the flood impacts of the development. Modelling results and figures should be provided for the most critical local events for a representative non-dredged case to demonstrate that the impacts of the development are acceptable even if dredging of Mudgeeraba Creek does not occur.
- c. Since modelling is also required during the construction phase to confirm that at the various stages of the development the proposal does not create any adverse off-site hydraulic impacts, modelling a critical stage of construction should also include the representative non-dredged condition in Mudgeeraba Creek.

7. CONSTRUCTION PHASE SEDIMENT, EROSION & WATER QUALITY MANAGEMENT

7.1 Clean water diversion

- a. During the construction phase, clean water from the eastern portion of the site is shown as being diverted through the construction zone prior to release to Mudgeeraba Creek. The risk of sediment transportation by this flow is considered significant. The plans submitted do not adequately show and demonstrate:
 - i. how this flow is to transit the construction zone without transporting sediment into Mudgeeraba Creek; and
 - ii. the treatment devices that are to be used to either prevent sediment re-suspension or removal of sediments from this significant flow.

Information Requested

- b. The applicant is requested to provide additional dimensioned plans showing the transit flow path, channel design and treatment devices that will be used to manage off-

construction site flow, such that sediment re-suspension will be avoided or sediments will be adequately removed prior to release to Mudgeeraba Creek.

7.2 Wetland and waterbody monitoring and maintenance

- a. The health and performance of the wetlands and waterbodies during the operational phase is to be managed through the monitoring and maintenance plan proposed. During the construction phase, the health and performance of the wetlands and waterbodies as they are established is equally important to achieve water quality objectives.
- b. It is not apparent how the waterbodies and wetlands will be monitored and managed during the construction phase and the risk of failure is considered high without an appropriate monitoring and management plan in place, particularly as the site will be in the construction phase for many years.

Information Requested

- c. The applicant is requested to provide a monitoring and management plan for the wetlands and waterbodies during the construction phase and transition to the operational phase. The plans should be of similar form and quality to the operational phase monitoring and management plans and associated drawings.

7.3 On stream wetland use during construction

- a. The success of the water quality management strategy during construction relies heavily on the proper operation and maintenance of the onstream wetland system as it is progressively constructed. Protection of these systems from excessive siltation is critical to ensure Mudgeeraba Creek does not receive excessive and unnecessarily turbid and silted waters.
- b. It is apparent that sediment control measures are proposed, however it is not clear how these integrate with the onstream wetlands or how the wetlands are to be maintained and not damaged during cleansing/cleaning activities, particularly after heavy siltation, flow events and during preparation for the operation phase use. A further concern is the maintenance and management of the western wetland whilst the access track is maintained across it for the construction phase.

Information Requested

- c. The applicant is requested to provide additional information in the form of drawings and management plans as to how the wetlands are to be managed and maintained during the construction phase so as to achieve water quality objectives. Such documentation needs to demonstrate:
 - i. how the sediment and erosion control measures integrate with the wetlands as they are constructed in each stage; and
 - ii. how they will be managed during the transition phase as the site becomes operational and water quality objectives change.

It is noted that section 5.2 of this information request asks for further information on the design of the access track, possibly along the top of the bunds as suggested by the Kavanaugh McAnany report. Given the potential impacts of the access track on management of the wetlands, section 5.2(c) requests that it be demonstrated that the access track and haul road will not impact on flows, management and maintenance of the wetlands.

7.4 Off-stream waterbodies – monitoring and maintenance

- a. During construction, the off-stream waterbodies will be established as borrow pits and then converted to integrated open water lakes within operational wetlands. These waterbodies, while not operational, will fill from time to time with water from site rainfall and runoff and are likely to stratify and/or acidify and may stay in this state for some time, particularly during preloading when site activity is likely to be minimal.
- b. Management of stratification and associated algae and acidic waters is critical to protect Mudgeeraba Creek and this is acknowledged in the application. However, the application does not detail the management of these waterbodies during construction, although the intention appears that the waterbodies will be pumped dry quickly.

Information Requested

- c. The applicant is requested to provide additional management plans and calculations that demonstrate management of the off-stream waterbodies during construction, particularly the management of water level and water quality after filling/partial filling with rain, runoff, stormwater or flood waters.

7.5 Water quality objectives

- a. The water quality objectives agreed during the conclave process for the construction phase releases within and off the site have not been adopted fully in the application. The reason for this change is not stated, nor is supporting evidence provided to suggest that the objectives should be relaxed. The length of time that the site remains under construction is significant and normal construction standards are considered environmentally inappropriate.

Information Requested

- b. The applicant is requested to provide additional supporting documentation to demonstrate that the stated water quality objectives are appropriate for the receiving environment for the time the site is under construction. Otherwise, revised water quality objectives are requested in line with the conclave agreements during the Broadlakes appeal.

7.6 Construction area pump out after inundation

- a. The construction areas and sedimentation ponds are proposed to be pumped out directly into the surrounding waters after flood inundation. During the *Broadlakes* conclave process it was agreed that this would be a two-stage process with water level and water quality controls being implemented, to take advantage of the flood tail waters without compromising the onstream wetlands and Mudgeeraba Creek system when the tail waters become cleaner as the flood waters recede.
- b. The application appears to seek to not provide protection of water quality in this manner and the environmental health of Mudgeeraba Creek and the onstream wetlands is likely to be compromised as a consequence.

Information Requested

- c. The applicant is requested to provide additional evidence that pumping out the construction sites and associated sediment ponds after flood inundation directly into the flood tail waters without sediment reductions will not compromise the environmental health of the onstream wetlands and Mudgeeraba Creek. Such evidence should include sediment mass balance conditions over the tail water period during which pumping is proposed. Otherwise, the applicant is to provide alternate

management measures to ensure the environmental health of the onstream wetlands and Mudgeeraba Creek is not compromised.

8. OPERATIONAL PHASE WATERBODIES MANAGEMENT AND MAINTENANCE

8.1 Water balance modelling

- a. The water balance modelling undertaken appears comprehensive, yet it is noted that:
 - i. the structure of the mass balance model and its operating rules is not described;
 - ii. the modelling is based on rain station daily **rainfall** data over the last 80 years;
 - iii. the rain station used has not recorded daily **evaporation** rates over the last 80 years; and
 - iv. therefore, the modelling appears to have used monthly averages for evaporation.
- b. In relation to the structure and operation of the model, whilst inferences can be drawn, because the model should reflect how the lake system is expected to operate, it is an important element in understanding the viability of the proposed system.
- c. In relation to evaporation rates, the period over the last 10 years has been checked using daily rainfall and evaporation data available from the Bureau of Meteorology and significant periods were found to occur when water levels in the water bodies dropped more than 500mm for significant periods of time.
- d. The application is not clear as to the provision of top up water being harvested from Mudgeeraba Creek or Wilson's Drain, per the conclave agreements reached during the *Broadlakes* appeal, which is considered to be critical, particularly in view of the evaporation results referred to above.

Information Requested

- e. The applicant is requested to provide:
 - i. a description of the operation of the waterbody system and the assumptions and operating rules of the mass balance model;
 - ii. model outputs for the last 10 years using **daily rainfall** and **daily evaporation** data and demonstration that the water bodies water level can be maintained within a 200mm range of Top Water Level (TWL);
 - iii. if water levels cannot be demonstrated to be maintained within this range, drawings and management plans to demonstrate a water harvesting arrangement to maintain water levels in all waterbodies within 200mm of TWL per the conclave agreement reached during the *Broadlakes* appeal; and
 - iv. having regard to the water levels and the freshwater ecology outcomes sought to be achieved, details of specific species selection within the vegetated zones.

8.2 Development platform arrangements re: stormwater quality improvement devices

- a. The application sets out clearly the type and arrangement of stormwater quality improvement devices (SQIDs) to be used to manage water quality on the development platforms. The success of the stormwater quality management system is critically dependent on the extent and layout of the SQIDs.

- b. The extent and layout of the SQIDs can be inferred only from the MUSIC model and Figure 20 from the Stormwater Management Plan by Cardno Lawson Treloar. Whilst the modelling adequately demonstrates that the proposed system is capable of achieving the water quality objectives stated, the extent and layout of the SQIDs is uncertain. It is acknowledged that the form of development is uncertain, however the density, extent, coverage, length, area and number of SQIDs needs to be stated to ensure the successful application of the stormwater management plan proposed.

Information Requested

- c. The applicant is requested to provide additional documentation detailing the proposed minimum density, extent, coverage, length, area and number of SQIDs proposed as appropriate to support the assumptions in the MUSIC model.

8.3 Wetland sedimentation ponds

- a. The application provides for inlet sediment ponds/flow spreaders to protect the wetlands from sediment loads during the operational phase and to ensure even distribution of flow into the wetlands. The size of these devices is critical to the success of the operation of the wetlands. The documentation provided does not provide sufficient detail as to the intended size, cross section and arrangement of these devices to evaluate their likely performance.

Information Requested

- b. The applicant is requested to provide dimensioned arrangement drawings clearly showing the inlet and outlet arrangements as well as the size and depth of each device including a cross section and plan.

8.4 Gravel beds and wetlands for algae removal and control

- a. The Robina Lakes Management Plan identifies the wide range of problematic and undesirable water quality, ecological and recreational characteristics, including blue green algae blooms, leading to health risks, ecological impacts eg. fish kills and aesthetic impacts. The two crucial issues to ensure the health and management of the waterbodies are water level variations and hydraulic detention time.
- b. The gravel beds and wetlands proposed at the tail of the off-stream waterbodies provide an appropriate device for algae removal and control. The size and arrangement of the devices is critical to its success, as is the intended range of flows that are to be used to effectively manage the algae populations in the water bodies. Although the size and arrangement of the devices and the flow rates can be inferred, they are not sufficiently detailed to assess their performance with any certainty. Failure of these devices will result in the water quality objectives not being met.
- c. The applicant is requested to provide:
- dimensioned arrangement drawings showing the size and arrangement of these devices (gravel beds and wetlands), clearly marking the typical inlet and outlet structures, planting density, gravel size and flow paths;
 - design flows and calculations demonstrating the loading rates being applied are appropriate for the devices to remove 80% of algae cells from the flow; and
 - the natural detention times and algal growth rates on which the algal management system is based and calculations to demonstrate that waterbody turnover rates through the gravel beds and wetlands will be adequate to control

algal bloom conditions and problems identified in the *Robina Lakes Management Plan*.

8.5 Inlet and transfer devices

- a. The inlet conditions to the wetland water quality improvement system are critical for their successful operation. It is apparent that the devices themselves are of sufficient size, volume and arrangement to provide the duty proposed (except for algae removal). However, the inlet arrangements are not sufficiently documented to assess whether they are appropriate to prevent scouring of the inlet and for the proper operation of the wetlands and waterbodies and to confirm the assumptions made in the MUSIC model.

Information Requested

- b. The applicant is requested to provide dimensioned and labelled arrangement drawings that:
 - i. detail the devices that will transport stormwater off the platforms into the wetlands and waterbodies, and other such devices that direct stormwater flows into a wetland, waterbody, sediment pond or lake; and
 - ii. demonstrate that the water flows will not cause scouring of the inlet of the various devices, wetlands or waterbodies and that flows where necessary will be properly distributed;
 - iii. show a dimensioned typical longitudinal section and cross section of a waterbody interconnecting channel and pipe, confirming the RL of the weir, IL and diameter of the pipe and any valving proposed.

8.6 Algae and macrophyte and water weed control

- a. Management of aquatic plant life is critical for the hydraulic and environmental health of the system. The arrangement drawings and descriptions provided adequately explain the operation of the system overall. The plant and algae management plans describe adequately the intention and concept of how nuisance plants will be managed. The management plans do not provide sufficient detail to assess how macrophytes, algae and floating water weeds will be managed to ensure hydraulic conductance is maintained within the system or how nuisance or declared weeds species will be managed to prevent disturbance of the natural ecosystem relied upon to treat the stormwater.

Information Requested

- b. The applicant is requested to provide a macrophyte, algae and floating water weed management and maintenance plan that demonstrates how hydraulic flows between waterbodies will be maintained and nuisance aquatic weeds and algae will be controlled without compromising the natural ecosystem within the wetlands and waterbodies.

8.7 Waterbodies management plan

Information Requested

- a. In providing the further information the subject of this information request, it is critical that it be demonstrated that the various measures and outcomes can be integrated so as to result in waterbodies that provide a high quality water environment that is visually, aesthetically, functionally and ecologically appropriate and sustainable in the long-term with minimal management or intervention.

- b. To enable the various waterbody issues to be managed in a holistic manner for the life of the development, the applicant is requested to provide the information requested in this section of the information request, together with the management plans lodged with the application, in an overall Waterbodies Management Plan. To the extent not otherwise addressed, the applicant is to ensure the Waterbodies Management Plan addresses the matters set out in clause 5.4.6 of the Guragunbah (Merrimac/Carrara Floodplain) Structure Plan 1998, in particular the ongoing maintenance requirements and management measures in 5.4.6(viii) such as regular control of vegetation, impact of flood damage, edge treatments, replanting in relation to failure of vegetation and pumping costs.

9. ACID SULFATE SOIL (ASS) MANAGEMENT

- a. The results of the site investigations and analysis which have been provided in support of the application provide sufficient understanding of the ASS and groundwater constraints at the site and the potential impacts associated with the proposed development.
- b. The ASS Management Plan, the Groundwater Management Plan and the Erosion and Sediment Control Plan identify the management principles which must be applied, and the performance objectives which will need to be achieved to ensure that impacts are controlled within acceptable limits.
- c. There was however some information provided during the *Broadlakes* conclave process which is relevant when considering the feasibility of managing ASS and groundwater issues. This information has not yet been documented in support of the current application. This included, for example, evaluation of whether construction site water could be adequately contained, how ASS treatment could be integrated with specific construction activities and consideration of the practical limitations likely to be encountered when implementing ASS management and treatment measures.
- d. In addition, it is clear that in order to effectively manage the ASS risks associated with the proposed development, the site must be developed in a particular way. This must include the effective integration of ASS management measures (and those associated with other site constraints) with construction methodology, construction sequencing and materials handling.
- e. The ASS Management Plan, Groundwater Management Plan and the Erosion and Sediment Control Plan alone do not provide the level of detail or evidence of integration of management requirements with construction methodology which is required to confidently conclude that the proposed management objectives can be achieved.
- f. It is considered that the Site Based Management Plan (SBMP) referred to in section 10 of this information request is the appropriate mechanism for capturing the information provided during the *Broadlakes* conclave process, together with other detailed information as to implementation of the ASS management measures, including consideration of the practicalities of these within the context of proposed construction techniques and coordination with construction sequencing. The applicant is therefore requested to ensure these matters are included in the SBMP.

10. SITE-BASED MANAGEMENT PLAN (SBMP)

- a. The examination of the development proposal for this site has shown that there are important constraints, and associated potential impacts, which must be managed effectively in order to deliver the stated performance outcomes. Many of these constraints are potentially conflicting (ie the way in which one constraint is managed may affect the ability to manage another), or require management measures which will be affected by issues of practicality or coordination.
- b. Importantly, the long term effectiveness of the proposed management measures (ie whether the required environmental management outcomes can be delivered during the operational life of the development) is fundamentally dependent on the effectiveness of their implementation during the construction phase, and adherence to the central principles of the development concept. That is, the particular nature of this development concept is the result of a high level of collective expertise and many iterations, and many of the key management measures proposed can not readily be corrected at a later date if they are not effectively implemented during construction.
- c. Sufficient information on how the proposed management measures can be practically and effectively implemented is therefore required at this stage of the application process to ensure that the stated outcomes can be achieved. The opportunity to consider this level of information is fundamental to the assessment of the application and it is considered that preparation and submission of an SBMP is an appropriate mechanism to provide this level of information.
- d. An SBMP is considered a necessary supplement to the various plans lodged in support of the application to date in that:
- i. The plans accompanying the various reports state the performance outcomes and management principles applicable to the development; the SBMP will describe how those are to be practically implemented;
 - ii. The plans accompanying the various reports address the management of constraints associated with each discipline; the SBMP will facilitate the integration of management techniques across disciplines to avoid conflicts; and
 - iii. The plans accompanying the various reports identify the site constraints critical to each discipline; the SBMP will ensure sufficient site-specific information is made available to enable management measures to be effectively integrated with the proposed construction sequencing and methodology.
- e. In short, at present there is no single document which clearly presents all the management commitments which have been made; the SBMP will provide the necessary consolidation for ensuring that all of the measures can be feasibly achieved in the manner and timeframes suggested.

Information Requested

- f. The applicant is therefore requested to provide a detailed SBMP. The purpose of this SBMP is to identify all the potential environmental impacts associated with both the construction and operational phases of the proposed development, and describe the management measures proposed to control these to within acceptable limits. It should describe the measures in sufficient detail to be site specific, and activity specific, and should discuss practical limitations and present contingencies. The measures described should be integrated and coordinated with construction sequencing and methodology.
- g. It is envisaged that the SBMP would:

- i. become the central document to guide the activities of the developer, designers, constructors and operators throughout the life of the project;
 - ii. be updated periodically to reflect changes such as approval conditions, or improved knowledge of the effectiveness of management measures;
 - iii. provide sufficient information to properly guide a designer, contractor, technical adviser, or auditor who has not had the benefit of the assessment and development of the concept which has occurred to date.
- h. The SBMP needs to be comprehensive enough to provide confidence that if it is complied with, the development performance outcomes will be achieved, and to allow it to be used as the basis for audits.
- i. An example of the structure and contents of such an SBMP follows:

I. Introduction

Including background, purpose of the SBMP, and relationship to other documentation, including reports and plans lodged with the application and further information supplied in response to this information request.

II. Project description

Including a description of the development concept, construction staging, construction methods and activities, and operation and maintenance activities.

III. Applicable legislation

Identify what legislation and approvals will apply to the proposal, and who will apply for and hold the various permits and approvals.

IV. Responsibilities and Reporting

Description of who will have responsibility for implementation and compliance during the various phases of the development, particularly having regard to the proposed community titling arrangements, and what reporting pathway will be applied.

V. Environmental Issues

Provide a statement of the environmental issues associated to the proposed development, the development activities they are linked to, and the principles to be applied to manage them. (ie. this section would be a concise synopsis of the impact assessment findings)

VI. Management Measures

A detailed description of the management measures to be implemented, in the context of site specific conditions, construction activities, and sequencing.

It is anticipated that there would be a section for each of the disciplines (eg erosion and sediment control, flooding, ASS, water quality, geotechnical, noise, air quality, vegetation, open space, water ecology, landscaping, etc) and that within each of these sections, the measures would be described for design, construction, and operation phases. The objectives of, responsibility for, and the timing of, each measure should also be stated.

This section in particular is expected to provide the 'list of things to do', and description of how and when to do them, during each phase of the proposed development. It is therefore important that this section is clear, concise and easy to use, and a tabular structure can be useful in achieving this.

The management measures should reflect the particular outcomes and management principles articulated in the assessment reports and management plans. For example, in respect of water quality, the SBMP should reflect the contents of the overall waterbodies management plan, including:

- Sediment & Erosion Control
- Stormwater Management
- Construction Phase Wetland & Water Body Management
- Transition Phase Wetland & Water Body Management
- Construction Site Inundation Pump Out & Water Quality Management
- Wetland & Water Body De-silting and Clean Out Procedures (Construction & Operation Phase)
- Wetland Re-Establishment Contingency
- SQID management & maintenance
- Consolidated Water Quality Objectives during construction & operation
- Water level maintenance
- Macrophyte, algae & floating water weed management

In setting out the measures in respect of each discipline, particular regard is to be had to the practicality of those measures having regard to the proposed engineering sequencing and methodology, as articulated in the Report on Civil Engineering Issues by Kavanaugh McAnany Pty Ltd and the Geotechnical Report by Shaw Urquhart Pty Ltd. For example, in relation to Snake Hill, the staging of filling, excavation, trenching, tunnel boring and foundations and works in areas surrounding Snake Hill to ensure that mature planting outcomes as contemplated by the Snake Hill Design Principles will be achieved.

VII. Monitoring and Reporting

This section should, under headings for each discipline, describe the monitoring techniques which will be used to measure the effectiveness of the management measures, who will do the monitoring, where it will be done, what method will be used, how often it will be done, when it will be done, and what performance criteria will be applied.

VIII. Contingency Plans

This section should contemplate the problems, incidents, and failures which could be anticipated to occur on site, and describe how these would be dealt with to ensure compliance with management objectives. These contingencies would be expected to range in magnitude from minor non-compliances detected during monitoring, through to more substantial issues such as failure to implement treatment measures which is discovered after the event, or events like floods.

IX. Non-compliance and corrective action

This section should describe the mechanism for reporting and correcting non-compliances, and who has responsibility for the various elements of this.

For further information in relation to this request please contact Jim Webb on telephone number (07) 5582-8903.

A total of 12 copies of the response to this Information Request should be forwarded to:-



Statutory Administration Group
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE QLD 9729

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MATTERS OF INTEREST TO DEPARTMENT OF NATURAL RESOURCES AND MINES

The Department of Natural Resources and Mines as a concurrence agency for the application raises the following matters of concern and requests the following additional information:

INFORMATION REQUESTED

1. SPP2/02: Planning and Managing Development Involving Acid Sulfate Soils

The number of boreholes drilled is below the requirements of SPP 2/02. Areas to be filled require investigation to 2m below current surface level. Areas to be excavated, including infrastructure trenching (sewage, channels, swales), also require investigation to 1m below the depth of disturbance.

- 1.1 Further boreholes be drilled and sampled according to SPP 2/02 Guidelines, and the results provided as part of the applicant's Information Response.
- 1.2 Cross sectional diagrams of site be provided indicating soil descriptions, treatment categories, excavation and filling depths, groundwater levels and predicted cone of depression.
- 1.3 Section 8 of the SPP 2/02 Guideline: *Investigation Related to Filling Activities*, be specifically addressed and management strategies presented as part of the applicant's response to the Information Response.

Laboratory testing did not include retained acidity testing.

- 1.4 Samples are required to be tested for retained acidity. The estimations for liming rates and costs of lime are likely to be inaccurate without retained acidity testing. These rates must be recalculated after further laboratory testing. Phase 2 sampling and verification testing should also include retained acidity testing.

Stockpiling of untreated ASS was not addressed in the EMP.

- 1.5 Further information on the earthworks strategy and if any untreated soil will be stockpiled on site is required.

Detailed corrective action has not been outlined in the Groundwater Management Plan.

- 1.6 Specific details be provided on corrective action measures in the Groundwater Management Plan.

Offsite impacts and monitoring have not been addressed in the ASS report.

- 1.7 Request offsite impacts be included as an 'Issue' in the EMP. Performance criteria should be ascertained and monitoring parameters established, as well as corrective action if environmental degradation is detected.

2. Water Issues

Should the development impact on a water-course, lake or springs as defined under *Water Act 2000*, then authorization may be required. Please contact Bruce Brogan on telephone 3224 7373 if you require further clarification.

ADVICE

Aboriginal Cultural Heritage

Under section 23 of the Aboriginal Cultural Heritage Act 2003 a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are \$750,000 for a corporation and \$75,000 for an individual.

A person will comply with the duty of care in relation to Aboriginal cultural heritage if the person is acting in compliance with cultural heritage duty of care guidelines gazetted under the Aboriginal Cultural Heritage Act 2003, attached, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under Part 7 of the Aboriginal cultural heritage legislation.

Duty of care guidelines highlight the need to search the Cultural Heritage Database and the Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, Department of Natural Resources and Mines. Application forms to undertake a free search of the Cultural Heritage Register and the Database as well as further advice in relation to this matter, may be obtained by contacting the Cultural Heritage Coordination Unit, NR&M on 3238 3838.

For further information in relation to this request please contact Andrew Macpherson on telephone 3884 5375.

A copy of the response to the information request can be forwarded to:

**Andrew Macpherson
Senior Officer (Planning and Environment)
Department of Natural Resources and Mines
PO Box 864
IPSWICH QLD 4305**



MATTERS OF INTEREST TO POWERLINK

Powerlink as an advice agency for the application provides the following advice and requests the following additional information:

ADVICE

Powerlink currently have no infrastructure within the easement corridor however we understand that the corridor is of sufficient width to accommodate the construction of a future high-voltage transmission line on the western side of the existing Energex 110kV line. The timing for Powerlink's line construction will depend on future electricity demand from residential, commercial and industrial growth in the Gold Coast and hinterland region. It is therefore essential that the viability of the easement corridor be preserved.

Although tower locations have not yet been determined for the future transmission line it is likely that they would be offset from the existing 110kv Energex structures. Should this occur vehicle access to the future tower site is required, therefore the development should accommodate both articulated and non-articulated vehicles and plant that may have an 80 tonne GVM. In particular we draw your attention to the proposed bridge, which will link "Development Platform 5 and 6" shown on drawing FS1 prepared by Kavanugh McAnany. Insufficient detail is provided with respect to access from the proposed road to the possible future tower site.

Information Requested

1. Powerlink requires further advice from the developer regarding access measures to accommodate our requirements at this site and other future tower sites located within the easement.

Future tower heights have not yet been determined however we note from the above-mentioned earthworks drawing that the development platforms will be raised as much as 4.8 metres above existing ground level. The significant height increase may adversely impact the development if Powerlink investigations reveal that tower heights need to be increased to accommodate statutory clearance heights of the conductor. This may result in a larger and more visually impacting tower being constructed.

Whilst it is acknowledged that the development site is largely contained within an existing flood plain the proposed earthworks appear to create a formalised channel incorporating permanent water features. From the information provided we are unable to determine what (if any) mitigation measures are proposed to minimise erosion and debris impact that may occur in the vicinity of the future tower sites.

Information Requested

2. Please provide further information on what (if any) mitigation measures are proposed to minimise erosion and debris impact that may occur in the vicinity of the future tower sites.

For further information in relation to this request please contact Glen Masterson on telephone 3860 2848.



A copy of the response to the information request can be forwarded to:

Glen Masterson
Team Leader Property Services
Powerlink Queensland
33 Harold Street
VIRGINIA QLD 4014

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MATTERS OF INTEREST TO ENERGEX

Energex as an advice agency for the application provides the following advice:

INFORMATION REQUESTED

Energex advised they have written directly to Mr sch4p4(6) Pers Buckley Vann Town Planning Consultants (letter dated 14 July 2005) as part of the information request. The contents of that document have been summarised below:

Several concerns have been identified regarding the impact of the proposed development upon the existing jointly owned Energex / Powerlink electricity corridor that partially traverses the development site. From Energex records, we confirm that this corridor presently contains one 110kV line (linking substations located at Nerang & Mudgeeraba) and one 11kV local distribution line.

From Powerlink records, we can confirm that Powerlink currently have no infrastructure within the easement corridor however we understand that the corridor is of sufficient width to accommodate the construction of a future high-voltage transmission line on the western side of the existing Energex 110kV line. The timing for Powerlinks line construction will depend on future electricity demand from residential, commercial and industrial growth in the Gold Coast and hinterland region. It is therefore essential that the viability of the easement corridor be preserved.

Please note the following:

Access to the Towers:

Access to the existing towers on the easement is essential for maintenance and repair works, and for the construction of the future Powerlink lines. Access via tracks, and clear access pad areas around the towers are required to be provided. Due to the future construction, the access pads shall be required for the full width of the easement at the tower locations. The proposed development makes no clear provisions for access to the towers, and several aspects of the proposal appear to detract from current access arrangements.

Whilst it is acknowledged that the area is situated in an existing flood plain, the creation of formalised water features such as canoe trails in the easement corridor has a considerable impact on our existing utilisation of the easement and construction requirements for future lines.

Further, the location of the water features in conjunction with some elements of the development and earthworks, such as in the area around development platform 5, may serve to isolate the existing and future infrastructure. Please note that in conditions below (in letter dated 14 July 2005 sent directly to applicant) we require that provision be made in the development to provide the required access arrangements and ensure that the ongoing viability of the easement for electricity purposes is preserved.

Filling and Ground Level Changes on the Easement:

Concerns are raised regarding the extent of fill and level changes on the easement. In particular (but not limited to) the earthworks associated with development platform 5, the bridge connecting development platform 5 to 6 and the canoe portage point traversing the easement all propose significant increases in the existing ground level. This has the

potential to compromise existing safety clearances from the ENERGEX powerlines. When considering the proposed level increases around development platform 5, and particularly the proposed carparking area encroaching on the easement, this has a further impact for the future Powerlink lines. The Powerlink towers may be required to be significantly larger in order to achieve required height clearances over the raised land form resulting in increased visual impact and construction costs. Therefore ENERGEX requires that the existing ground levels on the easement be retained to ensure the retention of existing conductor to ground clearances.

In respect to the proposed bridge crossing between development platforms 5 and 6, further information will be required to determine the height of the bridge in the easement. As above, we require that the bridge not compromise the existing safety clearances. The eventual construction of the bridge must incorporate electrical hazard mitigation techniques, particularly during construction and with particular consideration of any metal structures on the bridge.

Stability of Existing and Future Towers:

Again it is acknowledged that the easement covers an existing floodplain, however the proposed canoe trails and treatment of flood events result in a situation of permanent inundation in areas around the existing infrastructure and in close proximity to the likely future tower locations. Concerns are therefore raised regarding the potential impact on the tower areas of scouring and debris in flood situations, and the effect on structural stability due to the permanent inundation proposed by the canoe trails. In particular, impacts resulting from scouring and run-off from development platform 5 directly into the easement around the existing and future electricity towers have not been clearly addressed.

Whilst extensive information is included in the application regarding stormwater and flood management, we require that specific consideration be given to the above matters to ensure the ongoing safety of the infrastructure.

Landscaping and Vegetation Plan:

Minimal details have been provided as to height of proposed landscaping on the easement. ENERGEX prefers that landscaping not be included on easements, to allow unimpeded access for maintenance and to minimise the potential for power outages due to trees falling across lines. Where consideration is given to landscaping proposals, we require detailed identification of species and location to ensure that appropriate heights and planting locations are achieved.

Please note, ENERGEX retains rights under easement conditions to remove landscaping for access and maintenance. Therefore landscaping should be designed to minimise the need for disruptive maintenance.

For further information in relation to this request please contact sch4p4(6) Pe on telephone sch4p4(6) Person

A copy of the response to the information request can be forwarded to:

sch4p4(6) Person

**Senior Town Planner
Network Strategic Investment Department
Energex Ltd
GPO Box 1461
BRISBANE QLD 4001**

MATTERS OF INTEREST TO ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency as a third party for the application provides the following advice and requests the following additional information:

Contaminated Land

ADVICE

The Environmental Protection Agency is the referral agency for a development application for material change of use of the Lot 390 on SP149355 and/or its child parcels.

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

The reconfiguration of the Lot 390 on SP149355 where hazardous contamination has been identified must be in accordance with the survey plan titled "Staged Reconfiguring of Lots Plan – Stage 1 to 7, Lots 2 RP223566, Lot 902 SP108453, Lot 390 SP149355" on plans drawing number G4280 PP13 to G4280 PP19 prepared by Heilbronn & Partners Pty Ltd dated 30 May 2005.

INFORMATION REQUESTED

It is a requirement that the applicant notify the EPA Contaminated Land Unit in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA Contaminated Land Unit to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Please contact Miguel Zavaleta-Romero, Principal Environmental Officer on telephone 3225 1080 if you require any further information regarding Contaminated Land matters.

For further information in relation to this request please contact John C Taylor on telephone 3224 6139.

A copy of the response to the information request can be forwarded to:

**John C Taylor
Principal Inspector
IDAS Coordination – SEQ (Brisbane District)
Southern Region
Environmental Protection Agency
GPO Box 2771
BRISBANE QLD 4001**

MATTERS OF INTEREST TO DEPARTMENT OF PRIMARY INDUSTRIES AND FISHERIES

The Department of Primary Industries and Fisheries (DPI&F) as a third party for the application provides the following advice and requests the following additional information:

ADVICE

Please be advised that the basis of DPI&F's comments lies within the jurisdiction of the *Fisheries Act 1994*, and that a site inspection was not undertaken for the purposes of these comments.

No information has been provided as to potential interference to the drains mentioned on site, except Wilson's Drain and the main section of Worongary Creek. Conceptual designs of the proposal indicate that significant wetland areas are to be created. However, when comparing these concept designs with plans and aerial photography of the site, it appears that some of the proposed development platforms conflict with the location of existing agricultural drains. Insufficient information is provided as to whether these drains are to be filled, altered or remain undisturbed, etc.

DPI&F understands that documentation submitted for the previous development proposal on this site indicated that the agricultural drains present were of low value to fisheries productivity and fisheries resources. However, these areas are still viable waterways and DPI&F requires thorough documentation should any modification be considered.

DPI&F's interest with this proposal is the management and protection of the fisheries value of any aquatic features within or adjacent to the development site, and the capacity of the proposal to impact upon fisheries productivity, fish habitat and fish migration paths.

INFORMATION REQUESTED

DPI&F requests that the information detailed in the Sections below determine:

- Whether approvals are required under the *Fisheries Act 1994* for the proposal and the likelihood of those approvals.
- The total impacts to fisheries resources, and whether these impacts have been fully minimised and mitigated.
- Whether conditions should be attached to any approval forthcoming from Council, in order to ensure impacts to fisheries resources are mitigated.

1.0 Plans

- 1.1 Appropriate scaled plan/s (or overlay) showing the location of existing and proposed waterways and any disturbances to aquatic features within and adjacent to the development site in relation to current and proposed property boundaries and if appropriate, show the purpose of those disturbances (ie. *waterway barrier*, etc).

2.0 Information

- 2.1 A description, and information regarding the nature of the existing aquatic features within, and adjacent to, the development site.
- 2.2 Comparison of the existing and potential values of the existing and proposed aquatic features as fish habitat and to fish migration.

- 2.3 Provide a description, and information regarding the nature of any waterway barrier works detailing:
- The location on the waterway.
 - The limit (extent) of waterway 'backup' at the top water level.
 - Whether the barrier is a temporary or permanent presence.
 - The purpose of the barrier.
 - The type of barrier, and construction materials used.
- 2.4 Provide a description of any measures to ensure continuation of any existing fish migration past the barrier. Description of proposed buffers detailing the following:
- The nature of the buffer (ie. Fenced, grassed, treed, managed, natural, etc).
 - The widths measured between the aquatic features and the development platforms and current and proposed property boundaries.
 - Any uses in the buffer and any maintenance requirements.
 - The tenure of the buffer, and the proposed responsibility agency for the management and maintenance of the buffer area.
 - The suitability of the buffer (see below).

Please be advised that any construction of waterway barriers will require specific approvals through DPI&F. Also note approvals are not automatic upon application and may be issued or refused as appropriate to the application, impacts, circumstances, policies etc.

Please refer to the attachment which provides an explanation of terminology and information relevant to this information request.

For further information in relation to this request please contact Rowan Berney on telephone 5430 4960.

A copy of the response to the information request can be forwarded to:

**Rowan Berney
Department of Primary Industries and Fisheries
PO Box 5165
Sunshine Coast Mail Centre
NAMBOUR QLD 4560**

MATTERS OF INTEREST TO QUEENSLAND TRANSPORT

The Queensland Transport as a third party for the application provides the following advice:

ADVICE

The information as submitted in the development application has been reviewed in accordance with guidelines described in the Queensland Transport/Main Roads/QDCILCP document "Shaping Up" Second edition, 1999. This document focuses on incorporating planning philosophies and recommended design initiatives to reduce the overall reliance on private motor vehicles.

1. The proposed development has to achieve the Departmental standard of 90% of the commercial properties within 400 metres walking distance of the designated bus route for the commercial precinct. The bus route is to be designed within a minimum of 20 metres road reserve width. The designated bus route is to be the shortest route through the proposed development to minimize travel time, while still maintaining the standard.
2. Planning layouts are to incorporate network linkage from the site to Robina railway station, including passenger transport, cycleways and pedestrian linkage to the station and to All Saints Anglican School.
3. Passenger transport bus and taxi infrastructure provision within the site particularly at major traffic attractors, such as commercial/retail areas.
4. The Developer shall be responsible for mitigation of all impacts from the railway, particularly noise, in accordance with any relevant environmental protection Acts, both now and in the future when the railway is upgraded and trains run at a greater frequency.
5. Increased run off from the development shall be the Developer's or the Council's responsibility. The existing drainage including drainage in QR's land from backwater from detention works is to be upgraded at their cost. Council is to approve any filling of the flood plain. QR accepts no responsibility.
6. QR not to be liable for any electrical effects such as EMF, interference to communications, TV's etc.

For further information in relation to this request please contact Mark Moro on telephone 3291 2701.

A copy of the response to the information request can be forwarded to:

**Mark Moro
Regional Transport Planning Advisor
Queensland Transport
8 Buyna Street
EAGLE FARM QLD 4009**

MATTERS OF INTEREST TO OFFICE OF URBAN MANAGEMENT

The Office of Urban Management as a third party for the application provides the following advice:

ADVICE

It is requested that the applicant and the local government, in progressing this matter, have regard to the Principles and relevant Strategies of the Draft South East Queensland Regional Plan – in particular, those relating to protecting the coast and waterways, flooding and regional open space (Strategies S1.5, 1.8 and S1.26).

For further information in relation to this request please contact sch4p4(6) Personal in on telephone sch4p4(6) Persona

A copy of the response to the information request can be forwarded to:

sch4p4(6) Personal inform

**Principal Planner
Office of Urban Management
PO Box 15031
CITY EAST QLD 4002**



The installation of a fishway may be required as part of any approval, to ensure fish passage across the barrier. Further information on 'waterway barrier works' and 'fishways' can be found at www.dpi.qld.gov.au/fishweb.

- **Water Quality:-** Water quality is a key issue for the maintenance of healthy fish habitats and fisheries productivity. As such, DPI&F fully supports best practice and appropriate water quality management. The Environmental Protection Agency (EPA) is acknowledged as the lead State agency with respect to water quality issues. Consequently, DPI&F accepts the decision of the EPA in relation to appropriate water quality assessment, standards, management, and monitoring.
- **Acid Sulfate Soils:-** Acid Sulfate Soils (ASS) have the potential to adversely impact upon water quality and fisheries resources. DPI&F fully supports the avoidance of potential ASS or, where this cannot be achieved, best practice and appropriate ASS management. The Department of Natural Resources and Mines (NR&M) and the EPA are acknowledged as the lead State agencies with respect to potential ASS. Therefore, DPI&F accepts the decision of these agencies in relation to sampling, management, and monitoring of potential ASS.
- **Biting Midges and Mosquitos:-** Please note that mosquito and biting midge control has the capacity to create or manage severe impacts upon aquatic features, marine plants, fisheries productivity, fish habitat and fish (via chemical application and habitat modification). As such, the appropriate management of biting midges and mosquitos should be addressed where applicable.

For Further Information Contact:

Department of Primary Industries & Fisheries
Southern Fisheries Centre
13 Beach Road
Deception Bay Qld 4508

Telephone 07 3817 9527 Facsimile 07 3817 9522

Terminology and Information Relevant to DPI&F Fisheries

Terminology

Aquatic Features – any fresh, brackish or saline water features. This term includes natural, altered or artificial rivers, creeks, swamps, dams, drains, watercourses, etc; whether permanently or intermittently flowing. These features have the capacity to impact fisheries productivity, fish habitat and fish migration paths, and to carry impacts away from the site.

Declared Fish Habitat Areas – see definition below.

Development Activities – any works (eg, construction, landscaping) associated with the development including building, stormwater management and outlets, parks, paths etc.

Fish – see the *Fisheries Act 1994* for the complete definition. The term includes fish, prawns, crabs, worms, shellfish, and other animals that live in the water or the substratum.

Marine Plants – see definition below.

Waterway Barrier Works – see definition below.

General Information

For the benefit of the applicant, information on fisheries interests can be found at www.dpi.qld.gov.au/fishweb. Please note that DPI&F does not normally support the following activities within, or immediately adjacent to, aquatic features with fisheries values:

- Reclamation.
- Impacts from proposals, which do not have an overriding requirement to impact upon aquatic features.
- Ongoing private tenure.
- Any proposals where alternatives of lesser impact to aquatic features exist.
- Any development without appropriate buffers.
- **Marine Plants:** - All marine plants in Queensland are protected. Section 8 of the Fisheries Act 1994 defines marine plants as the following:
 - A plant (a tidal plant) that usually grows on, or adjacent to, tidal land; whether it is living or dead, standing or fallen.
 - Material of a tidal plant, or other plant material on tidal land.
 - A plant, or material of a plant, prescribed under a management plan or regulation to be a marine plant.

This definition includes (but is not limited to) mangroves, seagrass, saltcouch, and samphire vegetation species. A marine plant does not include a declared plant under the *Land Protection Act 2002*. If it is proposed to disturb any marine plants, a permit application under Section 51 of the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Permits to disturb marine plants are not automatic upon application, and may be issued or refused as appropriate to the particular application, circumstances, impacts, policies, and information supplied.

- **Fish Habitat Area:-** If it is proposed to undertake any works within a declared Fish Habitat Area (FHA) (under the *Fisheries Act*) a permit application under Section 51 of the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Permits under the *Fisheries Act* are not automatic upon application, and may be issued or refused as appropriate to the legislation and policies applicable to the particular FHA, the individual application, circumstances, impacts, and information supplied.

FHA's are declared over areas of key fish habitats throughout Coastal Queensland. Further information and the location and plans of the FHA network can be found at www.dpi.qld.gov.au/fishweb/13401.html.

- **Buffer Requirements:-** DPI&F normally supports the retention of a vegetated buffer between a development and aquatic features and marine plants. This buffer provides (but is not limited to) the following:
 - An ecological filter for water runoffs.
 - A screen for airborne impacts (in both directions).
 - A management barrier.
 - An improved capacity for natural movement and processes.
 - A reduction of the direct pressure for alteration.
 - Water temperature moderation.
 - Access management.

DPI&F's policy recommends a minimum buffer of 50m of established natural vegetation between developments and freshwater aquatic features; and a 100m buffer of established vegetation between developments, tidal aquatic features or marine plants, and declared FHA's. These policy recommendations should form the basis of buffer considerations from a fisheries perspective. It is appreciated that the final buffer determination, by the responsible agencies, will also consider a range of other buffer issues including the type of proposal, the capacity for impacts, environmental characteristics, biodiversity values, etc. Further information on buffers can be found at www.dpi.qld.gov.au/fishweb.

- **Waterway Barrier Works (the maintenance of fish passage):-** If it is proposed to construct new, or to raise/lower an existing, weir/dam/water-pipe and other barrier across a waterway (both freshwater and tidal), including temporary structures, a permit application under the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Approvals for waterway barrier works are not automatic upon application, and may be issued or refused as appropriate to the individual application, circumstances, impacts, policies and information supplied.



**Queensland
Government**

901102

Our Reference: RCU 1725
Enquiries: Bruce A-Izzeddin
Extension: 323 71750
Address: PO Box 15031, City East Qld 4002
Bruce.a-izzeddin@dlgpsr.qld.gov.au

Planning Services

Department of
**Local Government, Planning,
Sport and Recreation**

17 March 2005

sch4p4(6) Personal int

C/- The Heilbronn Group
PO Box 5585
GOLD COAST MC QLD 4217

RE: REFERRAL COORDINATION — INFORMATION REQUEST

Dear sch4p4(6) P

I refer to your letter received in this office on 3 February 2005, requesting referral coordination under the *Integrated Planning Act 1997* (IPA) for the following application —

APPLICANT:

sch4p4(6) Personal i

APPLICATION TYPE:

Reconfiguring a lot

REFERRAL COORDINATION TRIGGER/S: Sch 8 (a) (Below a floodline)

LOCATION:

**Gilghai Road, Merimac QLD, described as
Lot 390 on SP 149355**

LOCAL GOVERNMENT:

Gold Coast City Council

I wish to advise that after preliminary assessment of your application additional information is required to fully assess the proposal. Details of the information requested are contained in pages 3 - 25 attached to this letter.

The following agencies were consulted in the preparation of this information request —

• Gold Coast Council	(Assessment Manager)
• Department of Natural Resources and Mines	(Advice Agency)
• Environmental Protection Agency	(Third Party)
• Department of Primary Industries and Fisheries	(Third Party)
• QLD Rail	(Third Party)

The Environmental Protection Agency and Queensland Rail, as third party advice agencies, require no further information.

The Act requires the applicant to provide a copy of the response to the information request to the Assessment Manager and any IDAS concurrence or advice agency. It is also recommended that copies of your information response be forwarded to the third parties listed above. Please note, under section 3.3.8 (3) of the IPA you are not required to send a copy of your information response to this Department.

Please note, you have 12 months to respond to this information request. The response must be made in one of the following three ways —

- Provide all the information requested; or
- Provide part of the information requested together with a notice asking the assessment manager and each IDAS referral agency to proceed with the assessment of the application; or
- Provide 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 IDAS referral agency to proceed with the assessment of the application.

It should be noted that in the event of an appeal against a decision on a development application, costs may be awarded against an applicant if the court considers the applicant did not give all information reasonably requested in the information request (s4.1.23(2)(g) of the IPA).

Further information or assistance may be obtained by contacting the above contact officer by telephone or e-mail.

Yours sincerely

sch4p4(6) Personal information

Kim Mahoney
Principal Planner
SEQ-WBB PLANNING DIVISION

CC:
Gold Coast City Council
Department of Natural Resources and Mines
Environmental Protection Agency
Department of Primary Industries and Fisheries
Qld Rail

MATTERS OF INTEREST TO THE ASSESSMENT MANAGER

The Gold Coast City Council, as assessment manager for the application, provides the following advice and requests the following additional information:—

INFORMATION REQUESTED

1. Planning

Comment

Drawing No.G3909-PP01 shows:

- a. *Two Future Development Platforms on proposed Lot 1:*
 - i. *Future Development Platform - Detached & attached residential Dwellings & Units – 25 dwellings per ha.*
 - ii. *Future Development Platform - 17 storey Residential Tower plus attached dwellings & units.*
- b. *A 54.02 hectare 'Future Open Space – Ephemeral Wetlands with Open Water' on proposed Lot 2.*

Nature and extent of uses

Information Requested

- 1.1 Provide documentation detailing the nature and extent of the uses proposed for both Lots 1 and 2, in particular:
 - a. for proposed Lot 1:
 - i. Number and density of each type of residential accommodation on each Future Development Platform;
 - ii. Access and parking arrangements;
 - iii. Tenure.
 - b. for proposed Lot 2:
 - i. Confirmation that the only use of proposed Lot 2 is 'Open space – Ephemeral Wetlands with Open Water'. As the application does not indicate any other uses are to be established on proposed lot 2 within and adjoining the ephemeral wetlands and open water areas, it is taken that no other uses are proposed. If this is not the case, details are to be provided of the nature of any other uses sought to be included eg. recreation or tourist-oriented development, including whether the use is water or land based, whether the use is passive or active and associated buildings and infrastructure.
 - ii. Access and parking arrangements.
 - iii. Tenure.
 - c. development plans of suitable scale (1:1000 or greater) to enable accurate identification of critical dimensions, showing:
 - i. Location, elevations, height and scale of proposed buildings;
 - ii. Infrastructure, including roads (in particular access between future development platforms/open space/Mudgeeraba Creek);
 - iii. Private and communal open space areas and landscaping, including pedestrian/bike paths.

The plans shall include cross-sections and specify the finished levels for each of the above components.

Assessability of uses

Comment

Section 6.0 of the Heilbronn Group "report" dated August 2003 accompanying the application indicates that the purpose of the application is to create building platforms to build uses that are, in the opinion of the author of the report, self assessable under the 1995 Albert Shire Planning Scheme:

'The purpose of the application is to seek a reconfiguration of a lot (development permit) for the creation building platform on which the approved uses under the existing rezoning can be built within the Broadlakes North precinct. These uses being self assessable under the current Albert Shire Planning Scheme.

Following in Appendix G is the plan of reconfiguration of lot G3909-PP01 which depicts the extent of building platform (lot 1) being sought'.

In respect of the '17 storey Residential Tower' and any of the 'Dwellings' and 'Units' on proposed Future Development Platform 1 or 2 that is proposed to exceed two storeys in height, it is assumed that the applicant will seek to rely on Plan G40/92/CP2 and the maximum building heights referred to in the conditions of the rezoning approval granted for the purposes of the now long repealed 1988 planning scheme.

Council does not accept that those uses are self-assessable. Rather, it is considered that those uses require impact assessment. This is because:

- a. Under the 1995 Albert Shire Planning Scheme ('1995 planning scheme'), the premises were in the Special Facilities zone.*
- b. Section 8.1.3.1 of the 1995 planning scheme provides that any development in a Special Facilities zone require the consent of the Council if, amongst other things, the development is proposed to exceed two storeys in height.*
- c. Section 8.1.3.2 of the 1995 planning scheme provides that section 8.1.3.1 does not apply where such development has been approved in conjunction with a rezoning approval or forms part of an approved Plan of Development over the subject land.*
- d. That reference to 'rezoning approval' is to a rezoning of a particular site by way of an amendment of the 1995 planning scheme (ie. post 24 February 1995). The reference is not to a rezoning by way of amendment of the now long repealed 1988 planning scheme.*
- e. The reference to 'Plan of Development' is to a Plan of Development referred to in conditions of approval for the purposes of the 1995 planning scheme. The reference is not to a plan of development referred to in conditions of approval imposed under the now long repealed 1988 planning scheme.*

Because no rezoning approval under the 1995 planning scheme exists for the premises, any development the applicant proposes exceeding two storeys in height is not protected by section 8.1.3.2 of the 1995 planning scheme.

Information Requested

- 1.2 Provide information detailing why, in view of the above, it is contended the uses to be built on the building platforms are self assessable.

Compliance with Planning Scheme

- 1.3 Provide a planning report detailing how the proposal complies with:
- relevant provisions of the 1995 Albert Shire Planning Scheme, in particular Strategic Plan objectives, the Guragunbah (Merrimac/Carrara Floodplain) Structure Plan, and the criteria in Part 17 of the Planning Scheme; and
 - relevant provisions of the 2003 Gold Coast Planning Scheme, in particular the Guragunbah Local Area Plan.
- 1.4 In examining compliance with the Structure Plan, the planning report is to demonstrate how the nature and extent of uses (detailed in response to 1.2 above) comply with:
- section 2.1 of the Structure Plan (Building form, scale and character)
 - section 2.4 of the Structure Plan (Density); and
 - section 8 of the Structure Plan (Conceptual land use map).

Visual character and Shire Image

Comment

Guragunbah Structure Plan Map 2/Guragunbah LAP Map 14.3 (Open Space) identifies the following 'Moderate Conservation Significance Areas' within the site, where development is 'inappropriate or significantly restricted':

- Open Space Corridors (Along Watercourses);*
- View Sheds – Long views from railway line to Surfers Paradise and short views to Woody Hill and open floodplain areas.*

Information Requested

- 1.5 The detailed planning report requested above is to demonstrate how the proposal accords with Section 4 – Open Space Network of the Structure Plan particularly with respect to:
- Open space corridors – it is noted that Proposed Lot 1 (on which the future building platforms are to be located) cuts across the open space corridor designated in the Structure Plan. The location of the platform does not appear to conform with the objectives and provisions of this section of the Structure Plan; and
 - Viewsheds – it is noted that the location of Future Development Platforms, in particular the 17-storey building, do not appear to conform with the objectives and provisions of this section of the Structure Plan.
- 1.6 The planning report is to be supported by a detailed visual assessment of the development in terms of how it compliments the existing built form and natural landscape character of the surrounding locality including the floodplain, in respect of both the operational and construction phases. In particular any assessment is to consider the provisions of the Albert Planning Scheme with respect to protection and enhancement of Shire Image, Section 2.1 of the Structure Plan (Building form, scale and character) and Section 4 of the Structure Plan particularly Design Guidelines in section 4.4.1. Such assessment shall include the following:
- Identification and analysis of the existing visual character of the site's viewshed in terms of land use, land form, vegetation type and built form characteristics. This analysis is to be supported by a series of photographs, maps, drawings and the like to illustrate the character of the viewshed;
 - Identification of key sightlines of the site with a rationalisation of why these are considered to be the most significant sightlines. These sightlines shall include but are not limited to the views identified in the Structure Plan. This should include cross-sections and maps showing the location and nature of the sightlines;

- c. Assessment of the visual impact of the proposal (both the operational and construction phases) on the existing visual character from changes to the land form, addition of proposed buildings and infrastructure (i.e. roads etc), vegetation loss and landscaping. This should include a visual presentation comprising cross-sections of key sightlines identified and photomontages/illustrations/maps to clearly demonstrate the visual character of the proposal when imposed on the existing landscape. All data in this report shall accord with the information prepared as a result of the survey below.

- 1.7 Establish by way of survey the exact ground levels (AHD) of the site both pre and post development so as to demonstrate the height of the proposed building platforms with respect to the adjoining excavated land and the surrounding locality. This information is necessary in order to determine the visual impact of the proposed building platforms and to determine their exact location with respect to the proposed lot boundaries. Such information is to be supported by plans and cross sections of the site showing existing ground levels and proposed building platforms. This information must coincide with the necessary hydraulic studies and supporting data and plans as requested elsewhere in this information request.

2. Open space

- 2.1 The adequacy of open space must be demonstrated to Council with regards to tenure, access, connection, management and design of all proposed open space areas.
- 2.2 Provide an Open Space Management Plan for all open space areas, which is to include (but is not limited to) the following matters:
 - a. The provision, design and treatment of developed parkland adjacent to Mudgeeraba Creek, and other public open space areas.
 - b. Landscaping (hard and soft scape works) of the proposed open space drainage line (and aforementioned Mudgeeraba Creek parkland).
 - c. Provision, design and treatment of a public bikeway system plan which is integrated throughout the development and public open space areas (including the proposed lake/wetland area) and integrated with surrounding land use and development patterns.
 - d. Significant public view sheds and recreational opportunities presented throughout the site including but not limited to commercial areas, private open space facilities and public open space areas.
 - e. Relationship with the Ghilgai Road extension through the site and across Mudgeeraba Creek.
 - f. Interface and proposed treatment to the adjoining Kingary Wetland Reserve.
 - g. Documentation of the above components in a Landscape Intent Plan, including cross sections and details of all batters.
 - h. Delineation for infrastructure and management responsibilities between Council and the proponent with regards to:
 - i. public open space
 - ii. any easements required between public and private access areas
 - iii. any interface between private open space and commercial areas.
 - i. Ongoing maintenance costs of all open space areas (including but not limited to) the lake/wetland area.
 - j. All other matters pertaining to Council's Parkland Dedication Guidelines / Policy 16 Recreational Facilities Network Developer contributions (including creditable land included in Section 3.2 and charges included in Section 12).

3. Water quality

Comment

The Guragunbah Structure Plan (section 5.1.1) requires that development proposals be designed to ensure that:

- a. *Existing water quality across the Nerang River system, tributaries, floodplain and canals is not adversely affected;*
- b. *The existing water quality is enhanced;*
- c. *The expected water quality is appropriate for the proposed use of the waterbody; and*
- d. *Opportunities for the breeding of biting insects is minimised.*

Lake/Wetland Water Quality Management Plan

Information Requested

3.1 Submit a Water Quality Management Plan addressing both the construction and operational phases, demonstrating achievement of the above criteria, design outcomes stipulated in Part 5 of the *Guragunbah Structure Plan* and compliance with the *Robina Lakes Management Plan*. The Water Quality Management Plan is to include (but is not limited to) the following:

- a. Design concept for the waterbody, which shall replicate natural systems and not require or rely on mechanical measures, including:
 - i. Bathymetry (including location, size, depth, final form);
 - ii. Any hard engineering structures including revetment or retaining walls;
 - iii. Public open space and property boundary locations in relation to the waterbody;
 - iv. Proposed landscaping including wetland areas (incorporating lake edges etc); and
 - v. Typical longitudinal and transverse sections;
 - vi. Tidal influences if any and the location and configuration of any possible future exchange pipe;
 - vii. Catchments and water inflows and flow paths (the plan is to detail both existing hydrology and proposed hydrology);
 - viii. Expected flows through waterbodies and turnover rates;
 - ix. Proposed use(s) for each components of the waterbody system;
- b. Detailed modelling utilising the MIKE21 package to determine the water quality within the proposed lake/wetland system. Modelling files and raw data are to be submitted to Council on a CD/DVD for assessment;
- c. Artificial waterbodies management plan, in accordance with section 5.4.6 of the *Guragunbah Structure Plan* and including:
 - i. Measures to be adopted to protect and/or enhance waterbodies within identified High and Moderate Conservation Significance Areas and other existing waterbodies where appropriate;
 - ii. Demonstration that the proposal is in accordance with Council's ongoing Integrated Catchment Management Plan and Waterbodies Strategy (Robina Lakes Management Plan);
 - iii. Delineation for infrastructure and management responsibilities between Council and the proponent, including in the event that water quality performance criteria are exceeded;
 - iv. Water quality objectives during both the construction and operational phase for the proposed waterbody and for water exiting the site;
 - v. Details of a water quality monitoring program;

- vi. Details of the development's construction and operational phase water quality control program and mechanisms for the waterbody including:
 - Details of stormwater flow and pollution treatment and management measures proposed by way of vegetation, buffers, detention basins, trash racks, silt traps, wetland filters and other means and demonstration that those measures will ensure that the proposal does not contribute to existing impacts to the water quality of Mudgeeraba Creek; and
 - The measures and management principles proposed during the construction phase to control sediment erosion.
 - vii. Proposed ongoing maintenance requirements and management for the waterbodies including:
 - Requirements for regular control of vegetation;
 - Potential for algal blooms and likely cost of cleanup operations;
 - Potential for and impact of flood damage;
 - Maintenance of edge treatments, including replacement / rehabilitation of damaged areas;
 - Possible replanting costs in relation to failure of vegetation;
 - Potential for fish kills;
 - Potential for other environmental damage;
 - Likely requirements for water level maintenance during times of severe drought;
 - Maintenance of stormwater flow and pollution treatment measures;
 - Pumping costs.
 - viii. How stratification and eutrophication will be managed;
 - ix. Extent, timing and cost of maintenance required during the construction and operational stages of the project and associated costs for water quality control during the operational phase of the project.
 - x. Identification of likely state agencies to be contacted and the type of permit(s) required to create the proposed waterbody;
 - xi. Potential impacts to the amenity of future residents from poor lake water quality such as odour, plant growth and biting insects and how these will be mitigated;
 - xii. Details of landscaping of the proposed open space drainage line;
 - xiii. Adequate mechanisms to restrict limited exchange with Mudgeeraba Creek, should monitoring indicate that lake water quality is unacceptable.
- d. Demonstration of the matters set out in section 5.10 of the *Local Government (Planning and Environment Act)* for subdivision incorporating a lake.

Aquatic plant management

Comment

Council's Catchment Management Unit is generally strongly opposed to the construction of large freshwater bodies due to the ongoing costs associated with the management of these. Experience with blue-green algal blooms, declared aquatic plants such as Salvinia, Water Hyacinth & Water Lettuce, public expectation and pest fauna management requires expensive & time-consuming solutions.

The 200 ha freshwater Robina Lakes cost in excess of \$400,000 annually to maintain. Additionally, it is proposed to spend in excess of \$2,000,000 to mitigate blue green algal blooms by aeration and recirculation devices.

The construction of a 57.02 ha lake including wetland component may have greater aquatic plant issues due to the proposed average shallow depth of the lake & wetlands. Experience with

freshwater lakes throughout the city reveals that aquatic plant growth is a major issue even with best practice urban stormwater management.

The Environmental Impacts Overview does not recognise the issue of aquatic plant management other than a general statement about water quality.

Information Requested

- 3.1 Ensure a suitably qualified freshwater ecologist in the Lake/Wetland Water Quality Management Plan comprehensively addresses the issues above.

Stormwater Management Plan

- 3.2 Submit a Stormwater Management Plan that complies with Council's Draft Stormwater Management and Water Quality Guidelines (2002) and that:
- a. addresses the management of quality of stormwater during the construction and operational phases of the development;
 - b. incorporates water sensitive urban design (WSUD) including rain water tanks for storage and reuse of water, landscaped areas for stormwater infiltration, and gross pollutant traps where required;
 - c. utilises the MUSIC modelling package (modelling files are to be submitted on a CD to Council for review).

All stormwater is to be treated to levels identified within Council's Draft Stormwater Management and Water Quality Guidelines (2002).

Rehabilitation Management Plan

- 3.3 Submit a Rehabilitation Management Plan prepared by a suitably qualified and experienced professional that includes the following:
- a. A statement on revegetation and enhancement of the riparian zones adjacent to Mudgeeraba Creek, incorporating a buffer of 60m to Mudgeeraba Creek (which is not to include any of the proposed artificial waterway);
 - b. The use of locally pre-existing species that are to be utilised for revegetation, with emphasis on enhancing the pre-existing vegetation communities;
 - c. Removal and subsequent management of weeds within the site and riparian buffer areas; and
 - d. Timing of works.

4. Ecological

- 4.1 Submit an Ecological Assessment – level 1 (Flora), level 2 (Fauna) and level 3 (Conservation Assessment), prepared by a suitably qualified and experienced professional, that complies with Council Guidelines for Preparing Ecological Site Assessment dated January 2000.

5. Acid Sulfate soils and groundwater

Comment

The proposal to construct a 57.02 ha 'Future Open Space – Ephemeral Wetlands with Open Water' is in an area indicated by Natural Resources & Mines (NR&M) mapping as 'Actual Acid Sulfate Soil with extreme acidity'.

Acid Sulfate Soil Investigation

Information Requested

- 5.1 An acid sulfate soil investigation is to be undertaken in accordance with the following requirements:
- a. State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils;
 - b. State Planning Policy 2/02 Guideline: Acid Sulfate Soils;
 - c. Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland 1998;
 - d. Acid Sulfate Soils Laboratory Methods Guidelines, Version 2.1 June 2004;
 - e. Queensland Acid Sulfate Soil Technical Manual – Soil Management Guidelines, Version 3.8 November 2002;
 - f. Gold Coast City Council Planning Scheme Policy 14 – Management of Activities Located Within Areas of Acid Sulfate Soils.
 - g. The investigation is to provide cross sections, every 50m to property boundaries (longitudinal and lateral), detailing the following:
 - i. Soil classification (reference to log data);
 - ii. Existing surface level;
 - iii. Range of water table depth;
 - iv. Actual acid sulfate soil;
 - v. Potential acid sulfate soil;
 - vi. Proposed bed of lake (at least 1m below proposed depth).

Groundwater

- 5.2 The applicant is to undertake groundwater modelling of the Merrimac Floodplain to identify, discuss and manage the following:
- a. Groundwater movement internal and external to the site boundary;
 - b. Rate of lateral transport of solutes;
 - c. Seasonal variation – vertical;
 - d. Existing and potential acidification of groundwater;
 - e. Quantify possible impacts on Wilsons Drain, Mudgeeraba Creek, proposed wetlands and floodplain soils;
 - f. Methods to remediate existing acidified groundwater; and
 - g. CSIRO 'FLASSH Model'.

Reference is to be made to the CSIRO 'FLASSH' Model that predicts acid discharge from areas of drained acid sulfate soils. The applicant is to review and discuss the possible application of this model to proposed site changes.

Wilson's Drain

- 5.3 Wilsons Drain (Worongary Creek) is already impacted by acid sulfate soil effects. Demonstrate how the section of Wilsons Drain that flows through the site (the bed, banks, adjacent soils and groundwater movement into the drain within the site boundaries) is to be remediated.

Acid Sulfate Soil Management Plan

- 5.4 A site and development specific acid sulfate soil management plan is to be undertaken in accordance with the requirements of the following:

- a. State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils;
- b. State Planning Policy 2/02 Guideline: Acid Sulfate Soils;
- c. Queensland Acid Sulfate Soil Technical Manual – Soil Management Guidelines, Version 3.8 November 2002;
- d. Gold Coast City Council Planning Scheme Policy 14 – Management of Activities Located Within Areas of Acid Sulfate Soils.

6. Hydraulics

Comment

The subject site is situated within the Nerang River flood plain and as well as on the major flood conveyance flow path area.

Information Requested

- 6.1 For proper assessment of the proposed development, demonstrate that the proposal complies with the requirements of both Guragunbah (Merrimac/Carrara Floodplain) Structure Plan March 1998 and Council's Flood Affected Areas Constraint Code particularly issues involving no loss of floodplain storage and flood free access.
- 6.2 Submit the following:
 - a. Detailed calculation from a qualified hydraulic engineer showing flood storage within the site as a result of the proposed development (both construction and operational phases) is maintained or increased for a range of floods including:
 - i. 20% to 1% annual exceedance probability for local flood events; and
 - ii. 5% to 1% annual exceedance probability for regional flood events.
 - b. Detailed MIKE21 flood impact assessment report for any filling below the Q100 flood level from a qualified hydraulic engineer. The report must demonstrate flood levels external to the proposed development site as a result of the proposed development (both construction and operational phases) are not increased and are preferably reduced for a range of floods, including:
 - i. the 50% to 1% annual exceedance probability for local flood events; and
 - ii. the 5% to 1% annual exceedance probability for regional flood events.
 - c. The report is to be accompanied by electronic input and output files for:
 - i. the base case;
 - ii. the construction phases; and
 - iii. the developed site.
 - d. Demonstration that sufficient access or egress will be available to enable evacuation during a range of floods up to and including the designated flood in accordance with Albert Shire Planning Scheme February 1995.

7. Geotechnical

- 7.1 Submit a detailed geotechnical report based on field investigation from a qualified geotechnical engineer justifying the suitability of land for the proposed development.
- 7.2 The report is to include (but is not be limited to) the following matters:
 - a. Desktop and field investigations of foundation conditions;
 - b. Compaction factors;
 - c. Extent of preload and phasing;
 - d. Factor of safety calculations for each phase;

- e. Slope stability of development platforms;
- f. Magnitude of settlement calculations for each platform; and
- g. Building foundation requirements to avoid any long-term settlements.

8. Engineering

- 8.1 The site is traversed by a number of easements and a large sewer rising main. Provide details of how these will be addressed.
- 8.2 The great majority of the site is flood affected. Concern is raised that in creating a flood free lot 1 the areas within lot 2 where the material is to be excavated will be inundated more often and for longer periods of time. Demonstrate how this will be addressed and provide a layout plan including cross-sections showing the levels for each component.
- 8.3 Provide digital terrain modelling (DXF files) for:
 - a. Undeveloped natural surfaces;
 - b. Construction phases; and
 - c. Finished design surface levels.
- 8.4 Provide a construction engineering report that reflects the findings and recommendations of the geotechnical, hydraulic, acid sulfate soil/groundwater and water quality investigations and which details the following matters:
 - a. The extent to which earthworks (cut and fill operation) are to be contained within the site.
 - b. If it is proposed that unsuitable material (e.g. organic soils, silts, waste material acid sulfate soils and so on) is to be exported from the site, provide details of how much material (number of truck loads per day and so on) and where it is to be disposed off.
 - c. If it is proposed that material (e.g. structural fill, top soil and so on) will be imported to the site from an external source, provide details of the quantity of material (number of truck loads per day and so on), and where it is to be sourced.
 - d. Details of construction traffic access, including haulage route through existing streets and within the site, timing, form, and volumes.
 - e. Site parking arrangements for plant and equipment and construction workers/contractors for both the earthworks phase and building construction phase.
 - f. Details of extent, height and duration of preload areas.
 - g. Floodplain storage during bulk earthworks.
 - h. Details of proposed earthwork sequencing.
 - i. Full engineering drawings of extent of works, including cross sections and staging plans for each stage of earthworks illustrating:
 - i. construction route
 - ii. bunding
 - iii. borrow pit / stockpiles
 - iv. areas under construction
 - v. areas awaiting preload
 - vi. areas under preload
 - vii. areas awaiting topsoil
 - viii. areas completed.
 - ix. Sediment and erosion control plan measures to be documented in a Sediment and Erosion Control Management Plan.

9. Transport

Comment

Guragunbah Structure Plan Map 5 / Guragunbah LAP Map 14.6 (Transport Links) identifies the following transportation network components within the site:

- a. *Extension of Ghilgai Road, to provide an important link between Gold Coast Springbrook Road, the Merrimac community and Robina Town Centre, a key regional centre; and*
- b. *Pedestrian and bike paths – along the Ghilgai Road extension and along open space corridors.*

Information Requested

9.1 Submit a traffic impact assessment including:

- a. Assessment of the proposal's impacts on Ghilgai Road and the existing intersections along Ghilgai Road;
- b. An investigation into the provision of all transportation mediums to ensure efficient conveyance of the public, including the network components required by the *Guragunbah Structure Plan* through the site. Such components shall include a road reserve to suit a 'four land road – urban' profile for future connection to the south into the Robina area; and
- c. A development plan showing the extension of Ghilgai Road through the proposed development area and the balance of the site to the south and across Mudgeeraba Creek, with the bridge crossing of Mudgeeraba Creek including an off road combined/pedestrian cycle path.

**A total of 8 copies of the response to this Information Request should be forwarded to:-
Statutory Administration Group
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE QLD 9729**

Should you wish to clarify any issues contained in the above letter please do not hesitate to contact Ms Deborah Almering on telephone number (07) 5582-8436.

MATTERS OF INTEREST TO DEPARTMENT OF NATURAL RESOURCES AND MINES

The Department of Natural Resources and Mines, as an advice agency for the application, provides the following advice and requests the following additional information: —

INFORMATION REQUESTED

Acid Sulfate Soils (ASS)

The following information needs to be provided to establish whether this development application will be subject to SPP 2/02¹:

- the lowest point in metres AHD of the proposed excavation, together with the maximum volume of excavation below 5 metres AHD; and
- the height in metres AHD of land to be filled, together with volume and thickness of the fill to be placed on land below 5 metres AHD.

A more detailed information request list (attachment 1) has been provided to assist you in providing information related to ASS investigations and the development of an ASS management plan.

ADVICE

The Department of Natural Resources and Mines (NR&M) is an official advice agency for development to which State Planning Policy 2/02 applies and where greater than 1000m³ of soil or sediment is excavated or used as fill (as per Schedule 2, *Integrated Planning Amendment Regulation (No. 3G) 1998*).

If the SPP 2/02 applies, and greater than 1000m³ of material is excavated or used as fill (as per Schedule 2, *Integrated Planning Amendment Regulation (No. 3G) 1998*), then NR&M request review of relevant ASS investigations and management reports consistent with State Planning Policy 2/02: *Planning and Managing Development Involving Acid Sulfate Soils*² the SPP 2/02 Guideline: *Acid Sulfate Soils*³, and with reference to the *Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland 1998*⁴ and the *Queensland Acid Sulfate Soil Technical Manual: Soil Management Guidelines*⁵.

If the proposed development will involve excavations of soil or sediment below 5m AHD that total between 100m³ and 1000m³ in volume, or involves filling with between 500m³ and 1000 m³ of material then NR&M advise that ASS investigations and management should be undertaken in accordance with the above-mentioned documents to the satisfaction of Council, however do not need to be sent to NR&M for review.

Irrespective of the volume of disturbance, specific reference should be made to Section 9 of the SPP 2/02 Guideline that discusses treatment levels required to treat all potential and existing acidity. These treatment levels are based on mass (tonnes) of soil to be excavated and levels of sulfidic sulfur %. For low level, medium level, high level and very high level of treatment, the SPP

¹ Section 4.6 SPP 2/02 Guideline.

² SPP 2/02 and SPP Guideline is available from www.ipa.qld.gov.au/codes/codespolicies.asp

³ The SPP Guideline: *Acid Sulfate Soils* provides general guidance on acid sulfate soils investigations, groundwater investigations, and treatment and management of disturbed acid sulfate soils and drainage waters.

⁴ Ahern *et al.* 1998 – available from QASSIT 07 3896 9819 on request

⁵ Dear SE, Moore NG, Dobos SK, Watling KM and Ahern CR (2002). *Soil Management Guidelines*. In *Queensland Acid Sulfate Soil Technical Manual*. Department of Natural Resources and Mines, Indooroopilly, Queensland, Australia.

2/02 Guideline provides advice on suitable management measures. For extra high treatment levels, i.e. where greater than 25 tonnes of agricultural lime is necessary, a detailed environmental management plan is required. For disturbances less than 1000m³, NR&M can provide assistance to local governments when developments entail an extra high treatment category, and for smaller scale disturbances, the guidelines associated with the SPP should be consulted.

Response to this Information Request should be forwarded to:

**Andrew MacPherson
District Manager
Moreton District
Department of Natural Resources and Mines
PO Box 573
IPSWICH QLD 4305
Phone: 3884 5375 Fax No: 3884 5395**

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General Information Required to Assist Assessment of Development Proposals Involving Acid Sulfate Soils (Version 4, June 2004)

Purpose

This document contains information required by officers of the Department of Natural Resources and Mines (NR&M) to properly assess the majority of development applications involving acid sulfate soil (ASS) matters. This document should be referred to and used when submitting acid sulfate soils information to NR&M when State Planning Policy 2/02: *Planning and Managing Development Involving Acid Sulfate Soils* (SPP 2/02) applies. This information is required by NR&M for effective assessment of applications referred to the Department as an Advice Agency under the *Integrated Planning Regulation 1998* or for the assessment of other applications. Other relevant regulatory authorities (ie. Commonwealth, State or Local) may find this document useful for their assessment responsibilities involving ASS matters.

Level of detail needed in an application

The level of detail required will vary according to site-specific factors and the scale and complexity of the development proposal. Applicants should be aware that information in addition to that outlined below on ASS matters may be requested for some developments. Likewise, some information outlined below may not be applicable for particular developments. The applicant should explain why particular information described below has not been provided for review when the application and its attendant information are submitted to NR&M.

Sources of further advice

NR&M have regional offices throughout coastal Queensland that are able to provide advice to local government, development proponents and State agencies on applications referred to the Department under various legislation including the *Integrated Planning Act 1997*. The 'IDAS Referral Agency Addresses and Contact Details' document on the Integrated Planning Act website (www.ipa.qld.gov.au) contains a list of the regional NR&M office details for particular local government areas.

State Planning Policy 2/02: *Planning and Managing Development Involving Acid Sulfate Soils* sets out the State Government's position on acid sulfate soils. Due to the complexity of acid sulfate soils assessment and management a number of technical guidelines are currently used in Queensland, as follows:

- State Planning Policy 2/02: *Planning and Managing Development involving Acid Sulfate Soils*
- State Planning Policy 2/02 Guideline: *Planning and Managing Development involving Acid Sulfate Soils*
- *Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland 1998* (CR Ahern, MR Ahern and B Powell 1998)
- Chapters of the *Queensland Acid Sulfate Soil Technical Manual Soil Management Guidelines* (SE Dear, NG Moore, SK Dobos, KM Watling and CR Ahern 2002)
- *Acid Sulfate Soils Laboratory Methods Guidelines* (CR Ahern, AE McElnea, LA Sullivan 2004)
- *The Instructions for the Treatment and Management of Acid Sulfate Soils* (Queensland Government 2001).

These documents are either available from the NR&M website (www.nrm.qld.gov.au/land/ass) or by contacting your regional NR&M office. *The Instructions for the Treatment and Management of Acid Sulfate Soils* are available from the EPA.

Application of State Planning Policy 2/02

State Planning Policy 2/02 applies within the local governments listed in Annex 1 of the policy, to all land, soil and sediment at or below 5 m AHD where the natural ground level is less than 20 m

AHD. Within these areas, the SPP applies to development involving any of the following activities:

- excavating or otherwise removing 100 m³ or more of soil or sediment; or
- filling of land involving 500 m³ or more of material with an average depth of 0.5 m or greater.

If State Planning Policy 2/02 applies to a development then an ASS investigation should be provided to the assessment manager and also to NR&M if required by the *Integrated Planning Regulation 1998*. Such investigations are to be in compliance with State Planning Policy 2/02 Guideline and the *Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland 1998* (Ahern *et al.* 1998). Different levels of investigation may be appropriate for different proposals or types of disturbance.

An ASS management plan (or similar) should be prepared if the ASS investigation report concludes that ASS are present above the ASS Action Criteria⁶ and could be disturbed by the proposed development. **The ASS investigation report must be provided with, or prior to, the submission of an ASS management plan (if an ASS management plan is required).** Submission of an incomplete ASS investigation report may mean that NR&M officers will not accept the ASS management plan for review.

Outline of this document

- **Section A** details the information that should be provided as part of an ASS Investigation Report.
- **Section B** details the information that should be provided as part of an ASS Management Plan.
- **Section C** details additional 'information request' items that should be provided (as applicable) when a development involves disturbance to surface water, disturbance to groundwater or filling.

Where possible, applicants and consultants should reference the information items below (e.g. A1) in their reports to demonstrate to reviewers that each item has been adequately considered.

The content of this document will be reviewed periodically and comments and suggestions for improvements can be offered to NR&M via Kristie.Watling@nrm.qld.gov.au.

A	Information required to determine if ASS are present or absent in the soils or sediment to be disturbed
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Cross-references to specific sections of the SPP 2/02 Guideline are provided in the right hand margin of the document, e.g. [s#.xx]

Desktop assessment and site description

- A1.** Provide the following information about all proposed excavation or filling activities that will or may disturb soil or sediment below 5 m AHD:
- the purpose of each proposed disturbance
 - the method of disturbance (e.g. dry excavation following groundwater extraction over 3 month period)
 - the maximum time envisaged for disturbance activity (e.g. 2 months)
 - the dimensions (length, width and depth) of each disturbance
 - the volume of each soil disturbance below 5 m AHD
 - whether the disturbance(s) may intercept or otherwise disturb the permanent watertable

⁶ Appendix 5, State Planning Policy Guideline 2/02: *Acid Sulfate Soils*

- the lowest elevation (in metres AHD) of material to be sourced as fill. [s6.10]

Note: Where disturbance dimensions or locations are not finalised, ensure that this is made clear in the acid sulfate soil investigation report and provide approximate locations and provide conservative volume and dimension figures. Should the nature, location or dimensions of the disturbance change, then associated ASS investigation or management reports may need to be revised.

- A2.** Clearly define the location of each disturbance on site maps, plan diagrams and/or colour air photos that are of an appropriate scale for the development. Mark and label the location of each borehole/investigation pit on the diagram, map or air photo. [s6.10]
- A3.** Locate the site on an existing acid sulfate soil map (if available), and describe the map name, date, version, scale and mapping units that the development site is on, and mapping units adjacent to the proposed development site. Note if ASS are known to be present on any adjacent properties. [s6.12]
- A4.** Provide descriptions of the landscape pattern, soils, geology, topography and surface elevation of the proposed site. Include a colour photo or image and survey plan showing contours. Note if any of the site description criteria indicate that ASS may be present. [s6.14]
- A5.** Identify the proximity of the areas to be disturbed and/or the site to environmentally sensitive areas. These areas include but are not limited to National Parks, Conservation Parks, Declared Fish Habitat Areas, Marine Parks, Wetland of State or Regional Significance. [s9.13]
- A6.** Identify on-site and off-site conservation values including flora and fauna that may be affected by changes to soil or water pH, groundwater table levels, or potentially toxic effects of any mobilised metals.
- A7.** Provide a copy of any written advice received from any Commonwealth, State or Local Government authority regarding the investigation of ASS on this site.

Note: Any reference to verbal advice will not be considered by NR&M in the assessment of an ASS investigation or management plan. Evidence of written advice must be provided.

Soil Sampling

- A8.** Provide a brief description of the sampling equipment, methods used to undertake field tests (pH_F , pH_{FOX}) and protocols to retrieve, transport and store all soil samples. [s6.21–6.23]
- A9.** Provide a borelog or soil profile description for each borehole or investigation pit and mark the location of each borehole or investigation pit with a clear label on an appropriately-scaled map or air photo of the property. Ensure that the following information is presented in a manner that enables cross-referencing or correlation of soil profile descriptions with pH field test results and laboratory analysis results:
- the Australian Grid Reference for each borehole or soil investigation pit, and
 - field description information (horizon, texture, colour, presence of jarosite, shell etc), and
 - sampling depths (include sample numbers for cross-reference). [s6.19]

Note: Depth should be in both metres below ground level (BGL) and Australian Height Datum (AHD).

Note: It is preferred that soil description information, field pH test results and laboratory results are presented side-by-side on the same page.

Note: The boreholes should be described according to the Australian Soil and Land Survey Field Handbook (McDonald et al. 1990) and include field texture, horizon differentiation, depths, colour, mottles, pH and electrical conductivity. Appropriate soil engineering terms in accordance with AS1726-1993 (Standards Australia 1993, Geotechnical site investigations) can also be used.

Note: Starting from the present soil surface, soil samples should not exceed 0.5 m intervals down the profile, to at least one metre below the depth of the proposed disturbance or to at least two metres below the land surface, whichever is greater.

Note: All samples should be retained, appropriately stored, numbered and registered even if not analysed.

Note: The location of each borehole and its existing surface height (Australian Height Datum) should be accurately surveyed and presented on a colour aerial photo, along with the boundaries of the area(s) to be disturbed.

A10. Provide justification if the ASS investigation does not comply with the *Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland 1998* (CR Ahern, MR Ahern and B Powell 1998) in regards to:

- the number of boreholes;
- field pH test frequencies;
- the number of samples collected at each borehole;
- sample handling and storage protocols;
- the number of samples submitted for laboratory analysis;
- the laboratory methods used for analysis of samples; and
- field description information.

Note: These Guidelines are commonly referred to as the 'QASSIT Guidelines' in a number of reports and management plans. Given the number of ASS-related guidelines that exist, this document can be abbreviated to the 'Queensland Sampling Guidelines' in the text of a report.

Sample Selection and Laboratory Analysis

A11. Provide a list of field pH results (pH_F and pH_{FOX}) and laboratory results (in %S or mol H^+ /t units) and highlight all samples that exceed the ASS 'Action Criteria' and those that are likely to be potential or actual acid sulfate soils. [App. 5]

Note: It is preferred that soil description information, field pH results and laboratory results (or a summary of this information for each sample) are presented side-by-side on the same page.

Note: Where a number of boreholes are being provided, a synthesis and/or summary of the information will be helpful to enable efficient interpretation of the soil investigation results. This should not be seen as a surrogate for the accurate and comprehensive documentation of the primary data.

A12. If applicable, define where ASS are absent and use the results from the desktop assessment, site and field indicators, field test results and laboratory results as evidence to support this. [s6.25–6.26]

A13. Supply a copy of all laboratory analysis certificates and ensure that sample identification numbers can be cross-referenced to soil profile descriptions and to a borehole location diagram. Terminology and method codes should be consistent with the *Acid Sulfate Soils Laboratory Methods Guidelines* (CR Ahern, LA Sullivan, AE McElnea 2004). [s6.30]

Level of treatment

- A14.** Define the 'level of treatment' and tonnes of fine agricultural lime that will be required to neutralise the maximum amount of existing and potential soil acidity that could be generated as a result of the disturbance to acid sulfate soils. Ensure that all variables used to define the 'level of treatment' are documented. [s9.6]

Note: Disturbances likely to alter the watertable of the area or that are close to an environmentally sensitive area is to be treated and managed as requiring an extra high level of treatment.

ASS Mapping

- A15.** Formulate ASS maps identifying borehole locations, the areas to be disturbed and the occurrence of both actual acid sulfate soils and potential acid sulfate soils according to the upper depth of occurrence, e.g. 0–0.5 m, 0.5–1 m, 1–1.5 m etc and to at least 1 metre below the depth of disturbance. ASS maps for developments are usually at a scale of 1:5000 or larger.

For complex and/or very large or intense disturbances (typically greater than 10 000 m³) also display cross-sectional diagrams that show laboratory results (e.g. S%) and soil layers/horizons/geomorphic facies according to the upper depth of occurrence, e.g. 0–0.5 m, 0.5–1 m, 1–1.5 m etc. and borehole locations. Sampling on a 50–75 metre grid may be required for such disturbances. [App 4.8]

B	Information required for ASS management
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The following information should be provided as part of an ASS Management Plan (ASSMP), or a section within an Environmental Management Plan (EM Plan), an Environmental Management Program (EMP) or a Site Based Management Plan (SBMP) covering soil and water management associated with the disturbance and treatment of ASS.

Soil and Water Management

For all disturbances

- B1.** Clearly identify and locate areas of the site on a map and/or on cross-sectional diagrams showing areas where ASS will be avoided and areas where ASS will be disturbed. [s9.1]

Note: Clear definition of areas to be disturbed and avoided may assist in conditioning of an application. Revision of applicable plans may be necessary if these areas change significantly.

- B2.** Outline the proposed construction and environmental management measures that will be employed to minimise the disturbance of ASS.
- B3.** For each type of disturbance as identified in the ASS investigation report identify the soil and water management strategies that will be employed (see the *Soil Management Guidelines* (Dear *et al.* 2002) with respect to soil management issues). [s9.3]
- B4.** For each type of disturbance as defined in the ASS investigation report identify performance criteria, monitoring, verification, environmental risk and management considerations for soil, surface water and groundwater, taking into account any additional site-specific factors that may increase the level of risk or management (see the *Soil Management Guidelines* for further information). [s9.3, s10]

- B5.** Identify any 'higher risk' or 'generally unacceptable management strategies' that are proposed during the construction stage, and outline the measures that will be used to mitigate the level of risk associated with each activity. Again, undertake a risk assessment if any 'higher risk' management or 'generally unacceptable management strategies' are proposed (see the *Soil Management Guidelines*). [s9.4]

Note: Higher risk management strategies include stockpiling acid sulfate soils, strategic reburial of soils with existing acidity, large scale dewatering, and vertical mixing. Generally unacceptable management strategies include: above ground capping, hastened oxidation, seawater neutralisation and offshore disposal of ASS.

- B6.** For any soil that is to be removed off-site, describe the volume of soil to be removed, protocols that will apply for its selection and transport, the location to which it will be removed, and proposed management measures that will be utilised off-site. [s4.3]

Note: Untreated ASS should not be transported off-site without detailed risk assessment of the procedures and without authorisation from the landowner receiving the materials.

ASS Treatment

For disturbance in the low, medium, high and very high 'level of treatment' category

- B7.** Provide a suitably detailed plan of management that reflects the relevant level of treatment requirements set out in Section 9 of the SPP 2/02 Guideline. [s9.9–9.13]

For disturbances in the extra high 'level of treatment' category

- B8.** Formulate a detailed EM Plan using Appendix 4 of the SPP 2/02 Guideline and the *Soil Management Guidelines* that is based on the results of the acid sulfate soil investigation, and other relevant surface water, groundwater or filling site assessments (as relevant). The EM Plan must account for each form of disturbance, and must specify all potential environmental impacts, performance criteria, and mitigation strategies together with relevant monitoring, reporting and, if an undesirable impact or unforeseen level of impact occurs, appropriate reporting and corrective actions. [s9.14–9.15, App 4]

Note: A site assessment of surface water (see part C) should be undertaken to support an EM Plan for disturbances requiring this level of treatment.

C

Additional information required to determine the potential impacts from disturbance of ASS associated with changes in surface water or groundwater associated with excavations, filling and groundwater extraction activities

Site Assessment of Surface Water

- C1.** Describe the existing surface water resources including the characteristics of the local drainage basin and the existing drainage pattern.
- C2.** Describe the water quality including seasonal variations or variations with flow where applicable including, but not limited to: measurements of pH, conductivity, dissolved oxygen, aluminium, total iron and dissolved iron. Additional parameters may need to be measured depending on site specific circumstances. [s10.6]
- C3.** Define the location of all drainage channels and all existing points of discharge from the site and how any of these points or drains will be altered as a result of construction activities. Locate these points on a scaled site map.
- C4.** Identify the proximity of any aquatic environments (eg. Declared Fish Habitat area) to existing points of discharge.

Site Assessment of Groundwater related to proposed ASS disturbance [s7]
TO BE COMPLETED IF DRAINAGE, PUMPING OR ANOTHER METHOD OF DISTURBING
GROUNDWATER IS INVOLVED

- C5. Identify the extent of *in situ* potential acid sulfate soils that may be exposed by dewatering or groundwater draw down associated with the proposed works. This can be done by modelling the 'cone of depression' associated with any draw down of the watertable.
- C6. Provide a map showing the number and location of monitoring bores in relation to site boundaries and areas of significant groundwater disturbance.
- C7. Provide information as set out in Section 7.4 of the SPP 2/02 Guideline that describes groundwater chemistry and quality including seasonal variations where applicable (including direction of flow). [s7.4]
- C8. Provide information as set out in Section 7.5 of the SPP 2/02 Guideline to demonstrate that there will be negligible effect on other groundwater users and related environments or conduct a full groundwater investigation as per section 7.5 to 7.9 of the SPP 2/02 Guideline. [s7.5]

Site Assessment of Filling Activities related to proposed ASS disturbance [s8]
TO BE COMPLETED IF FILLING ACTIVITIES ARE INVOLVED

- C9. Provide a site map (or as per A2) and define the dimensions and locations of area(s) where fill is proposed to be placed, the depth and volumes of fill at these locations and the location of all investigative boreholes dug within the area(s) to be filled.
- C10. Define from where the fill will be sourced (both on-site and off-site).
- C11. Using information collected in the ASS investigation report, identify the extent of any *in situ* potential acid sulfate soils or actual acid sulfate soils that may be exposed or disturbed by displacement and extrusion of soil or changes to groundwater levels associated with the proposed works. [s8.4]
- C12. Provide information as set out in Section 8.5 of the SPP 2/02 Guideline (supported by geotechnical investigations or similar) to assess how the load associated with placing of fill (or any other structures associated with the filling activity) will effect the underlying soil, ground water levels and surface water runoff at the site. [s8.5]
- C13. Based on the information provided in accordance with Section 8 of the SPP 2/02 Guideline, provide a conclusion from the geotechnical engineer or engineering geologist as to whether disturbance to ASS is likely or not.

MATTERS OF INTEREST TO DEPARTMENT OF PRIMARY INDUSTRIES & FISHERIES

The Department of Primary Industries & Fisheries, as a third party for the application, provides the following advice and requests the following additional information: —

INFORMATION REQUESTED

DPI&F raised a number of specific concerns in relation to the Environmental Impact Statement for the Broadlakes development area in 1997 and 1998. DPI&F advised that further information would be required in relation to:

- A proposed saltwater lake system.
- The tidal or otherwise nature of the site and adjacent waterways.
- The presence and extent of marine plants and potential disturbances to these.
- Proposed dredging in Mudgeeraba and Worongary Creeks.
- Proposed buffers to waterways.
- Potential Acid Sulphate Soil (ASS) issues.

No further information has been provided in relation to the 1997 and 1998 concerns.

It is noted that the current application refers only to reconfiguration of a lot to allow construction of building platforms in a northern section of the site. DPI&F will require additional information (see below) to assess the potential impacts of this part of the Broadlakes development on fisheries values of the area. Broader development of the Broadlakes area will remain an issue of potential concern for this Department.

1.0 Plans

- 1.1 Appropriately scaled plan/s showing the location of the following within, and adjacent to, the development site, in relation to current and proposed property boundaries:
- Any aquatic features.
 - The level of Highest Astronomical Tide (HAT), Mean High Water Spring Tide, and Low Water Spring Tide (if applicable).
 - Any marine plants (If applicable).
- 1.2 Appropriately scaled plan/s (or overlay), showing the location of buffers between development activities, aquatic features and marine plants within, and adjacent to, the development site, in relation to current and proposed property boundaries.
- 1.3 Appropriate scaled plan/s (or overlay), showing the location of any disturbances to tidal areas, buffers, or marine plants within, and adjacent to, the development site, in relation to current and proposed property boundaries and, if appropriate, showing the purposes of those disturbances (eg, bridge, waterway barrier, filling or excavation, etc).

2.0 Information

- 2.1 A description, and information regarding the nature of any aquatic features within, and adjacent to, the development site.
- 2.2 A description, and information regarding the nature (eg, type, density, height, area, etc) of any marine plants within, and adjacent to, the development site.
- 2.3 A description of the known or likely values of any aquatic features to fisheries productivity, as fish habitat or to provide fish migration paths.
- 2.4 A description of any proposed construction and/or ongoing maintenance disturbances (other than waterway barrier works) to aquatic features detailing the following:
- The purpose of the disturbances (eg, construction of building platforms, etc).
 - The nature of the disturbances (eg, alteration, excavation, filling, spoil disposal, etc), and the method (eg, type of machinery, etc).
 - The extent of disturbance (eg, area, length, breadth, depth).
 - A description of the specific aquatic features to be disturbed.
 - Any alternatives to the disturbance, which would have lessened impact.
 - The reasons for the preferred option.
- 2.5 A description of any proposed construction and/or ongoing maintenance disturbances to marine plants (if applicable) detailing the following:
- The purpose of the disturbances (eg, construction of building platforms, etc).
 - The nature of the disturbances (eg, alteration, excavation, filling, etc), and the method (eg, type of machinery, etc).
 - The extent of disturbance (eg, area, length, breadth).
 - A description of the specific marine plants to be disturbed.
 - Any alternatives to the disturbance, which would have lessened impact.
 - The reasons for the preferred option.
- 2.6 A description of, and information regarding the nature of, any waterway barriers works detailing the following:
- Their location of the waterway.
 - The limit (extent) of waterway 'backup' at top water level.
 - Whether the barrier is a temporary or permanent presence.
 - The purpose of the road.
 - The type of barrier, and construction materials used.
 - Any measures used to ensure a continuation of any existing fish migration past the barrier.
- 2.7 A description of proposed buffers detailing the following:
- The nature of the buffer (eg, fenced, grassed, treed, managed, natural, etc).

- The widths measured between the aquatic features or marine plants, and the proposed development activities, and current and proposed property boundaries.
 - Any uses in the buffer, and any maintenance requirements.
 - The tenure of the buffer, and the proposed responsibility agency for the management and maintenance of the buffer area.
 - The suitability of the buffer (see definition below).
- 2.8 An overview of the proposed stormwater treatment strategy, and the measures to ensure that there is no sedimentation, contamination or pollution of adjacent aquatic features.
- 2.9 A summary (eg, a table) of the positive and negative impacts upon fisheries productivity, fish habitat values and fish migration, and which compares the preferred development options and any alternative development options, with the existing situation.
- 2.10 An outline of any measures proposed to mitigate any potentially adverse impacts upon aquatic features.

Please refer to the attachment, which provides an explanation of terminology and information relevant to this information request.

If you require any further information regarding this matter, in the first instance, please contact Rowan Berney on telephone 07 5430 4960 or email rowan.berney@dpi.qld.gov.au.

A copy of the response to the DPI&F information request can be forwarded to:

Mr Rowan Berney
Department of Primary Industries and Fisheries
PO Box 5165 SCMC
NAMBOUR QLD 4560
Ph: 5430 4960, Fax No: 5430 4994 or email rowan.berney@dpi.qld.gov.au

- Reclamation.
- Impacts from proposals, which do not have an overriding requirement to impact upon aquatic features.
- Ongoing private tenure.
- Any proposals where alternatives of lesser impact to aquatic features exist.
- Any development without appropriate buffers.
- **Marine Plants:** - All marine plants in Queensland are protected. Section 8 of the Fisheries Act 1994 defines marine plants as the following:
 - A plant (a tidal plant) that usually grows on, or adjacent to, tidal land; whether it is living or dead, standing or fallen.
 - Material of a tidal plant, or other plant material on tidal land.
 - A plant, or material of a plant, prescribed under a management plan or regulation to be a marine plant.

This definition includes (but is not limited to) mangroves, seagrass, saltcouch, and samphire vegetation species. A marine plant does not include a declared plant under the *Land Protection Act 2002*. If it is proposed to disturb any marine plants, a permit application under Section 51 of the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Permits to disturb marine plants are not automatic upon application, and may be issued or refused as appropriate to the particular application, circumstances, impacts, policies, and information supplied.

- **Fish Habitat Area:-** If it is proposed to undertake any works within a declared Fish Habitat Area (FHA) (under the *Fisheries Act*) a permit application under Section 51 of the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Permits under the *Fisheries Act* are not automatic upon application, and may be issued or refused as appropriate to the legislation and policies applicable to the particular FHA, the individual application, circumstances, impacts, and information supplied.

FHA's are declared over areas of key fish habitats throughout Coastal Queensland. Further information and the location and plans of the FHA network can be found at www.dpi.qld.gov.au/fishweb/13401.html.

- **Buffer Requirements:-** DPI&F normally supports the retention of a vegetated buffer between a development and aquatic features and marine plants. This buffer provides (but is not limited to) the following:
 - An ecological filter for water runoffs.
 - A screen for airborne impacts (in both directions).
 - A management barrier.
 - An improved capacity for natural movement and processes.
 - A reduction of the direct pressure for alteration.
 - Water temperature moderation.
 - Access management.

DPI&F's policy recommends a minimum buffer of 50m of established natural vegetation between developments and freshwater aquatic features; and a 100m buffer of established vegetation between developments, tidal aquatic features or marine plants, and declared FHA's. These policy recommendations should form the basis of buffer considerations from a fisheries perspective. It is appreciated that the final buffer determination, by the responsible agencies, will also consider a range of other buffer issues including the type of proposal, the capacity for impacts, environmental characteristics, biodiversity values, etc. Further information on buffers can be found at www.dpi.qld.gov.au/fishweb.

- **Waterway Barrier Works (the maintenance of fish passage):-** If it is proposed to construct new, or to raise/lower an existing, weir/dam/water-pipe and other barrier across a waterway (both freshwater and tidal), including temporary structures, a permit application under the *Fisheries Act 1994* must be submitted for consideration by DPI&F. Approvals for waterway barrier works are not automatic upon application, and may be issued or refused as appropriate to the individual application, circumstances, impacts, policies and information supplied.

The installation of a fishway may be required as part of any approval, to ensure fish passage across the barrier. Further information on 'waterway barrier works' and 'fishways' can be found at www.dpi.qld.gov.au/fishweb.

- **Water Quality:-** Water quality is a key issue for the maintenance of healthy fish habitats and fisheries productivity. As such, DPI&F fully supports best practice and appropriate water quality management. The Environmental Protection Agency (EPA) is acknowledged as the lead State agency with respect to water quality issues. Consequently, DPI&F accepts the decision of the EPA in relation to appropriate water quality assessment, standards, management, and monitoring.
- **Acid Sulfate Soils:-** Acid Sulfate Soils (ASS) have the potential to adversely impact upon water quality and fisheries resources. DPI&F fully supports the avoidance of potential ASS or, where this cannot be achieved, best practice and appropriate ASS management. The Department of Natural Resources and Mines (NR&M) and the EPA are acknowledged as the lead State agencies with respect to potential ASS. Therefore, DPI&F accepts the decision of these agencies in relation to sampling, management, and monitoring of potential ASS.
- **Biting Midges and Mosquitos:-** Please note that mosquito and biting midge control has the capacity to create or manage severe impacts upon aquatic features, marine plants, fisheries productivity, fish habitat and fish (via chemical application and habitat modification). As such, the appropriate management of biting midges and mosquitos should be addressed where applicable.

For Further Information Contact:

Department of Primary Industries & Fisheries
Southern Fisheries Centre
13 Beach Road
Deception Bay Qld 4508

Telephone 07 3817 9527 Facsimile 07 3817 9522

Terminology and Information Relevant to DPI&F Fisheries

Terminology

Aquatic Features – any fresh, brackish or saline water features. This term includes natural, altered or artificial rivers, creeks, swamps, dams, drains, watercourses, etc; whether permanently or intermittently flowing. These features have the capacity to impact fisheries productivity, fish habitat and fish migration paths, and to carry impacts away from the site.

Declared Fish Habitat Areas – see definition below.

Development Activities – any works (eg, construction, landscaping) associated with the development including building, stormwater management and outlets, parks, paths etc.

Fish – see the *Fisheries Act 1994* for the complete definition. The term includes fish, prawns, crabs, worms, shellfish, and other animals that live in the water or the substratum.

Marine Plants – see definition below.

Waterway Barrier Works – see definition below.

General Information

For the benefit of the applicant, information on fisheries interests can be found at www.dpi.qld.gov.au/fishweb. Please note that DPI&F does not normally support the following activities within, or immediately adjacent to, aquatic features with fisheries values:

Enquires John C Taylor
Telephone (07) 3224 6139
Your reference RCU1725
Our reference STH5746 / BNE:901102 Appl'n. No. 3721 Part 1



**Queensland
Government**

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

24 February 2005

Chief Executive
Department of Local Government, Planning, Sport and Recreation
P. O. Box 15031
CITY EAST QLD 4002

Attn.: Bruce A-Izzeddin – Referral Coordination Unit

Dear Sir/Madam

RE: Development application for referral coordination at 24 Ghilgai Road Merrimac.

The Environmental Protection Agency (EPA) acknowledges receipt of a request for Referral Coordination input into an information request for a development application under transitional arrangements of the *Integrated Planning Act 1997* Section 6.1.35C for the following proposal:

Applicant: sch4p4(6) Person a c/- The Heilbronn Group.

Application Type: Reconfiguring a Lot - 1 into 2lots - 92.27Ha.
Broadlakes North Development

Referral Triggers: Development within 100m of an area mentioned in *Integrated Planning Regulation 1998* Section 12, and Schedule 8 Item a – 'filling area greater than 5000m² below flood line'.

Location: 24 Ghilgai Road Merrimac. Lot 390 SP149855.

Local Government: Gold Coast City Council.

The EPA has reviewed the information provided in support of the application and offers the following comments.

CONCURRENCE AGENCY MATTERS

Environmentally Relevant Activities

The EPA has no information request in relation to Environmentally Relevant Activity matters. Please **contact Luke Zambelli**, Operations Manager, Water Group on (07) 3224 6885 if you require any further information regarding Environmentally Relevant Activity matters.

Coastal Management District – *Coastal Protection and Management Act 1995*

The EPA has no information request in relation to Coastal Management matters. Please **contact Ben Cotton**, Environmental Officer, Coastal Unit on (07) 3227 8499 if you require any further information regarding Coastal Management matters.

Contaminated Land

The EPA Contaminated Land Unit has concerns and the response provided to the Applicant, and to the Assessment Manager, in relation to Contaminated Land matters is detailed in the attachment for completeness of this EPA response.

Please **contact Helen Bankes**, Environmental Officer on (07) 3227 7667 if you require any further information regarding Contaminated Land matters.

Cultural Heritage - Architectural

The EPA has no information request in relation to Cultural Heritage matters.

Please **contact Stewart Armstrong**, Planning Manager (Cultural Heritage) on (07) 3225 8816 if you require any further information regarding Cultural Heritage - Architectural matters.

THIRD PARTY MATTERS

Biodiversity

The EPA has no information request in relation to Biodiversity matters.

Please **contact Rohan Huguenin**, Senior Environmental Officer on (07) 3225 8818 if you require any further information regarding Biodiversity matters.

Environmental Planning

The EPA has no information request in relation to Environmental Planning matters.

Please **contact Rohan Huguenin**, Senior Environmental Officer on (07) 3225 8818 if you require any further information regarding Environmental Planning matters.

It is requested that a copy of the final information request from your Department to the applicant be forwarded to the EPA for our records.

If you have any inquiries regarding this response please do not hesitate to contact John C Taylor by telephone, facsimile, or email: johnc.taylor@epa.qld.gov.au

Yours sincerely

sch4p4(6) Personal information

John C Taylor
Principal Inspector
IDAS Coordination – SEQ (Brisbane District)
Southern Region



Notice of concurrence agency response

Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

This notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the *Integrated Planning Act 1997*, to advise you of a decision or action.

Enquiries to: Helen Banks
Telephone: 07 3227 7667
Your reference: PN251850/02/DA2 - DA2304382 ROL 2300369
Our reference: 3721 Part 1 File No.:901102

CC: The Heilbronn Group
PO Box 5585
GCMC 4217

Gold Coast City Council
PO Box 5042
GOLD COAST MC QLD 9729

Attention: Mr Matthew Hulse

Re: Application (No. PN251850/02/DA2 - DA2304382 ROL 2300369) for development approval for assessable development to be carried out at Ghilghai Road, Merimac (Lot 390 on SP149355).

Pursuant to the following items of Table 2 Schedule 2 of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency is a concurrence agency for the development application:

- ☒ Item 21 of Schedule 2 of the *Integrated Planning Regulation 1998*
- ☐ Item 22 of Schedule 2 of the *Integrated Planning Regulation 1998*

The Environmental Protection Agency (EPA), acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above as attached.

It would be appreciated if Council could provide a signed hard copy of the final development approval issued by Council (which includes the Agency's concurrence conditions).

The EPA has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

Should you require any further information please do not hesitate to contact the above officer on the telephone number or e-mail address provided .

.....
Signed

.....
Date

**Delegate of Administering Authority
*Environmental Protection Act 1994.***

Concurrence agency response
Sections 3.3.16 and 3.5.18 *Integrated Planning Act 1997*

Applicant:

sch4p4(6) Personal inf

Council Application Number: PN251850/02/DA2 - DA2304382 ROL 2300369

EPA Application Number: 3721 Part 1

Date application received by EPA: 15/02/2005

Relevant Laws and Policies: *Environmental Protection Act 1994*

Jurisdiction: Chapter 7, Part 8 *Environmental Protection Act 1994*

Development Description:

Reconfiguration of a Lot

where:

- ☐ the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the *Environmental Protection Act 1994*.
- ☐ the proposed use of the land is for child care, educational, recreational, residential or similar purposes and the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for an industrial activity.
- ☒ the land is on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*.
- ☐ the land is wholly or partly within an area for which an Area Management Advice for industrial activity or natural mineralisation has been issued and the proposed use of the land is for child care, educational, recreational, residential or similar purposes.
- ☐ the land is wholly or partly in an area for which an Area Management Advice for unexploded ordnance has been issued.

at the following place(s):

Ghilghai Road, Merimac
(Lot 390 on SP149355)

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that

- ☒ conditions must attach to any development approval
- ☐ any approval must be for part only of the development
- ☐ any approval must be a preliminary approval only
- ☐ there are no concurrence agency requirements
- ☐ the application must be refused

Conditions of the development approval

The reconfiguration of the Lot 390 on SP149355, which has the potential to contain hazardous contaminants, must be in accordance with the survey plan 'Reconfiguration of Lot of Lot 390 on SP149355' on plan drawing number G3909-PP01 prepared by Heilbronn Group dated 14/08/03.

It is a requirement that the applicant notify the Environmental Protection Agency (EPA) (Contaminated Land Unit) in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA (Contaminated Land Unit) to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18 of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions.

The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Regulation 1998* for the protection of the environment by the management of contaminated land. The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response are required to prevent or mitigate any potential risk to human health or the environment from possible hazardous contaminants present on the site.

Additional comments or advice about the application

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

Additional information for applicants

This concurrence response pursuant to Chapter 7, Part 8 of the *Environmental Protection Act 1994* applies only to contaminated land issues and does not remove the need to obtain any further approval for this development which may be required by this or other legislation, State and/or Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

~ End Of Concurrence Agency Response ~

Southern Regional Office (Brisbane)
GPO Box 2771 BRISBANE QLD 4001
Phone: (07) 3225 1827 Fax: (07) 3247 3278
www.env.qld.gov.au ABN:87221158786



Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

sch4p4(6) Personal information

Notice of concurrence agency response

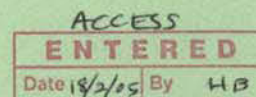
Sections 3.3.16 and 3.3.18 *Integrated Planning Act 1997*

This notice is issued by the administering authority pursuant to sections 3.3.16 and 3.3.18 of the *Integrated Planning Act 1997*, to advise you of a decision or action.

Enquiries to: Helen Bankes
Telephone: 07 3227 7667
Your reference: PN251850/02/DA2 - DA2304382 ROL 2300369
Our reference: 3721 Part 1 File No.:901102

CC: The Heilbronn Group
PO Box 5585,
GCMC 4217

Gold Coast City Council
PO Box 5042
GOLD COAST MC QLD 9729



Attention: Mr Matthew Hulse

Re: Application (No. PN251850/02/DA2 - DA2304382 ROL 2300369) for development approval for assessable development to be carried out at Ghilghai Road, Merimac (Lot 390 on SP149355).

Pursuant to the following items of Table 2 Schedule 2 of the *Integrated Planning Regulation 1998*, the Environmental Protection Agency is a concurrence agency for the development application:

- ☒ Item 21 of Schedule 2 of the *Integrated Planning Regulation 1998*
- ☐ Item 22 of Schedule 2 of the *Integrated Planning Regulation 1998*

The Environmental Protection Agency (EPA), acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above as attached.

It would be appreciated if Council could provide a signed hard copy of the final development approval issued by Council (which includes the Agency's concurrence conditions).

The EPA has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application.

Should you require any further information please do not hesitate to contact the above officer on the telephone number or e-mail address provided .

sch4p4(6) Personal information

Signed

Date

Delegate of Administering Authority
Environmental Protection Act 1994.

Concurrence agency response

Sections 3.3.16 and 3.5.18 *Integrated Planning Act 1997*

Applicant:

sch4p4(6) Perso

Council Application Number: PN251850/02/DA2 - DA2304382 ROL 2300369

EPA Application Number: 3721 Part 1

Date application received by EPA: 15/02/2005

Relevant Laws and Policies: *Environmental Protection Act 1994*

Jurisdiction: Chapter 7, Part 8 *Environmental Protection Act 1994*

Development Description:

Reconfiguration of a Lot

where:

- ☐ the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the *Environmental Protection Act 1994*.
- ☐ the proposed use of the land is for child care, educational, recreational, residential or similar purposes and the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for an industrial activity.
- ☒ the land is on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*.
- ☐ the land is wholly or partly within an area for which an Area Management Advice for industrial activity or natural mineralisation has been issued and the proposed use of the land is for child care, educational, recreational, residential or similar purposes.
- ☐ the land is wholly or partly in an area for which an Area Management Advice for unexploded ordnance has been issued.

at the following place(s):

Ghilghai Road, Merimac
(Lot 390 on SP149355)

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that

- ☒ conditions must attach to any development approval
- ☐ any approval must be for part only of the development
- ☐ any approval must be a preliminary approval only
- ☐ there are no concurrence agency requirements
- ☐ the application must be refused

Conditions of the development approval

The reconfiguration of the Lot 390 on SP149355, which has the potential to contain hazardous contaminants, must be in accordance with the survey plan 'Reconfiguration of Lot of Lot 390 on SP149355' on plan drawing number G3909-PP01 prepared by Heilbronn Group dated 14/08/03.

It is a requirement that the applicant notify the Environmental Protection Agency (EPA) (Contaminated Land Unit) in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA (Contaminated Land Unit) to enable the registration in the Environmental Management Register (EMR) of all new parcels.

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18 of the *Integrated Planning Act, 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions.

The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Regulation 1998* for the protection of the environment by the management of contaminated land. The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response are required to prevent or mitigate any potential risk to human health or the environment from possible hazardous contaminants present on the site.

Additional comments or advice about the application

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

Additional information for applicants

This concurrence response pursuant to Chapter 7, Part 8 of the *Environmental Protection Act 1994* applies only to contaminated land issues and does not remove the need to obtain any further approval for this development which may be required by this or other legislation, State and/or Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

~ End Of Concurrence Agency Response ~

IPA APPLICATION ASSESSMENT SHEET

Street Address: Ghilghai Road, Merimac

Lot 390 on Plan SP149355

Applicant Name: sch4p4(6) Pers C/- Heilbronn Group

EPA App'n No: 3721

LA App'n No: PN2511850/02/DA2 - DA2304382

ROL2300369

File No: 901102

Council: Gold Coast City Council

On EMR for: Yes **EMR No.:** On the EMR for: Base parcel Lot 42 on
RP839861 on the EMR for NA 50 - Hazardous contaminant
(contamination from a cattle dip on an adjoining property)

On AMA: No **AMA No.:**

Any new ERA's?: No

Existing ERA's?: No

Responsibility: N/A

Referral Coordination: Select one

RCU No.: RCU 1725

Proposal: DP - RoL - 1 to 2 Lots

Current Use: rural - cattle yards

Past Use:

Recommendation: It is recommended that a Concurrence Response be issued with the following conditions / advice:

OK ✓ The reconfiguration must be in accordance with the survey plan of 'Reconfiguration of Lot of Lot 390 on SP149355' on plan drawing number G3909-PP01 prepared by Heilbronn Group dated 14/08/03.

sch4p4(6) Person

It is a requirement that the applicant notify the Environmental Protection Agency (EPA) (Contaminated Land Unit) in writing within 5 working days of the survey plan being endorsed and provide a copy of the registered plan to the EPA (Contaminated Land Unit).

sch4p4(6) Person

Advice:

The approval of the reconfiguration of the Lot 390 on SP149355 does not imply material change of use approval.

① of the lot 390 on Plan SP149355 that has the potential to contain hazardous contaminants, ...

sch4p4(6) Person

Comments: 16/2/05 Spoke to Chris Wilson of The Heilbronn Group and advised that EPA is able to approve the RoL (this does not imply MCU) however, as the extent of the contamination is not known, both proposed lots will stay on the EMR and in order to receive approval for an MCU to residential use the site will require investigation and remediation. Chris understood and advised that rather than carry out the investigations at this stage, it will be carried out as part of MCU application

sch4p4(6) Personal information

Helen Banks

Date 16 February 2005

Reviewer Name:

Revision Date:

sch4p4(6) Personal in

*Agree with the recommendation
with the changes as above
indicated.*

sch4p4(6) Personal informatio

Council of _____ of _____ certifies
that all the requirements of this Council, the Local Government Acts and all By-Laws have been complied with and approves this Plan of Subdivision

Dated this _____ day of _____ 19____
Mayor or
Chairman
Town or
Shire Clerk

I/We

(Names in full)

- as Proprietor/s of this land.
 - as Lessee/s of Miner's Homestead
- agree to this plan and dedicate the new road as shown hereon to public use.

Signature of • Proprietor/s • Lessee/s

- Rule out which is inapplicable.

P.O.L.R.
As Constructing Authority Queensland Railways
agrees to this plan of subdivision.

Queensland Railways by its Attorney

DAVID CHARLES EADES under Power of

Attorney

in the presence of

sch4p4(6) Personal information

Previous Title

C/T 8024-132

Lot 42

RP 223567

Lot 222 covers AS 3759 P NIR

Lot 42 Subject to NIR AS 3753 OF
RESUMPTORY RIGHTS Lot 222 is taken by
QLD RAILWAYS for Railway purposes

For Additional Plan &
Document Notings
Refer to CISP

I CERTIFY THAT THIS PLAN HAS NOT BEEN
ALTERED SINCE ENDORSEMENT BY THE
SURVEYOR-GENERAL.

LICENSED SURVEYOR/DIRECTOR

/ 19

This survey has been examined and may be used for land dealings.

Surveyor General

Date

Lot	Vol.	Fol.	Lot	Vol.	Fol.	Lot	Vol.	Fol.

Lodged by

CROWN SOLICITOR (STATE)
CONVEYANCING BRANCH
BOX 149 GPO
BRISBANE, Q. 4001
DX 40121 BRISBANE UPTOWN

Received
Registrar of Titles

Fees Payable

Postal fee and postage

57.00

Logt. Exam. & Ass.

57

New Title

Entd. on Deeds

12.00

Photo Fee

12

Total

69

Short Fees Paid

File Ref. 69/1/91/061
Deposited 26/9/1991
Audited 14/10/1991 P.C.
Passed 14/10/1991 P.C.
Survey Records: File/Field Notes
Charted 6/4/92 GNB
Original Grant 59995

Particulars entered in Register Book
Vol. 8024 Folio 132

at 5.06 P.M.

11 MAR 1992
REGISTRAR OF TITLES

sch4p4(

Rec. No. 69/1/91/061

RECEIVED \$ 136.00

DATE 30.9.91

4041 PLAN

K944637L

20 FEB 1992
10:12 AM

\$69.00

REGISTERED PLAN 839861

CERTIFICATE

I, Paavo Ilmari Karhula
hereby certify that I have surveyed the land comprised in this plan
personally
that the plan is accurate, that the said survey was performed in accordance with the 'Surveyors Act 1977' and the 'Surveyors Regulations 1978' and that the said survey was completed on 1.12.81

sch4p4(6) Personal

Date 9-12-81 Signature of Licensed Surveyor.

Council of the Shire of Albert certifies that all the requirements of this Council, the Local Government Acts of 1936 to 1978 and all By-Laws have been complied with and approves this Plan of Subdivision.

Dated this 23rd day of December, 1981.

sch4p4(6) Pers

Mayor or
Chairman
Town or
Shire Clerk

sch4p4(6) Personal information

(Names in full)

of this land, agree to this Plan and dedicate the new roads shown hereon to public use.

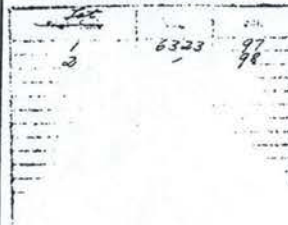
sch4p4(6) Personal information

Signature of
Proprietor/s

FOR TITLES OFFICE USE ONLY

Previous Title
CT 4956-1 Lot 1 RP 135512
4956-2 Lot 2 RP 135512
4956-3 Lot 3 RP 135512

CTs	Lots	New Rd.
4956-1	1	Nil
2	1	Nil
3	18 2	Nil



For Additional Plan A
Document Notings
Refer to C13P

Lodged by TRUST GERNAWS + TINKLE
BRISBANE 4000.

Fees Payable

Postal fee and Postage 3.50
Lodgt. Exam. & Ass. 3.50
Entd. on Docs. 3.50
New Title 3.50
Entd. on Deeds 3.50
Photo Fee 3.50
Total 3.50
Short Fees Paid.....

6764500

Received

Registrar of Titles

Journal No. 6657232

Receipt No. 47073

Calc. Bk. No. 338/67
Examined 27/4/82 ABD
Passed 27/4/82 ABD
Charted 2/8/82 MA
Map Ref. Worongary

Particulars entered in Register Book
Vol. 4476 Folio 183

15 JUL 1982 at 11.16am

sch4p4(6) Personal i

REGISTRAR OF TITLES

BY ACQUISITION
22 APR 1982
PUB. VOL. N. 685141

PLAN 178297

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

706029509

Registered

5. Lodged by

BE 400 NT

\$269.65
11/10/2002 16:03

(Include address, phone number, reference, and Lodger Code)

1. Certificate of Registered Owners or Lessees.

I/We sch4p4(6) Personal information

sch4p4(

JOINT TENANTS

sch4p4(

TRUSTEE

UNDER INSTRUMENT 700065115

(Names in full)

*as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

*as Lessees of this land agree to this plan.

Signature of *Registered Owners *Lessees

sch4p4(6) Personal inform

sch4p4(6) Personal

sch4p4(6) Pe



* Rule out whichever is inapplicable

2. Local Government Approval.

*
hereby approves this plan in accordance with the :
%

Dated this day of

..... #

..... #

* Insert the name of the Local Government. % Insert Integrated Planning Act 1997 or
Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990

3. Plans with Community Management Statement :

CMS Number :

Name :

4. References :

Dept File :

Local Govt :

Surveyor: 7404/GG

6. Existing

Title Reference	Lot	Plan	Lots	Emts	Road
50085668	3	RP885337	390		
50085673	900	RP887353	390		

Created

ENCUMBRANCE EASEMENT ALLOCATIONS

Easement	Lots to be Encumbered
601112897 (Emt A & C on RP21884)	390
601113165 (Emts B,C,L,M,& N) on RP21884	390
601113166 (Emts L,M,X & Z) on RP21884	390
601595352 (Emt Z on RP21884)	390

BENEFIT EASEMENT ALLOCATIONS

Easement	Lots Fully Benefited	Lots Partially Benefited
601072585 (Emts G & H on RP21793)	-	390
601072586 (Emts E & F on RP21793)	-	390
601223855 (Emt F on RP21793)	-	390
601223857 (Emts H3,I,J,K, & O on RP21793)	-	390
601232151 (Emt D on RP21793)	-	390
601232152 (Emt E & E1 on RP21793)	-	390
601232153 (Emt E2 on RP21793 & Emt E3 on RP21776)	-	390
601438092 (Emt Z1 & K2 on RP21884)	-	390
601232155 (Emts C2,I1,J1,K3 & R on RP21883)	-	390
601438093 (Emt H1 on RP21882)	-	390
601438094 (Emts C1,K1,L & Q on RP21884)	-	390

26,66

390

Orig

Lots

7. Portion Allocation :

8. Map Reference : 9541-14122

9. Locality :

MERRIMAC

10. Local Government :

CITY OF GOLD COAST

11. Passed & Endorsed :

By: MASSIE COSGROVE PTY LTD
ACN 082 121 293

Date: 9-4-02

Signed sch4p4(6) Pe

Designation: Licensed Surveyor

12. Building Format Plans only.

I certify that :

* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;
* Part of the building shown on this plan encroaches onto adjoining * lots and road

Licensed Surveyor/Director * Date

*delete words not required

13. Lodgement Fees :

Survey Deposit \$

Lodgement \$

.....New Titles \$

Photocopy \$

Postage \$

TOTAL \$

14. Insert
Plan
Number

SP149355

Miguel Zavaleta-Romero

From: John C. Taylor [johnc.taylor@epa.qld.gov.au]
Sent: Tuesday, 15 February 2005 1:52 PM
To: Rohan Huguenin; Helen Bankes; Darryl Byers
Cc: Miguel Zavaleta-Romero
Subject: RCU1725 - DLGPS&R Request for Input to Information Request

Importance: High



AInformationReque
stTemplateTes...

Greetings Rohan Helen & Darryl,

Please be advised that the above application commencement advice ex DLGPS&R awaited my collection this afternoon. I was not advised of its commencement on Friday afternoon by fax, hence we have lost a couple of days in which to be assessing. However, I have spoken sternly with the DLGPS&R officer concerned and I trust that the problem will not re-occur!! Attached is the response coversheet.

I have arranged for the documents to be registered and sent to Rohan. CLUnit already has relevant data copied by Darryl, and has an interest. Environment ERA's and Coastal has no interests.

NOTE due date to me 25/2/2005

Regards,

John C Taylor
IDAS Coordinator - SEQ (Brisbane District)
Southern Region
Phone: 3224 6139
Fax: 3225 8723
e.mail: johnc.taylor@epa.qld.gov.au

Published on DESI Disclosure
RTI Act 2009

IDAS Coordination - SEQ, Southern Region

Information Request Coordination

Send response to reach IDAS Coordinator by 3pm on : 25 February 2005

Their Reference: RCU1725

Your Reference: [Note that this is not necessarily same as the above]

Applicant: sch4p4(6) Person c/- The Heilbronn Group.

Application Type: Reconfiguring a Lot - 1 into 2lots - 92.27Ha.
Broadlakes North Development

Referral Triggers: Development within 100m of an area mentioned in *Integrated Planning Regulation 1998* Section 12, and Schedule 8 Item a -

Location: 24 Ghilgai Road Merrimac. Lot 390 SP149855.

Local Government: Gold Coast City Council.

Team:

Coordinating Officer:

Responding Officers [each to respond EITHER Info Request OR No Info Requested & Sign off]:

Specialty	Officer	Info Request Attached (with file path)	No Info Requested	Sign off	Date
Biodiversity	Rohan Huguenin Robyn Hesse				
Cultural Heritage	Stewart Armstrong Peta Dennis?	N/A			
Environmental Planning	Rohan Huguenin Robyn Hesse				
QPWS / Marine Parks		N/A			
Coastal Planning		N/A			
Coastal Management Unit	Ben Cotton	N/A			
Contaminated Land Unit	Helen Banks M Zavaleta-Romero				
Environmentally Relevant Activity/ies	Luke Zambelli David Everett	N/A			

Work Unit Manager - Print Name:

Work Unit Manager - Sign-off:

Date signed-off:

Please deliver to IDAS Coordinator - SEQ by 3pm on Due Date at Top of this Page!

Our Reference: RCU 1725
Enquiries: Bruce A-Izzeddin
Telephone: 3237 1750
Address: PO Box 31, Brisbane Albert Street QLD 4002
E-mail address: bruce.a-izzeddin@dlgp.qld.gov.au



Queensland
Government

Planning Services

Department of
Local Government, Planning,
Sport and Recreation

PLANNING SERVICES

11 February 2005

ADDRESSEES AS ATTACHED

RE: REFERRAL COORDINATION — REQUEST FOR COMMENTS

Dear Sir/Madam

The Department has received a request for referral coordination under the *Integrated Planning Act 1997* for the following application:

APPLICANT:

sch4p4(6) Personal

C/- The Heilbronn Group

APPLICATION TYPE:

Reconfiguration of a Lot

**REFERRAL COORDINATION
TRIGGER/S:**

Sch 8 Part (a)

GILGAI
GATE

LOCATION:

Lot 390 on SP149355, Gilgai Road,
Merimac
Merimac
Gold Coast City Council

LOCAL GOVERNMENT:

Based on the information provided, it would be appreciated if your organisation could advise whether additional information is required from the applicant in order for you to fully assess the application.

Could you please advise in writing and via e-mail (to the above e-mail address) your information requirements by **28 February 2005**. If a reply has not been received by this time, it will be assumed your organisation requires no additional information.

Further information or assistance may be obtained by contacting me on the above telephone number or at the above e-mail address.

Yours sincerely

sch4p4(6) Personal info

Bruce A-Izzeddin
Planner

SOUTH EAST QUEENSLAND — WIDE BAY BURNETT PLANNING DIVISION

1725

APPLICATION NUMBER:	3721
FILE NUMBER:	901102
REFERRAL DATE:	15/2/2005
DATE INFO REQUEST DUE:	28/2/2005
OFFICER:	sch4p4(6) Personal

Chief Executive Officer
Gold Coast City Council
PO Box 5042
GOLD COAST MC QLD 9729

Fax No: 5581 6346

Department of Natural Resources and Mines
PO Box 864
IPSWICH QLD 4305

Fax: 3884 5322

Environmental Protection Agency
PO Box 731
BRISBANE QLD 4001

Fax: 3225 8723

Department of Primary Industries & Fisheries
South East Region
PO Box 5165 SCMC
NAMBOUR QLD 4009

Fax: 5430 4994

Queensland Rail Property Division
GPO Box 1429
BRISBANE QLD 4001

Fax: 3235 2429

August 2003 9:20 PM

To: Mr. Peter Firth

From: Peter Sippel

55717193

Page: 2 of 3

5 March 2001 Version 1.1

Integrated Planning Act 1997

Form 1 Development Application

idas

INTEGRATED DEVELOPMENT
ASSESSMENT SYSTEM**A****Common details
for all applications**

The completion of all questions on Part A is mandatory for all applications. For further information refer to the guide for completing the application form available from the assessment manager or on the IDA website at www.ida.qld.gov.au

1. Description of land

Street address (include no., street, suburb, locality & postcode)
Ghignah Road

MERIMAC, QLD

Postcode: 4520

Lot & plan details (Attach list if necessary)

Lot 3 on RP 885397 SP 149355
390Shop / tenancy no. (if applicable) Storey / level (if applicable)
N/A N/ATotal area of land (m² / ha)
92.27 haIn which local government area is the land situated?
GOLD COAST CITY COUNCIL**2. Details of the proposal**

Details of the proposal (Attach proposal report if necessary)

TOURISM, PUBLIC & PRIVATE RECREATION, RESIDENTIAL LOTS, DETACHED DWELLINGS,
DWELLING UNITS, RETIREMENT COMMUNITIES, INTERNATIONAL HOTEL, RESTAURANTS,
ESTATE SALES OFFICE, DISPLAY HOMES, CATERING BUSINESS, ANCILLARY USESDoes the proposal involve reconfiguring a lot?
PART E & PART F

THE HEILBRUNN GROUP ON BEHALF OF

sch4p4(6) Personal informa

Signature

sch4p4(6) Personal information

Date

14/6/03

Contact person

sch4p4(6) Person

Phone no.

sch4p4(6) Per

Mobile no.

Fax no.
55740310

Email address

sch4p4(6)@onthandl.com.au

Postal address
P.O. BOX 5585

2003 9:20 PM

To: Mr. Peter Firth

From: Peter Sippel

55717193

Page: 3 of 3

Integrated Planning Act 1997

5 March 2001 Version 1.1

BUNDALL

Postcode: 4217

b. Consent of land owners

Name (in full) (Attach list if necessary)

sch4p4(6) Personal info

Signature/s (Or if a company, the ACN plus signature/s or company seal & signature/s) Date

sch4p4(6) Personal information

sch4p4(6) Personal information

Contact details (Optional)

sch4p4(6) Personal information

sch4p4(6) Personal information

OFFICE USE ONLY (applicable to assessment manager, alternative assessment manager and private certifier)

RECEIVED

OFFICER'S
NAME/SE
NUMBER/S

To: _____ Council: I have been engaged as a private certifier for the building work referred to in this application.

Date of engagement: _____ Accreditation Number: _____ sch4p4(6) Personal in

Name: _____ Signature: _____

1 August 2000 Version 1.0

Form 1 Development Application

idas

INTEGRATED DEVELOPMENT
ASSESSMENT SYSTEM**F**

Complete if this application involves

Reconfiguring a Lot

Completion of all questions on Part F of this form is mandatory for all applications for reconfiguring a lot including conceptual design for any associated works that require approval under the planning scheme.

Nature of the reconfiguration

A development permit authorises development to occur, while a preliminary approval is a step in the approval process and does not authorise development to occur. Reconfiguring a lot includes freehold subdivision, community title subdivision, subdivision by lease, assignment of boundaries, creation of an access easement, etc.

1. This application is for (Tick one or both if applicable):

☐ Preliminary approval ☐ Development permit

2. If both of the above boxes are ticked (i.e. a staged subdivision) provide details (E.g. stage 1 – development permit and stages 2, 3 & 4 – preliminary approval) (Provide details in Proposal Report if insufficient room)

3. What is the nature of the reconfiguration? (Eg. subdivision, subdivision by lease, realignment of a boundary)
SUBDIVISION**Referral triggers**

This application may trigger referral to an IDAS referral agency. These questions help identify whether referral is required. Referral coordination occurs - when an application involves 3 or more concurrence agencies; or under transitional arrangements. Referral coordination is further explained in the Referrals Checklist.

4. Does the application trigger referral to an IDAS referral agency? (Tick applicable box) (Use the Referrals Checklist to determine any possible referrals for this application).

☐ NO ☒ YES If yes, attach Referrals Checklist

5. Does the application trigger referral coordination? (Tick applicable box) (Use the Referrals Checklist to determine if this application triggers referral coordination).

☐ NO ☒ YES If yes, attach Referrals Checklist
Details of the land

Completion of questions 6 and 7 will assist in the identification of referral agencies and / or is requested for statistical and planning purposes.

6. Number of existing lots
17. Total area of land in application (If staged, total area of the land in stage?)
92.27ha8. How is the subject land identified in the planning scheme? (Name the zone, precinct etc.)
Guragunbah Structure Plan9. What is the current use of the land? (If vacant, also identify the previous use)
Rural10. Provide details of any existing structures / buildings on the land
Cattle Yards11. Provide details of existing services (Eg. water & sewerage) (Attach plan identifying location if appropriate)
Water, Sewer, Power, Telecommunications12. Are there any existing easements over the land? (Tick applicable box)
☐ NO ☒ YES Attach plan identifying easement location & purpose

14 August 2009: Version 1.0

Proposal details

Completion of questions 13 to 16 will assist in the identification of referral agencies and / or is requested for statistical and planning purposes.

13. Number of proposed lots

2

14. Number of additional residential lots

1

proposed in development permit

15. If the application is for a stage or stages of an overall subdivision proposal, provide details of estate name & stage number below

PART OF THE BROADLAKES DEVELOPEMNT

16. Total area of land in the development permit (minus any balance area)?

67.62 ha.

17. Area of land to be contributed for community purposes

N/A.

18. Length of new road to be constructed

300m.

Plans and documents

19. Is the application accompanied by: (Tick applicable box/es)



Plans



Proposal Report

Other (Specify)



This application cannot be accepted by the assessment manager unless accompanied by Part A of the Development Application

OFFICE USE ONLY (applicable to assessment manager)

DATE RECEIVED

REFERENCE NUMBER/S

Form 1 Development Application

idas

Only complete this checklist if you have completed parts D, E, F, G, H, I, K or L of Form 1 Development Application. Complete the questions relevant to the application, as indicated.

Checklist for determining referrals under IDAS

- It is the responsibility of the applicant to work with the assessment manager to identify if an application involves —
- Referral to a referral agency for their assessment and determination, or comment;
 - The coordination of any information request through the referral coordination process.

This checklist contains a number of questions to aid in this determination. If your application **does** involve referral, the assessment manager will confirm in the acknowledgement notice the referral actions required. To assist you in answering the questions below a series of guides are available. These guides are detailed below and are available from local governments or on the IPA website at www.ipa.qld.gov.au

Applications involving material change of use or operational works (for filling or excavation not associated with a material change of use, reconfiguring a lot or building work), assessable under the local government's planning scheme and/or reconfiguring a lot, may trigger this referral.

Guide 3 entitled "Does my application trigger a referral in relation to State-controlled road matters?" will assist in answering this question.

Guide 4 entitled "Does my application involve an Environmentally Relevant Activity (ERA)?" will assist in answering this question.

Applications involving material change of use assessable under the local government's planning scheme and/or reconfiguring a lot may trigger this referral.

Guide 5 entitled "Does my application trigger referral for consideration of contaminated land matters?" will assist in answering this question.

All applications for a material change of use on strategic port land that is inconsistent with the approved land use plan trigger referral to the Minister for Transport.

Guide 12 entitled "Does my application involve vegetation clearing assessable under Schedule 8 of IPA?" will assist in answering this question.

Applications which are impact assessable under a local government's planning scheme may trigger this referral.

Guide 10 entitled "Does my application trigger referral for acid sulfate soils?" will assist in answering this question.

Guide 13 entitled "Does my application trigger referral in relation to development in a declared catchment area?" will assist in answering this question.

Guide 14 entitled "Does my application involve assessment of a referable dam?" will assist in answering this question.

1. Does the application trigger referral to the Department of Main Roads (DMR) in relation to a **State-controlled road**?

☒ NO ☐ YES Detail the trigger/s below. (If trigger E is identified, also detail the threshold)

2. Does the application trigger referral in relation to a material change of use for an **Environmentally Relevant Activity**?

☒ NO ☐ YES Provide all relevant details on Part G of Form 1 Development Application

3. Does the application trigger referral to the Environmental Protection Agency (EPA) for consideration of **contaminated land** matters?

☒ NO ☐ YES Provide details of the matters below

4. Does the application trigger referral to the Minister for Transport in relation to **development on strategic port land that is inconsistent with the approved land use plan**?

☒ NO ☐ YES Provide all relevant details on Part I of Form 1 Development Application

5. Does the application trigger referral to the Department of Natural Resources and Mines (NR&M) in relation to operational works involving **the clearing of native vegetation on freehold land assessable under Schedule 8 of IPA**?

☒ NO ☐ YES Provide all relevant details on Part J of Form 1 Development Application

6. Does the application trigger referral to the Department of Natural Resources and Mines (NR&M) in relation to **acid sulfate soils**?

☐ NO ☒ YES

7. Does the application trigger referral to the Department of Natural Resources and Mines (NR&M) in relation to development in a **declared catchment area** under the *Water Act 2000*?

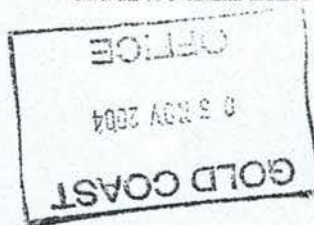
☒ NO ☐ YES

8. Does the application trigger referral to the Department of Natural Resources and Mines (NR&M) for assessment of **operational work for a referable dam** under the *Water Act 2000*?

☒ NO ☐ YES

<p>Guide 15 entitled "Does my application involve assessment of a water related development?" will assist in answering this question.</p>	<p>9. Does the application trigger referral to the Department of Natural Resources and Mines (NR&M) for assessment of <u>operational work to take or interfere with water</u> under the <i>Water Act 2000</i>?</p> <p>☒ NO ☐ YES</p>
<p>Guide 16 entitled "Does my application involve the removal of quarry material from a watercourse?" will assist in answering this and other questions relating to development approval of riverine quarry material operations.</p>	<p>10. Does the application trigger referral to the Department of Natural Resources and Mines (NR&M) for assessment of <u>development for the removal of quarry material from a watercourse</u> under an allocation notice given under the <i>Water Act 2000</i>?</p> <p>☒ NO ☐ YES</p>
<p>Guide 17 entitled "Does my application involve a material change of use for a Major Hazard Facility or Possible Major Hazard Facility?" will assist in answering this question.</p>	<p>11. Does the application trigger referral to the Department of Emergency Services (DES) for material change of use for a <u>Major Hazard Facility or Possible Major Hazard Facility</u> as defined under the <i>Dangerous Goods Safety Management Act 2000</i>?</p> <p>☒ NO ☐ YES</p>
<p>Guide 6 entitled "Does my application trigger the referral coordination process?" will assist in answering this question.</p>	<p>12. Does the application trigger <u>referral coordination</u> because the application involves <u>3 or more concurrence agencies</u>?</p> <p>☒ NO ☐ YES</p>
<p>Applications involving material change of use assessable under the local government's planning scheme and/or reconfiguring a lot may trigger this referral</p> <p>Guide 6 entitled "Does my application trigger the referral coordination process?" will assist in answering this question.</p>	<p>13. Does the application trigger <u>referral coordination</u> because the application involves <u>a facility or area prescribed under schedule 6 or 7 of the Integrated Planning Regulation 1998</u>?</p> <p>☐ NO ☐ YES Detail the trigger below</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
<p>Referral agency responses prior to lodgement</p> <p>Under s 3.3.2 of IPA a referral agency may give a referral agency response on a matter within its jurisdiction about a proposal before an application for the proposal is made to the assessment manager.</p>	<p>14. Did a referral agency give a referral agency response under s 3.3.2 of IPA before the application was made to the assessment manager?</p> <p>☒ NO ☐ YES Attach a copy of the referral agency/s response/s</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>

Date: 1 November 2004
Contact: B Craddock
Location: Implementation & Assessment Branch, Nerang
Telephone: (07) 5582 8817
Your Reference: G3909
Our Reference: PN251850/02/DA2 - DA2304382 ROL2300369



sch4p4(6) Person

C/ The Heilbronn Group
PO Box 5585
GCMC QLD 4217

Dear Sir/Madam

ACKNOWLEDGMENT NOTICE TO APPLICANT

Council acknowledges receipt of the Development Application lodged by:-

sch4p4(6) Person

C/ The Heilbronn Group

in relation to development of land described as:-

Lot 390 on SP149355
Ghilghai Road, Merimac

The Development Application seeks approval for the following aspects of development:-

Development Permit for Reconfiguring a lot (2 Lot Subdivision - Broadlakes North)

You are advised that the Referral Agencies for this Development Application are:-

Department of Natural Resources (Advice Agency - Acid Sulfate Soils)
4th Floor Hayden Centre
Cnr East & South Street
PO Box 864
IPSWICH QLD 4305

This application triggers referral co-ordination under s 6.1.35C of the Integrated Planning Act 1997.

It is the responsibility of the applicant to give the Chief Executive of the Department of Local Government, Planning, Sport and Recreation (DLGPS&R) a copy -

- (a) the application (including application form and supporting material);
- (b) a copy of this acknowledgement notice; and
- (c) the fee prescribed under a regulation.

ACKNOWLEDGEMENT NOTICE

It is the applicant's responsibility to provide Council written notification of the date the applicant gave the referral agency the information mentioned above.

The address to send this information is:

PO Box 31

Brisbane Albert Street QLD 4002

The development will require code assessment.

The Applicant is advised that all codes that appear to apply to the development are:-

The Albert Shire Planning Scheme

The Gold Coast City Council Land Development Guidelines

All other relevant Council Local Laws and Policies

The development will not require impact assessment.

An Information Request will be made by Council as the Assessment Manager.

The applicant will be advised of the details of the Information Request by separate correspondence.

The Development Application is not a Development Application (superseded planning scheme) to carry out development under a superseded planning scheme.

Should you wish to clarify any issues contained in the above letter please do not hesitate to contact Barry Craddock on the above telephone number.

Yours faithfully

sch4p4(6) Personal information

for Matthew Hulse

MANAGER

IMPLEMENTATION & ASSESSMENT BRANCH

Broadlakes North Development

sch4p4(6) Personal information

Date: August 2003

G3909

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1.0 INTRODUCTION

Broadlakes North Development is an approved development site comprising approximately 67.62 ha being a part of an overall approved development, situated just north of the Robina Town Centre, on Queensland's Gold Coast.

The site has had an extensive history of development and approvals of various sorts, with these reflected in the current zoning of the property allowing a tourist themed mixed use development pattern comprising of (amongst other uses) residential, tourist resort international hotel and small scale commercial and/or retail uses.

This report has been prepared to support an application for reconfiguration of lot on behalf of P & J Firth. Included in this report is a discussion on the planning status, summary of the environmental investigations and purpose of reconfiguration of lot application.

Specifically the land the subject of the application is part of lot 390 on SP 149355, with lot 3 being 92.27ha in area.

2.0 SITE CONTEXT

As can be seen in the site details through this report, the subject site represents a significant potential development parcel in a strategic location.

The Gold Coast City Council local authority area has been the fastest growing region of Australia for at least the past 25 years. Indications are that this growth will continue as the Sea Change experience, discussed by Mr Bernard Salt in his book (The Big Shift), continues to drive population trends. Growth of the Gold Coast Local Authority area is projected to continue at the rate of approximately 13,000 people per annum for the foreseeable future.

The population of the Gold Coast was measured at 444,077 in the 2001 census and is expected to reach 700,000 by 2021. A considerable amount of this population growth will need to occur within strategic areas of the coast that are able to provide living opportunities within close proximity to existing major transport and community infrastructure locales.

The Gold Coast's appeal to a large degree is focused on the beauty and expansiveness of its waterways and beaches. Opportunities for the development of such sites are certainly limited, and as suggested by its name Broadlakes, the site has been designed on an ephemeral wetland theme integrated into the urban form.

The success of these types of development has been realised within recent times with the success of the nearby developments of Varsity Lakes, Nifsan's Development, and further to the north of the City Coomera Waters, Hope Island and Sanctuary Cove.

3.0 SITE DESCRIPTION

3.1 Site Location

Broadlakes North is situated on the eastern side of Robina Rail Line, approximately one kilometre north of Mudgeeraba and Robina. Representing one of the few remaining developable parcels of land within close proximity to the Robina Town Centre, the site has the opportunity to capitalise on its local and regional positioning, by providing an integrated tourist/residential community to support the neighbouring educational, retail and commercial facilities.

Properties in close proximity to the development include residential developments to the north, The Glades Golf Course to the southwest, All Saints School to the west and Robina Town Centre to the south. The Brisbane-Gold Coast Rail Corridor divides the overall area of the property into sites referred to as Broadlakes North and Broadlakes South.

This rail line extends approximately 1 kilometre to its termination at the Robina Station that is a few hundred meters away from the Robina Town Centre.

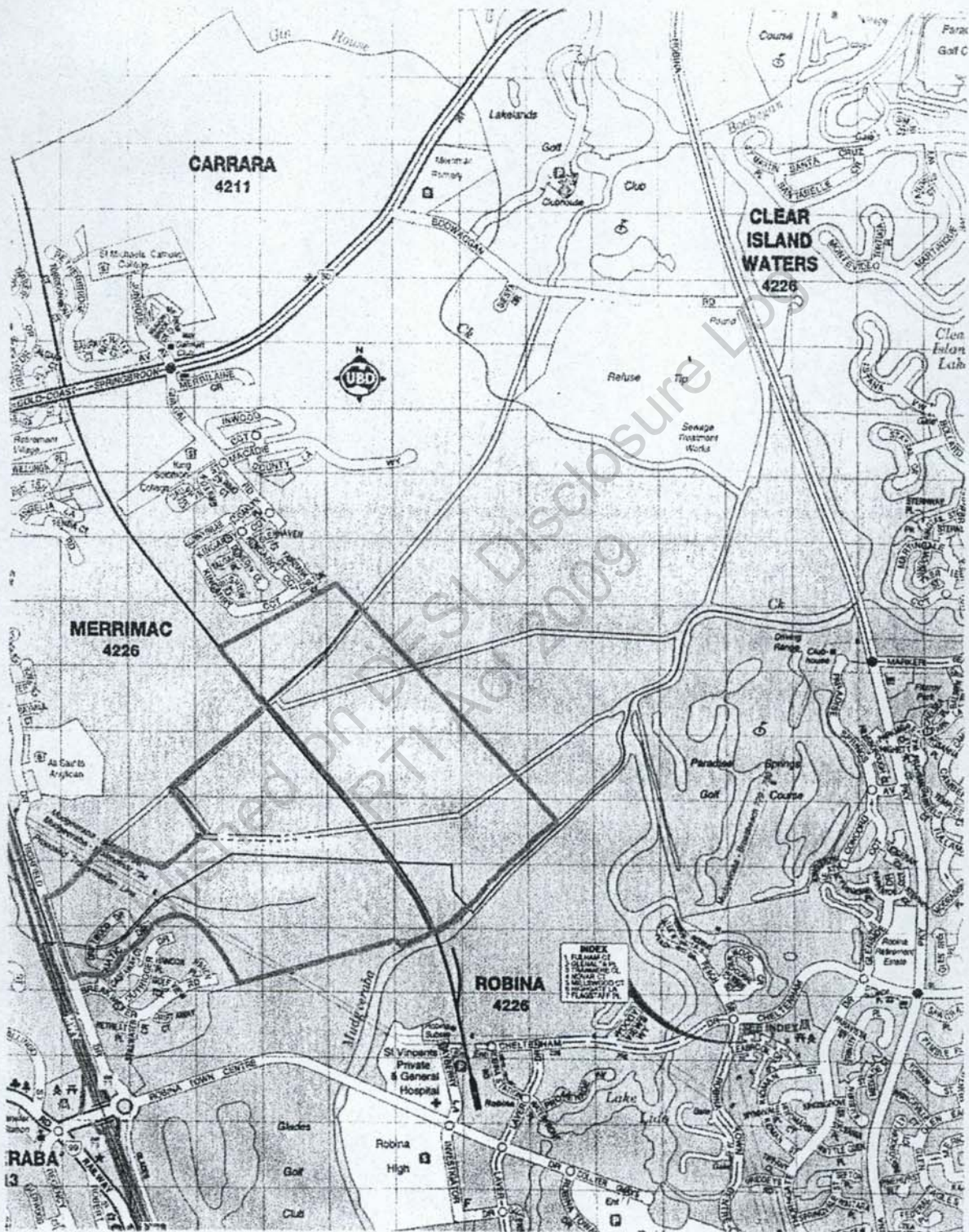
The focus of the development is the potential for the creation of tourist / residential community integrated with ephemeral wetland water environments. Broadlakes has the opportunity to espouse modern urban form, environmental management and an awareness of current regional planning strategies.

Potential environmental impacts have been extensively assessed throughout the history of development on the site. This report has included a brief synopsis of the general findings within each of the environmental attributes identified throughout the investigations and subsequent detailed studies are envisaged to further support approval.

The following series of images shows the location of the site on a Gold Coast regional scale, a locality scale, and then to the site boundaries itself. Also included is an aerial photograph depicting the site and its context.

Subject Site

Our Ref: G3909



Plan of Site area and its Locality (Robina, Mudgeeraba, Carrara etc)

Table 1: Description of property

Real Property Description	Registered Owner	Site Area
Lot 390 on SP149355	sch4p4(6) Personal inform	92.27ha

3.2 Property Improvements

There are limited improvements on the properties. These include rural fencing in various areas, cattle yards and a series of agricultural drains as noted elsewhere within the report.

3.3 Encumbrances

The subject properties are encumbered by a number of easements that are included on the Title Search information attached as Appendix B.

These easements are for drainage purposes.

Some of the easements are burdening the subject properties, whilst others benefit. For specific details, the reader is directed to Appendix B and A where the survey plan depicts location of same.

As a part of the negotiations for the rail corridor resumption, an agreement was reached between Queensland Rail and Firth in relation to access under the rail line and also the widening of "Wilson's Drain." Details of this are as follows:

- An easement is to be located to the overall width of 10m at a minimum RL 1.0m provided a minimum clearance of 2.5m for pedestrian/bikeway/motorised golf cart/service vehicles including motor vehicle access purposes. It was intended that this accessway may form part of the potential golf course network with respect to player and maintenance movement across the site.
- An easement comprising an overall width of 45m at a depth of RL-2.5m for waterway/floodway purposes.
- A further easement of overall width of 5m at RL1.0m providing a minimum clearance of 2.5m for pedestrian/bikeway purposes. This easement would be granted on the basis that the Council retains the right to access underground sewers at this location or which they are responsible.

The proposed access easements would not be immune to the Q100 flood event.

3.4 Street Address

As can be seen on the images presented earlier, the site has street frontage and access to Ghilgai Road (Broadlakes North);

3.5 Current and Past Land Uses

The land has been used predominantly for grazing of cattle and other low key agricultural practices.

Improvements on the site include a network of drains that assist to convey water from low level events.

The site is currently vacant. A small number of cattle are kept on the property.

Part of the Broadlakes North development was constructed in 1994 - 1996, with the majority of lots now built on. Retirement facilities as well as residential were included.

3.6 Surrounding Land Uses and Community Infrastructure

Broadlakes is extremely well located in close proximity to key community infrastructure. The Robina Node and its surrounds has developed over recent years to provide the living opportunities of a true town centre. Details of these are included in the sections below.

Education

The following education facilities exist within proximity to the site:

- Mudgeeraba Primary School;
- Merrimac Primary School
- Mudgeeraba Creek Primary School
- Mudgeeraba Special School
- Robina State High School
- All Saints School (Immediately adjoins the site)
- St Michaels College
- Emmanuel
- Kings Christian College
- Hillcrest College
- Somerset College

Commercial

Major commercial centres of Robina Town Centre and Mudgeeraba Township are located within 5-10 minutes drive from the site. Commercial facilities, including a restaurant and service station, exist immediately adjoining the site (on the highway service frontage). Future commercial development parcels owned by others exist at the main entry to the development, adjacent to the Pacific Highway.

Other commercial centres include:

- The Glades Golf Club and Restaurant Facilities;
- Mudgeeraba Market Place;
- Carrara Markets;
- Merridown Shopping Centre;

Transportation

- Pacific Motorway;
- Robina - Brisbane Railway;
- Robina Town Centre Drive – providing a linkage back into the Robina Town Centre

Waste Management

- The area is serviced by GCCC standard municipal waste contractors;
- Mudgeeraba Transfer Station;
- Rising sewer main connection to Gold Coast City Council Merrimac Treatment Plant

Health Facilities

- Gold Coast Hospital (Robina Campus);
- Existing Medical Facilities at Southport, Benowa and Mudgeeraba

Community Facilities

- Robina Library;
- Robina Community Centre;

Over recent years, development within the Robina Town Centre area has achieved a critical mass of now providing for essential facilities, not only focused on retail needs of residents, but a range of community, health, social and employment opportunities. The vision of Robina Town Centre is becoming realised and providing significant opportunities for sites within close proximity to this regional town centre such as Broadlakes.

3.7 Site Contamination

A site contamination search has been undertaken for the subject property, that has confirmed the following:

Real Property Description	Result
Lot 390 on SP149355 Previously lot 3 on RP 885337 & lot 42 on RP 839861)	The site is not included on the Contaminated Land Register.

Copies of the notice is included in Appendix C.

In relation to the EMR listing of Lot 3, we note the following:

- The site has been included due to it being previously a part of Lot 42 on RP839861.
- This site was reported to have been subject to contamination from a hazardous contaminant – this being a cattle dip as a part of the previous use on the site. The cattle dip location was actually not on the subject site, instead on the adjoining lot that has since been developed for residential purposes.
- A comprehensive site assessment was completed following the clean up of the cattle dip area. Appendix D includes extracts from the contamination report that was prepared following mitigation works.

3.8 Relevant Town Planning Information

The relevant Town Planning information concerning the development of this land is summarised below:

Real Property Description	As noted in the schedule above.
Location	24 Ghilgai Road, Merrimac
Shire	Gold Coast City Council (old Albert)
Total Site Area	92.27 ha
Planning Scheme Zone	Special Facilities (various uses as noted below)
Strategic Planning Designation	Special Development Area - Merrimac/Carrara Floodplain
Services	Water, sewerage and electricity are available at various points around the site

3.9 Land Use and Zoning

The subject area was approved by Gold Coast City Council for rezoning in 1992, and Gazetted (1994). The Rezoning details are included below:

Special Facilities (tourism, public and private recreation activities, residential allotments, detached dwellings, dwelling units, accommodation units, retirement communities, international hotels, restaurants, take-away foods, sports clubs, liquor licensed facilities, boat hiring and storing facilities, estate sales office, display homes, bulk garden supplies, catering business, ancillary uses and part special business)

Further details in relation to the zone of the land are included in later sections of this report. A copy of rezoning approval in Appendix E.

3.10 Strategic Plan

Council's Strategic Plan for Albert Shire Council designates the subject area as Special Development. This designation has the intent of producing multiple mixed use opportunities appropriate for the

future development of the Merrimac/Carrara floodplain. The development's intentions include components of waterway areas, residential, tourist accommodation and 'dry' and 'wet' open space areas, in line with these strategic land use planning considerations.

The Strategic Plan includes objectives and implementation criteria that can dictate the urban form of any development within the City. These include:

- Shire Image;
- Environment;
- Tourism;
- Economic Development;
- Community; and
- Development Sequencing.

Any future development within Broadlakes will be required to address these planning issues to Council's satisfaction, having due regard also to the rezoning approval for the subject site, and any relevant Acts and policies.

3.11 Environmental Impacts Overview

TOPIC	GENERAL FINDINGS
Topography	Extensive topographical alterations will be required to be made to the site allowing the construction of developable areas 1 in 100 year above flood level. Criteria to be adhered to include nil loss of floodplain storage, and no adverse impact to third parties by increases in flood levels across a range of events.
Acid Sulphate Soils	Soil investigations have found that there is potential acid sulphate soils within the extent of the proposed development area. Although a comprehensive Acid Sulphate Management Plan has been approved by Gold Coast City Council, further works in this area is required to accord with current environmental investigation standards to ensure ameliorative measures meet current environmental standards. Full time treatment in compliance with the State Planning Policy is proposed.
Water Quality	It is proposed that by instigating best management practice, the achievement of sound ecological goals is possible as a part of a comprehensive water quality establishment, monitoring and management regime. Comprehensive studies have been completed as a part of the overall development proposals to date that have concluded that an ephemeral

	wetland with open water environment is able to be created.
Flora and Fauna	Indications are that as a result of the proposed development, which included significant wetland treatments, the proposed development could result in a significant improvement in the floral and faunal qualities of the site.
Air/Noise	The noise level limits relevant to the future uses on this site can be met with straight-forward noise control treatments. The on-going impact of railway traffic will require no specific noise abatement techniques due to the location of filled development areas.
Transportation	As noted in earlier sections of this report, significant transport infrastructure exists surrounding the subject site which provide for effective linkage of the site to major centres of Robina, the Gold Coast generally, and northern and southern centres along the Pacific Motorway and the Gold Coast Rail Line.
Social	Broadlakes responds to the opportunities and need for development within the region, in terms of supporting existing associated infrastructure.
Economic	Broadlakes will provide an increased customer base for the surrounding local and regional business centres.

4.0 STATUS OF EXISTING DEVELOPMENT

4.1 Rezoning Approval

As noted above, the rezoning of the site was approved by Council in 1992 and Gazetted in 1994 to Special Facilities with some 22 uses included in the description. A copy of the rezoning approval is included in Appendix E. This rezoning was Gazetted on 29 October 1992. A copy of the Gazetted Notice is included as Appendix E.

A conceptual land use plan (Plan Number G40/92/CP2, drawn by Harris Heilbronn) was lodged with Gold Coast City Council prior to the Gazetted of the rezoning. A copy of this plan is included as Appendix E. This plan depicts general land use areas noting at a macro level where development precincts are likely to occur on the site. The plan was lodged with the Gazetted application in response to conditions of the rezoning approval and it was intended that this would form the basis for further development work such as the current subdivision application.

In relation to specific land use details, it was intended that a more detailed plan of development be lodged with Gold Coast City Council following the resolution of management lot subdivision applications. This plan would depict further details in relation to the location of the various land uses that have been approved as of right under the rezoning, and would also include various development parameters and/or codes under which the uses would remain "self assessable" as the zoning permits. With this plan in place, it is envisaged that any development in accordance with same and the rezoning and subdivision conditions would not require further detailed town planning assessment by Council.

4.2 Subdivision Approvals

Under this rezoning, Stages 1 and 2 of Broadlakes have been developed through to completion, with this resulting in the creation of approximately 97 allotments together with adjoining area to north off Ghilgai Road. These areas are shown in the cadastral plan earlier in this report.

4.3 Development Potential

The original rezoning approval for the entire Broadlakes development set a maximum residential yield at 1,600 dwellings across a number of urban forms. Some of these dwellings have been taken up by the existing development noted above. Additionally, some dwellings were included in land that was included in the original Broadlakes Syndicate, but has been sold off and developed as a part of adjoining projects.

It is anticipated that Broadlakes North has a development potential of approximately 487 dwellings plus other uses. Final yield dependent on extent of platforms and market requirements.

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5.0 GOLD COAST CITY COUNCIL DRAFT PLANNING SCHEME

5.1 Living City – Gold Coast City Council Draft Planning Scheme

Gold Coast City Council has been preparing their draft planning scheme for approximately 6 years. This plan is the first following the amalgamation of the ex-Albert Shire and Gold Coast City Councils. The document, titled "Living City", includes various references to the subject site.

Living City includes a range of levels of planning that progress from the visions set out in the City's Corporate Plan, the implementation of Desired Environmental Outcomes and Performance Indicators to provisions in relation to specific areas of the city and specific types of development.

As with the existing strategic plan, Living City contains significant references to various general environmental performance objectives for development within the City. Again, these measures are based on issues with respect to City Image and amenity and are important for review with respect to significant development within the city.

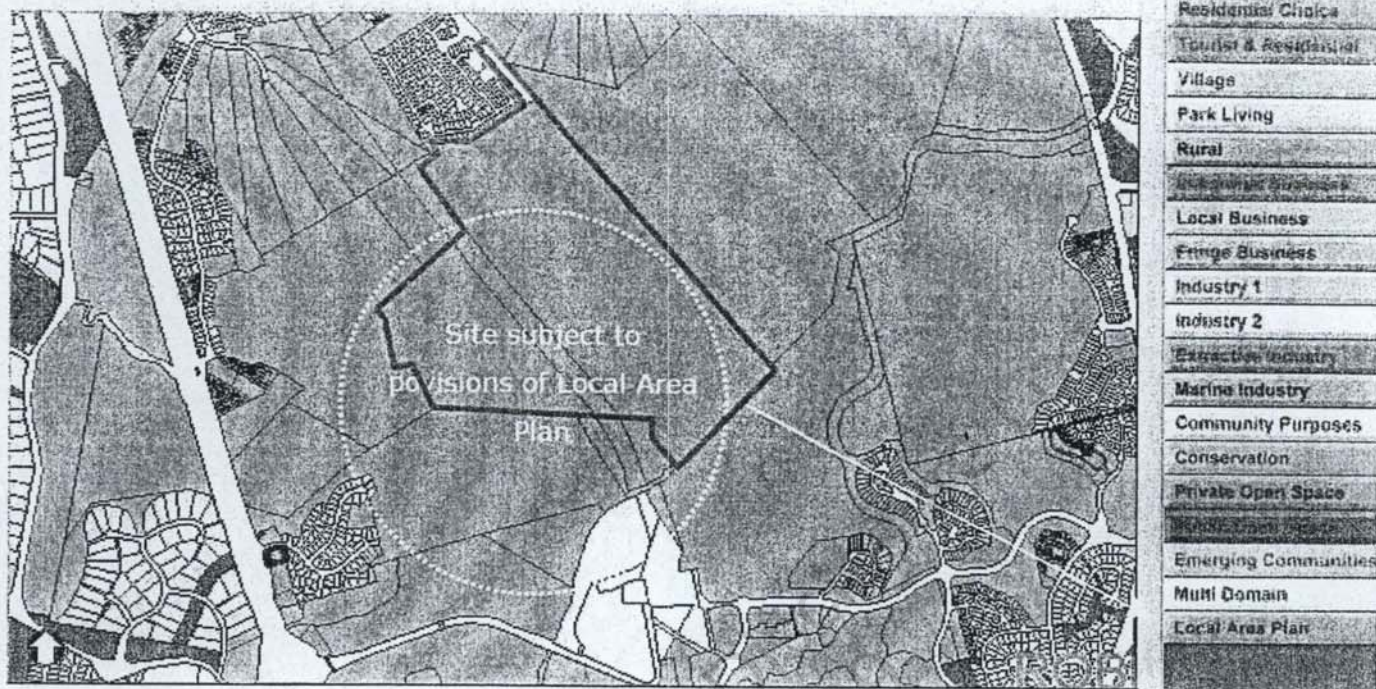
A primary goal of Living City is environmental sustainability – which is a requirement of the Integrated Planning Act under which the town plan has been created. Environmental sustainability importantly includes physical, social and economic drivers. To achieve environmental sustainability, all three elements must be sufficiently embodied within the development whilst not detrimentally impacting on the other elements. Critical to this site, is the potential economic importance of the development of Broadlakes, which, as we have suggested previously, will provide for substantial additional patronage and usage of the community, social, health, educational and commercial infrastructure that has been developed within the surrounding area.

5.2 Domain Reference

Living City includes various maps referring to "domains" for properties. Domains provide for the distribution, mixing and segregation of different types of development. Each domain is intended to provide for compatible development within identified parts of the city and to segregate incompatible development. Importantly, each domain is intended to include planning measures to achieve the Planning Scheme's Desired Environmental Outcomes (DEOs).

Broadlakes does not have any specific domain reference, instead it is included in the Guragunbah Local Area Plan as can be seen in the following image.

Extract from Living City – Domain Map – dated Feb 2002



Extract from Living City – domain map.

As can be seen in the above plan, the subject area does not have a specific domain (zone) reference, instead.

5.3 Guragunbah Local Area Plan

Throughout 1996-1998, Gold Coast City Council managed the preparation of the Guragunbah (Merrimac/Carrara Floodplain) Structure Plan. This structure plan and associated documentation formed the basis of the Guragunbah Local Area Plan that is included in Living City.

A copy of this conceptual land use plan is included in Appendix F.

The Local Area Plan is a conceptual land use plan that depicts Council's intended development patterns for the area. This plan is to be read in conjunction with other plans within the LAP that depict such things as transport corridors, acid sulphate soils, water environments etc.

Council has stated that the purpose of the Guragunbah LAP is to provide the detailed planning and management for the Merrimac/Carrara Floodplain. The floodplain is considered by Council to be of enormous importance to the city. Guragunbah provides the last significant largely undeveloped remnant of the Nerang River floodplain system. As such, Council's intent is that the LAP seeks to protect the hydraulic functions of the Guragunbah floodplain, while allowing limited residential, tourism and recreational development. They also see an opportunity to provide an extensive open space resource for the city, which complements existing and future urban development.

The following DEO's have been identified by Council as being integral to the future of the Guragunbah area:

- The achievement of urban development that is of a scale, form and character appropriate to the immediate local area and the intended open character of the floodplain.
- The optimisation of opportunities for urban development, consistent with the environmental capacity of the land and the continuing functioning of the floodplain.
- The maintenance of existing views and enhancement of the visual quality and landscape character of the floodplain, with open space areas located so that they are visible from the Pacific Highway and Gold Coast railway.
- The rehabilitation of existing degraded water environments to replicate natural ecosystems that are appropriate to floodplain areas, within the region.

Council envisages that the Guragunbah area will ultimately comprise a limited mix of urban residential and tourist facilities, within a predominant environment of open space and ecologically sustainable waterways, that recognise the considerable recreation potential of the floodplain. In order to maximise the open character of the floodplain and minimise the cost of urban service provision and emergency response during flood events, Council envisages that urban development will be expected to be clustered and, where possible, represent a consolidation upon existing urban communities. As such, Council recommends that residential buildings may range from single dwelling houses to high rise towers, in an expansive landscaped environment, depending upon the opportunities presented by each site. Significant commercial or industrial development is not envisaged by Council beyond limited local convenience or ancillary facilities and some expansion of the industrial areas on the western extremity of the floodplain.

While the Guragunbah LAP area is large and complex in terms of land use, it is not divided into formal planning precincts for development control purposes. Instead, Council treats the entire LAP as a single land unit. This format has been adopted by Council as a direct response to the major constraints on the future development of the Merrimac/Carrara Floodplain, and reflects the unique physical environment of the floodplain. Council considers that it has proved not to be practical to denote precise boundaries to areas suitable for development, because of the role of the floodplain as a major flood storage area and the potential to alter or shift flood flows, as part of an overall development scheme. Council feels that the adopted format provides for considerable flexibility for creative design and land use solutions, within the identified framework, whilst having due regard to the reasonable expectations of other landowners.

Council intends that this LAP will seek to provide for a mix of land uses, including urban residential, tourism facilities and limited local commercial uses, within a predominant environment of open space and waterbodies. Council envisage that urban development will be clustered to maximise the opportunities to provide open space areas, at a gross density of seven dwellings per hectare.

6.0 THE APPLICATION

The purpose of the application is to seek a reconfiguration of a lot (development permit) for the creation of building platform on which the approved uses under the existing rezoning can be built within the Broadlakes North precinct. These uses being self assessable under the current Albert Shire Planning Scheme.

Following in Appendix G is the plan of reconfiguration of lot G3909-PP01 which depicts the extent of building platform (lot 1) being sought. Establishment of the extent of the platform will be subject to final flooding assessment, acid sulfate management, geotechnical refinement and other relevant criteria as required by relevant statutory requirements.

In calculating the extent of platform included in lot1 the following was taken into account to achieve an estimation of achievement of nil loss of storage.

1. Based on historical survey information the average ground level over the site is estimated at 1.2m AHD
2. Standing water level determined by Council for the locality is 0.6m AHD
3. Fill platform to be created at 4.8m AHD to achieve flood immunity.

Based on the forgoing by excavation of an area of 57.02 ha to RL0.6 a flood credit of 342,120cum is achieved.

Fill platform to be filled to RL 4.8m AHD to achieve Q100 immunity in order to create 9.0 ha of fill and achieve a nil loss of storage in the flood plain requires 324,000cum of fill approximately.

This will then leave a credit of approximately 18,120cum in the flood plain.

It is considered that subject to the forgoing studies Gold Coast City Council approval is sought.

APPENDIX A: SURVEY PLAN

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WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

706029509

Registered

s. Lodged by

BE 400 NT

\$269.65
11/10/2002 10:03

(Include address, phone number, reference, and Lodger Code)

Certificate of Registered Owners or Lessees.

/We sch4p4(6) Personal information

sch4p4(6) Personal information

JOINT TENANTS

COBALPTY LTD ACN 010 101 283

TRUSTEE

UNDER INSTRUMENT 700065115

ames in full)

*as Registered Owners of this land agree to this plan and dedicate the Public Use
and as shown hereon in accordance with Section 50 of the Land Title Act 1994.

as Lessees of this land agree to this plan.

Signature of *Registered Owners *Lessees

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Rule out whichever is inapplicable

Local Government Approval.

reby approves this plan in accordance with the :

Existing			Created		
Title Reference	Lot	Plan	Lots	Emts	Road
50085668	3	RP885337	390		
50085673	900	RP887353	390		

ENCUMBRANCE EASEMENT ALLOCATIONS

Easement	Lots to be Encumbered
601112897 (Emt A & C on RP21884)	390
601113165 (Emts B,C,L,M,& N) on RP21884	390
601113166 (Emts L,M,X & Z) on RP21884	390
601595352 (Emt Z on RP21884)	390

BENEFIT EASEMENT ALLOCATIONS

Easement	Lots Fully Benefited	Lots Partially Benefited
601072585 (Emts G & H on RP21793)	-	390
601072586 (Emts E & F on RP21793)	-	390
601223855 (Emt F on RP21793)	-	390
601223857 (Emts H3,I,J,K, & O on RP21793)	-	390
601232151 (Emt D on RP21793)	-	390
601232152 (Emt E & EI on RP21793)	-	390
601232153 (Emt E2 on RP21793 & Emt E3 on RP21776)	-	390
601438092 (Emt Z1 & K2 on RP21884)	-	390
601232155 (Emts C2,I,I,K3 & R on RP21883)	-	390
601438093 (Emt H1 on RP21882)	-	390
601438094 (Emts C1,K1,L & Q on RP21884)	-	390

26,66

390

Orig

Lots

7. Portion Allocation :

8. Map Reference : 9541-14122

9. Locality :

MERRIMAC

10. Local Government :

CITY OF GOLD COAST

11. Passed & Endorsed :

By: MASSIE COSGROVE PTY LTD
ACN 082 121 293

Date: 7-12-02

File sch4p4(6) Pers

Designation : Licensed Surveyor

12. Building Format Plans only.

I certify that :

* As far as it is practical to determine, no part
of the building shown on this plan encroaches
onto adjoining lots or road;
* Part of the building shown on this plan
encroaches onto adjoining lots and road

Licensed Surveyor/Director

Date

*delete words not required

13. Lodgement Fees :

Survey Deposit \$

Lodgement \$

.....New Titles \$

Photocopy \$

Postage \$

TOTAL \$

14. Insert
Plan
Number

290 of 414
SP149355

Insert the name of the Local Government. * Insert Integrated Planning Act 1997 or
Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990

Plans with Community Management Statement :

4. References :

Dept File :

Local Govt :

Surveyor : 7404/GG

MS Number :

22-352

APPENDIX B: TITLE SEARCH INFORMATION

Published on DESI Disclosure Log
RTI Act 2009

CURRENT TITLE SEARCH
NATURAL RESOURCES & MINES, QUEENSLAND

Request No: 109159804
Search Date: 15/08/2003 8:52 am

Title Reference: 50413508
Date Created: 01/11/2002

Previous Title: 50085668
50085673,

REGISTERED OWNER

Dealing No: 706029509 11/10/2002

sch4p4(6) Personal information

JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 390 SURVEY PLAN 149355
County of WARD Parish of GILSTON
Local Government: GOLD COAST

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10558005 (POR 66)
Deed of Grant No. 11366183 (POR 26)
2. EASEMENT No 601112897 (628232) 04/12/1914
BURDENING THE LAND
TO RESUB 44 OF SUB 11 OF POR 66
OVER EASEMENTS A AND C ON RP21884
3. EASEMENT No 601113165 (628221) 04/12/1914
BURDENING THE LAND
TO RESUB 45 OF SUB 11 OF POR 66
OVER EASEMENTS B, C, L, M AND N ON RP21884
4. EASEMENT No 601113166 (657582) 03/02/1916
BURDENING THE LAND
TO RESUBS 46 AND 47 OF SUB 11 OF POR 66
OVER EASEMENTS L, M, X AND Z ON RP21884
5. EASEMENT No 601072585 (815626) 29/08/1921
benefiting
PART OF THE LAND OVER EASEMENTS G AND H ON RP21793
6. EASEMENT No 601072586 (815628) 29/08/1921
benefiting
PART OF THE LAND OVER EASEMENTS E AND F ON RP21793
7. EASEMENT No 601223855 (815627) 29/08/1921
benefiting
PART OF THE LAND OVER EASEMENT F ON RP21793

NATURAL RESOURCES & MINES, QUEENSLAND

Request No: 109159804
Search Date: 15/08/2003 8:52 am

Title Reference: 50413508
Date Created: 01/11/2002

EASEMENTS, ENCUMBRANCES AND INTERESTS (Continued)

8. EASEMENT No 601223857 (815635) 29/08/1921
benefiting
PART OF THE LAND OVER
EASEMENTS H3, I, J, K AND O ON RP21793
9. EASEMENT No 601232151 (815629) 29/08/1921
benefiting
PART OF THE LAND OVER EASEMENT D ON RP21793
10. EASEMENT No 601232152 (815630) 29/08/1921
benefiting
PART OF THE LAND OVER EASEMENTS E AND E1 ON RP21793
11. EASEMENT No 601232153 (815631) 29/08/1921
benefiting
PART OF THE LAND OVER EASEMENT E2 ON RP21793 AND
EASEMENT E3 ON RP21776
12. EASEMENT No 601438092 (815625) 29/08/1921
benefiting
PART OF THE LAND OVER EASEMENTS Z1 AND K2 ON RP21884
13. EASEMENT No 601595352 (815623) 29/08/1921
BURDENING THE LAND
TO RESUB 49 OF SUB 11 OF POR 66
OVER EASEMENT Z ON RP21884
14. EASEMENT No 601232155 (847377) 13/09/1922
benefiting
PART OF THE LAND OVER
EASEMENTS C2, I1, J1, K3 AND R ON RP21883
15. EASEMENT No 601438093 (847373) 13/09/1922
benefiting
PART OF THE LAND OVER EASEMENT H1 ON RP21882
16. EASEMENT No 601438094 (B245974) 23/02/1954
benefiting
PART OF THE LAND OVER EASEMENTS C1, K1, L AND Q
ON RP21884
17. MORTGAGE No 703605552 30/09/1999 at 14:37
SUNCORP-METWAY LIMITED A.C.N. 010 831 722
OVER PART OF THE LAND FORMERLY LOT 3 ON RP885337
18. MORTGAGE No 706029515 11/10/2002 at 16:04
SUNCORP-METWAY LIMITED A.B.N. 66 010 831 722

NATURAL RESOURCES & MINES, QUEENSLAND
Request No: 109159804
Search Date: 15/08/2003 8:52 am

Title Reference: 50413508
Date Created: 01/11/2002

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: ABR ONLINE

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Client Reference: G3909
GCRP

Page 3/3

APPENDIX C: EMR & CLR SEARCHES

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RTI Act 2009

QLD ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 443353 Site ID: 17785 19 September 2002

This response relates to a search request received for the site:

Lot: 3 Plan: RP885337

EMR RESULT

The above site IS included on the Environmental Management Register.

The site you have searched has been subdivided from the following site, which is included on the EMR. Subdivided new parcels will remain on the EMR unless it can be shown that they are not located near the contaminating activity.

Lot: 42 Plan: RP839861
Address: 28 GHILGAI ROAD
MERRIMAC 4226

The site has been subject to contamination from a hazardous contaminant as follows:

HAZARDOUS CONTAMINANT - This site has been subject to a hazardous contaminant. Refer to the summary given below.
Please contact this Department for further details.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

OUR ADDRESS HAS CHANGED

For EMR/CLR searches, the postal address is: GPO Box 2771, Brisbane, Qld, 4001 OR Level 16, 288 Edward Street, Brisbane, Qld, 4000.

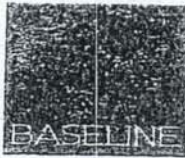
If you have any queries in relation to this search please phone (07) 3227 7370 or (07) 3225 1827.

Tess Dobinson
Acting Registrar, Contaminated Land Unit

APPENDIX D: EXTRACT FROM SITE CONTAMINATION CLEARANCE REPORT

[REDACTED]

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BASELINE CONSULTING PTY LTD

Development Consultants and Engineers
A.C.N. 056 892 300

Our Ref: P4-015.REP/JK:KM

September 28th, 1994

The Director,
Contaminated Land Section,
Department of Environment and Heritage,
P.O. Box 155,
BRISBANE ALBERT STREET, QLD. 4002.

ATTENTION: Mr. D. N. Miles.

Dear Sir,

RE: SITE CONTAMINATION ASSESSMENT
GHILGAI ROAD, MERRIMAC
LOT 2 ON RP. 178297

Enclosed please find a copy of the Stage II to V Site Contamination Investigation for the above property.

Baseline Consulting Pty. Ltd. has carried out a comprehensive Stage I to V Site Investigation on the dip site involving 67 test analysis for arsenic and 10 for organo chlorines.

- (i) There were no organo chlorine residues present.
- (ii) Data supplied in conjunction with Site Sampling Plans 1(d) and 1(f) demonstrates that the dip site has been satisfactorily remediated.
- (iii) It is recommended that the Director, Waste Management Branch issue a Site Contamination Report classifying Lot 2 on RP. 178297 as former.
- (iv) The project Surveyors, Treasure and Associates, Consulting Surveyors have prepared a metes and bounds survey that shows:
 - (a) Those subdivision blocks partially or wholly encompassed by the remediated area; and
 - (b) The section of the road that overlies the compacted diluted spoil.

- (v) When these lots are registered in due course then the subdivision lots should be appropriately classified as 'released' or 'former.'

Yours faithfully,
BASELINE CONSULTING PTY. LTD.

sch4p4(6) Personal information

Director

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APPENDIX E: REZONING APPROVAL 16 NOV 1992 AND GAZETAL NOTICE

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RTI Act 2009

ALBERT SHIRE COUNCIL



ur Ref: G40/92/JAH:JJ
ur Ref: FR (5)560/20-2304
contact: Mr J Webb

16 November 1992



For correspondence to
General Manager/Shire Clerk
P.O. Box 172 Nerang,
Qld. 4211.
Administration Centre:
Nerang-Southport Rd.,
Nerang, Queensland.
Tel: 075 78 0211
Fax: 075 96 3653

sch4p4(6) Personal information

Consulting Surveyors & Town Planners
P O Box 5585
GOLD COAST MAIL CENTRE QLD 4217

Dear Sir

REZONING APPLICATION NO 2304 - BROADLAKES PROJECT
PROPOSED PART SPECIAL FACILITIES - TOURISM, PUBLIC AND
PRIVATE RECREATION FACILITIES, RESIDENTIAL ALLOTMENTS,
DETACHED DWELLINGS, DWELLING UNITS, ACCOMMODATION UNITS,
RETIREMENT COMMUNITIES, INTERNATIONAL HOTELS, SPORTS CLUBS,
LIQUOR LICENSED FACILITIES, COMMUNITY FACILITIES, BOAT
HIRING AND STORAGE, ESTATE SALES OFFICE, DISPLAY HOMES,
CATERING BUSINESS, ANCILLARY USES AND PART SPECIAL
BUSINESS, LOT 2 RP 178297, LOT 42 RP 839861, LOT 2 RP
223566, LOT 1 RP 187421, LOT 9 RP 839860, LOT 7 RP 210994,
LOT 8 RP 210994, PART OF LOT 3 RP 223566, PACIFIC HIGHWAY
AND GHILGAI ROAD, MERRIMAC

With reference to the above application, I am directed to
advise that His Excellency the Governor in Council, gave
approval to this application on 29 October, 1992.

A copy of the Order in Council is enclosed for your
information.

Yours faithfully

sch4p4(6) Personal information

For T R Moore

GENERAL MANAGER/SHIRE CLERK

Encl

ORDER IN COUNCIL

At the Executive Building, Brisbane, the twenty-sixth day of October, 1992

Present:

Her Excellency the Governor in Council

Excellency the Governor, acting by and with the advice of the Executive Council and under the *Local Government (Planning and Environment) Act 1990* and the *Local Government Act 1936*, in relation to applications to amend the Town Planning Schemes referred to in the Schedule made by relevant Local Authorities under the *Local Government Act 1936* (being matters that under section 8.10 of the *Local Government (Planning and Environment) Act 1990* are to be dealt with as if that last mentioned Act had not yet commenced), hereby notifies the approval of the town planning schemes set out in the Schedule.

and the Honourable the Minister for Housing, Local Government and Planning is to give the necessary directions herein accordingly.

E. J. BIGBY, Clerk of the Council

The Schedule

Town Planning Scheme	Date of Notification of Approval of Town Planning Scheme	Description of Land Removed	Zone from which said Land Excluded and Zoning Maps Affected	Zone to which said Land Included and Zoning Maps Affected
		27.2304		
Shire of Albert	19 March, 1983	Lot 2 on R.P. 178297, Lot 42 on R.P. 839861, Lot 2 and part of Lot 3 on R.P. 223566, Lot 1 on R.P. 187421, Lot 9 on R.P. 839860, Lots 7 and 8 on R.P. 210994, parish of Gilston	Partly Rural B Zone, partly Future Urban Zone and partly Special Facilities Zone as shown on Sheets 37 and 40	Partly Special Business Zone, partly Public Open Space Zone and partly Special Facilities Zone as shown on Sheets 37/15 and 40/21
		22.2299 Part of Lot 1 on R.P. 196065, parish of Mudgeeraba	Special Facilities Zone as shown on Sheet 46	Special Business Zone as shown on Sheet 46/4
Whole of the Area of the Shire of Caloundra	19 December, 1987	Part of Lot 795 on R.P. 847274, parish of Mooloolah	Central Business Zone as shown on Sheet 52	Special Facilities Zone as shown on Sheet 52/6
City of Gold Coast	27th March, 1982	Lot 57 on R.P. 211057, parish of Nerang	Residential "A" Zone as shown on Sheet 9	Special Facilities Zone as shown on Sheet 9/14
Whole of the Shire of Maroochy	14th December, 1985	Part of Lot 2 on R.P. 200155, parish of Maroochy	Rural A Zone as shown on Sheet 15	Extractive Industry Zone as shown on Sheet 15/10
Shire of Pine Rivers	14th May, 1983	Lot 1 on R.P. 224244, parish of Warner	Special Facilities Zone as shown on Sheet 57/1	Special Facilities Zone as shown on Sheet 57/10
		Lot 4 on R.P. 153048, parish of Parker	Rural Zone as shown on Sheets 128 and 129	Partly Special Residential Zone and partly Special Facilities Zone as shown on Sheets 128/1 and 129/3

REZONING

FILE NO. 560/20-2304

CONDITIONS:-

1. This rezoning is only for the following zone:-
Part Special Facilities/Tourism, Public & Private Recreation Facilities, Residential Allotments, Detached Dwellings, Dwelling Units, Accommodation Units, Retirement Communities, International Hotels, Sports Clubs, Liquor Licensed Facilities, Community Facilities, boat hiring and storage, estate sales office, display homes, catering business, ancillary uses and part Special Business. *Use Right*
2. The maximum number of units shall be 1,600 except that the maximum nett density of any neighbourhood shall be 40 units/hectare. The total flood free area is to be determined and approved by Council, prior to submission of the application to the Department of Housing and Local Government. *Density Approval*
3. Payment of contributions towards water and sewerage headworks to be assessed on the basis of approved building plans or approved subdivision plans relevant to the proposed development.
The contributions are due for payment on the date of approval of building plans or the date of sealing of registerable plans of subdivision and will be calculated in accordance with the rates in force at the due date for payment. *Notes in Payments*
If the proposed development or any part thereof does not require the obtaining of a building approval or subdivision approval before it may lawfully proceed, the contributions will be assessed on the basis of the development as approved and are payable within fourteen (14) days of gazettal of the proposed rezoning (where applicable), or upon commencement of any new use of the land, whichever is the later date.
4. Submission of a metes and bounds description of the area to be rezoned, plotted at a scale of 1:5,000, prior to the application being forwarded to the Department of Local Government. *Done at 1/1/2019*
5. Submission of a concept plan identifying all land use precincts, amended in accordance with these conditions, for approval of Council, prior to the submission of the application to the Department of Housing and Local Government. Detailed plans are to be submitted for each precinct prior to building approval. *Done at 1/1/2019*

Cont...

REZONING

FILE NO. 560/20-2304

CONDITIONS:-

6. Construction of buildings shall be in materials approved by Council, and development to be in accordance with the preliminary plans submitted with the application, as modified by these conditions.

7. The maximum building height for Broadlakes South shall be three (3) storeys except that two eight (8) storey towers may be built on the north east point of Neighbourhood C.

8. The maximum building height in "Broadlakes North" shall be three (3) storeys except that a single 17 storey tower may be constructed at the location shown on the concept plan.

9. Compliance with all of the requirements of the Town Plan, and all Council Bylaws regarding use of the land. A building approval is to be obtained prior to any building or structure being erected on the land.

10. Construction of kerb and channel and bitumen pavement widening on the Pacific Highway service road frontage of the site in accordance with Council standards, at full cost to the applicant.

11. The designated landscape areas shall be heavily planted with trees and shrubs, and shall be maintained at all times, for aesthetic and buffering purposes. The landscaping shall contain mounding or barriers to prevent vehicle or pedestrian traffic on the landscaping.

12. Construction at the applicant's expense of concrete industrial crossings in accordance with Council's standards at locations shown on preliminary plans to provide vehicle access to the site.

13. Off street parking is to be provided in accordance with Clause 20 of the Town Plan. Such area is to be paved or suitably sealed, line-marked, signposted and drained in accordance with Council's standards.

14. Provision shall be made for all site drainage and stormwater runoff to be channelled to the road or drainage outlet designated by Council.

In completion of the construction of others of the downstream drainage works at Robina Parkway and Boowaggan Road the applicant shall surrender any existing drainage easements in favour of the site over downstream properties.

Cont...

REZONING

FILE NO. 560/20-2304

CONDITIONS:-

15. The use shall be conducted in such a manner as not to interfere with the amenity of the neighbourhood by reason of noise, vibration, fumes, soot, waste products, lights or anything whatsoever. *Standard*
16. The adjustment of all services and utilities along the frontage of the land which are affected by the development, at full cost to the applicant. *"*
17. The observance of the requirements of the Main Roads Department and other relevant Government and Statutory Authorities at full cost to the applicant. *5.7.11 off
standard
street*
18. Excavation adjacent to the railway reserve are to be designed and constructed such that the excavation has no detrimental impact on the stability of the railway line, to the satisfaction of the Railway Department. *Note. Cont
design*
19. Connection of the land to Council's reticulated sewerage scheme at a point nominated by Council, at full cost to the applicant. *Done*
20. Connection of the land to Council's water supply system at a point nominated by Council, at full cost to the applicant. *"*
21. Tree clearing is to be done in strict accordance with a tree clearing plan approved by the Shire Engineer. *Further
written*
22. The applicant shall water the site or use other means to prevent dust from affecting adjoining properties. *Standard*
23. Siteworks, construction works or the like shall be conducted only between the hours of 7 a.m. and 6 p.m. Monday to Friday inclusive. No such works shall be carried out outside these hours or on Saturdays, Sundays or Public Holidays, unless specifically approved by Council. *"*
24. These conditions shall continue to apply upon gazettal of the proposed rezoning. *"*
25. Provision shall be made within the development for a wheelie bin or industrial bin service, in accordance with Council policy, at full cost to the applicant. *"*
26. Subject to compliance with Council's Subdivision of Land Bylaw No. 4 with regard to any proposed subdivision of the land. *"*

Cont...

REZONING

FILE NO. 560/20-2304

CONDITIONS:-

27. Provision for a connecting road between the Mudgeeraba interchange proceeding along the southern alignment of the site to be rezoned and connecting with the regional road fronting the proposed hospital site extending north east from the Robina land holdings. This road should generally be of a 30 metre reserve width.

Where the road adjoins another property, the applicant is required to provide 15 metres or half the width of the proposed road. Where the road proceeds entirely through the applicant's site, the applicant will provide the full 30 metre road reserve width.

28. The level of the road is to be determined by the Shire Engineer, after consideration of the hydraulic study and the impact on the flood plain of the proposed road system.

This determination will take into account the levels of flood immunity necessary to service the needs of the area and will be supported by traffic studies and the matter will be submitted back to Council for ratification.

Council will determine appropriate contributions towards the construction of this road based on pro rata contributions from landowners in the area. The applicant will be required to pay its pro rata share for the construction of this road.

Flood free access is to be provided to all accommodation areas. (Flood free meaning above the 1 in 100 year flood level.)

29. Provision of 4 ha. of developed parkland adjacent to Robina's parkland on Mudgeeraba Creek, in addition to other parkland within the development, already provided.

30. Payment of a contribution for the upgrading of Ghilgai Road (\$4,400 per ha) of Broadlakes North.

- *31. Compliance with all the requirements of the Merrimac Flood Study and the Merrimac Drainage Study with respect to this site, to the requirements of the Shire Engineer.

32. Submission of a \$200,000 performance bond to ensure compliance with Conditions 10, 11, 14, 16, 19, 21 - 23, 27, 28, 30, 31 and 34 - 40. The bond is to be submitted prior to the application being forwarded to Department of Local Government.

Cont...

REZONING

FILE NO. 560/20-2304

CONDITIONS:-

The bond will be returned on completion of the work (to Council standards) associated with these conditions. The bond may be partially reduced when the value of outstanding works is less than the bond.

Council may require additional bonding with respect to other conditions associated with any further approvals.

33. Provision of a public bikeway system plan, for approval by Council. Such bikeway to be constructed at full cost to the applicant. *Approved*
34. Dredging of the Mudgeeraba Creek along the frontage of the property of minus 3.0 RL. *Approved*
35. Payment of a contribution of \$3,000 per hectare of reclaimed land for flood mitigation and erosion control.
36. No earthworks are to commence until plans are approved by the Shire Engineer. The plans required for approval prior to commencement of earthworks are to include bulk earthworks details, associated drainage works, access provisions and a schedule of construction works.
37. Prior to the commencement of construction; a detailed report is to be prepared for Council approval detailing the proposed fertilisers, fungicides, herbicides and insecticides to be used in the construction and maintenance of the project. *N/A*

The report is also to be submitted to the Department of Environment and Heritage. The report is to contain the following information:- *Refer to Golf Course*

- (a) The type of chemicals to be used, their method of application and their application rates.
- (b) The applicant is to keep a record of hazardous chemicals which is to be available for inspection by Council staff at all times.

The applicant is to strictly comply with the requirements of this report as approved by Council and the Department of Environment and Heritage, regarding the construction and maintenance of the golf course pursuant to this condition.

38. The maintenance/storage area is to be bunded to prevent accidental pollution of adjoining waterways. *Refer to Council*

Cont...

REZONING

FILE NO. 560/20-2304

CONDITIONS:-

39. Areas that have been affected by earthworks are to be reseeded or replanted as soon as earthworks are complete in these areas. *will done*
40. Provision of silt traps prior to the commencement of construction and maintenance of these traps through all stages of construction. *will done*
41. Payment of a contribution towards the north bound on ramp to the Pacific Highway (\$23 per unit of Broadlakes South).
42. Submission of detailed concept plans of any boat hiring and storage or marina facility for Council approval prior to building approval. *NA*

the Local Authority before deciding such application, shall

(iv) give or cause to be given public notice of the application by posting a notice—

(A) where the land to which the application relates or applies has no road alignment and forms part of any allotment or allotments having road alignment, on the land comprising that allotment or those allotments;

(B) where the land to which the application relates or applies has no road alignment and comprises any allotment or allotments, on the land comprised in an adjoining allotment that has road alignment;

(C) in any other case, on the land to which the application relates or applies; and

(v) serve or caused to be served notice of the application—

(A) where the land to which the application relates or applies comprises any allotment or allotments, on the owner of any allotment adjoining that land where such owner is other than the applicant; or

(B) where the land to which the application relates or applies comprises part of any allotment or allotments, on the owner of any allotment adjoining the allotment or allotments of which the land comprises part where such owner is other than the applicant;

(vi) give or cause to be given public notice of the application by advertisement in a newspaper.

(b) The public notice of the application posted on land pursuant to subparagraph (iv) of paragraph (a)—

(i) shall be not less than 600 millimetres in height, not less than 0.6 square metres in area, and all lettering thereof shall be not less than 25 millimetres in height, and the notice shall be posted not more than 1.5 metres from each road alignment of the land and so as to be clearly visible from the road and shall be kept so posted at all times during the period of—

(A) 30 days, in the case of an application specified in paragraph (a) (i); and

(B) 14 days, in the case of an application specified in paragraph (a) (ii) or paragraph (a) (iii).

terminating upon the expiration of the date specified in the notice as the date on or before which objections may be lodged, (which date in this subsection is referred to as "the last day for the receipt of objections");

(ii) shall state—

(A) in the circumstances referred to in paragraph (a) (i)—

(1) the postal address and real property description of the land to which the application relates or applies;

(2) the area of the land;

(3) the zone from which the land is proposed to be excluded;

(4) the zone in which the land is proposed to be included; and

(5) the use desired to be made of the land following re-zoning;

(B) in the circumstances referred to in paragraph (a) (ii) or paragraph (a) (iii)—

(1) the postal address and real property description of the land to which the application relates or applies;

(2) the area of the land;

(3) the length of road frontage (frontage to each road, if more than one, to be shown separately);

(4) the nature of the proposed use;

(5) where the application relates to the erection of any building or other structure, the following particulars of such building or other structure—

the dimensions and gross floor area;

the number of storeys;

(6) the number of motor vehicles for which parking provision is to be made on the land;

(7) the number of employees proposed to be engaged on the land; and

(8) the nature of any machinery proposed to be used on the land;

(C) that the application and accompanying documents or a copy thereof shall be open to inspection by any person at the office of the Local Authority on or before the last day for the receipt of objections, specifying the date thereof;

(D) that objections to the granting of the application may be lodged on or before the last day for the receipt of objections;

(E) the requirements with respect to objections prescribed by subparagraph (ii) of paragraph (h); and

(iii) in the case of a notice to which paragraph (a) (iv) (A) or (a) (iv) (B) applies, shall contain a sketch of the land to which the application relates or applies and the land on which the notice is required to be posted.

(c) The advertisement in a newspaper pursuant to paragraph (a) (vi) shall be given at the same time as or within seven days before notice of the application is posted on land pursuant to paragraph (a) (iv) and shall state—

(i) in the circumstances referred to in paragraph (a) (i)—

(A) the postal address of the land to which the application relates or applies;

(B) the zone from which the land is proposed to be excluded;

(C) the zone in which the land is proposed to be included;

(ii) in the circumstances referred to in paragraph (a) (ii) and paragraph (a) (iii)—

(A) the postal address of the land to which the application relates or applies;

(B) where applicable the zone in which the land is included;

(C) the nature of the proposed use, which may where applicable be described by use of a word or term defined in the scheme;

(iii) that the application and accompanying documents or a copy thereof are open to inspection by any person at the office of the Local Authority;

(iv) that objections to the granting of the application may be lodged with the clerk on or before the last day for the receipt of objections, specifying the date thereof.

(d) The notice of application required to be served pursuant to paragraph (a) (v)—

(i) shall be given at the same time as or within 7 days before notice of the application is posted on the land pursuant to paragraph (a) (iv);

(ii) shall be sufficiently served on an owner if it is sent by post addressed to him at his address as shown in the records of the Local Authority relating to the levying of rates;

(iii) shall contain the information specified in subparagraph (ii) and, where applicable, subparagraph (iii) of paragraph (b).

(e) Upon the lodging in duplicate with the clerk of an application to which paragraph (a) applies, the Local Authority shall thereafter, and at all times during which its office is open for the conduct of public business on or before the last day for the receipt of objections to that application, keep open to inspection the application and accompanying documents or a copy thereof at the office of the Local Authority.

(f) Where an applicant gives public notice and, if applicable, serves notice of an application pursuant to paragraph (a) he shall during the period of 7 days next following the date stated in such notice or notices as the last day for the receipt of objections or during such longer period as the clerk may in a particular case allow, lodge at the office of the Local Authority—

(i) a statutory declaration stating facts that establish that the applicant has complied with all the relevant provisions of this subsection concerning the giving of public notice and the serving of notice of the application;

(ii) a copy in writing of any public notice alleged, by such statutory declaration to have been given pursuant to paragraph (a) (iv); and

(iii) a copy of the notice, if any alleged by such statutory declaration to have been served pursuant to paragraph (a) (v);

(iv) a copy of any public notice alleged by such statutory declaration to have been given pursuant to paragraph (a) (vi) with the name of the newspaper and the date of publication endorsed thereon.

(g) An application specified in subparagraph (ii) or (iii) of paragraph (a) shall, where the application relates to a major shopping development, be accompanied by an economic impact assessment except where such an assessment has already been furnished to the Local Authority pursuant to subsection (6) (b) (iii).

(h) (i) A person may on or before the last day for the receipt of objections make and lodge an objection to an application the making whereof has been notified under this subsection.

(ii) An objection pursuant to subparagraph (i) shall—

(A) be in writing and signed by each person who makes the objection;

(B) be addressed to the clerk;

(C) state—

(1) the name and address of each person who makes the objection; and

(2) the grounds of objection and the facts and circumstances relied on by the objector or objectors in support of those grounds;

(D) if the objection is made by more than one person, may state the name and address of the objector nominated as the person to whom a notice under paragraph (j) is to be given in respect of the application the subject of the objection; and

(E) be lodged with the clerk.

1936-1983

(7) Appeal to Court by applicant for re-zoning of land. (a) An applicant to the Local Authority to exclude land from any zone and to include the land so excluded in another zone may appeal to the Court against the decision of the Local Authority refusing such application. Where the Local Authority approves the application subject to any condition, against that condition.

(b) If the Court allows the appeal, it shall order the Local Authority to refer the application to the Minister for such amendment of the scheme as it may make, effect the application.

Such application shall be made in accordance with the provisions of this section relating to amendment of the scheme which are applicable in the circumstances of the case and the Local Authority shall, within the time specified in the order of the Court, commence to take and do the things and things prescribed by this section to be done and taken by the Local Authority in respect of such application.

(c) The Court may allow an appeal (whether against a refusal or a decision of approval) unconditionally or subject to such conditions as it may deem fit, being conditions to which the Local Authority lawfully subject its approval of the application in question.

For the purpose of giving effect to this subsection the Court may make such order or orders as it deems fit.

(5) Appeals in respect of applications to use land or to erect or build or other structures. Subject to this section any applicant for approval, consent or permission to use any land or to erect or build or other structure for a purpose permitted by a town planning scheme may appeal to the Court against the decision of the Local Authority.

(a) Subject to this section, any applicant for approval to have any land, building or other structure registered in the Register of Non-Conforming Uses as prescribed by a town planning scheme may appeal to the Court against the determination of the Local Authority.

(b) Subject to this section, the owner or occupier of any land, building or other structure (other than an applicant referred to in subsection (a)) the use whereof the Local Authority has determined to be registered in the Register of Existing Non-Conforming Uses as prescribed by a town planning scheme may appeal to the Court in respect of such determination.

(5) Appeals in respect of requirements and decisions of Local Authority under by-laws. Subject to this section any person who is aggrieved with any decision of the Local Authority under any by-law made pursuant to this section or under a by-law made prior to the coming into force of the Local Government Act Amending Act of 1968 for the purpose of the use and development of land pending the coming into force of a town planning scheme, may appeal to the Court against such decision.

(4) Other appeals in respect of the erection of buildings or other structures. Subject to this section, an applicant who is dissatisfied with any decision, requisition or other act of authority with respect to the erection of any building or other structure for a purpose permitted by a town planning scheme made or done or purporting to be made or done by the Local Authority or any officer of the Local Authority by or under the provisions of any by-law or the scheme may appeal to the Court against such decision, requisition or other act of authority.

Where subsection does not apply to a decision, requisition or other act of authority in respect of which a right of objection is conferred by the Local Government Act 1975.

(3) Appeal may be allowed subject to conditions. The Court may allow an appeal under subsections (15), (16) or (16A) of this section (15) of section thirty-four of this Act unconditionally or subject to such conditions as the Court deems fit, being conditions to which the Local Authority or any officer of the Local Authority could lawfully subject the approval, consent, permission, decision, requisition or act of authority to which the appeal relates, or which are agreed between the Local Authority and the appellant.

For the purpose of giving effect to this subsection the Court may make such order or orders as it deems fit.

(2) Time for appeals by applicants. (a) (i) The Local Authority shall decide every application to which subsections (7), (15), (16) or (16A) of this section applies within the period prescribed by this subsection, and in every such decision state the grounds thereof.

(ii) Subject to paragraphs (n), (o) and (p) of subsection (18), the period prescribed by this subsection shall be—

(A) in the case of an application to which subsection (6A), (15) or (16) applies, and the applicant gives notice of the application pursuant to paragraph (a) of subsection (18), 40 days from the date of compliance by the applicant with the requirements of paragraph (f) of subsection (18); or

(B) in the case of an application to which subsection (6A), (15) or (16) applies and the Local Authority gives notice of the application pursuant to paragraph (a) of subsection (18)—

(1) 70 days in the case of an application to which subsection (18) (a) (i) applies; or

(2) 54 days in the case of an application to which subsection (18) (a) (ii) or (18) (a) (iii) applies.

from the date of the receipt by the Local Authority of the application; or

(C) in the case of an application to which subsection (15A) or (16A) applies, 40 days from the date of the receipt by the Local Authority of the application.

Provided that if, with the prior approval of the Minister, the Local Authority by notice served upon the applicant before the expiration of the period specified in subparagraph (A), (B) or (C) extends such period in a particular case, the period prescribed by this subsection shall be taken to be the longer period specified in the notice.

A period extended by a Local Authority pursuant to this subsection may be further extended for one or more periods by notice served upon the applicant before the expiration of the extended period: Provided that the approval of the Minister shall be obtained prior to any extension by a Local Authority of a period pursuant to this provision.

(iii) In this subparagraph "objector" means a person who has duly objected to the granting of an application under subsections (7), (15) or (16).

The clerk shall give to every objector the notification prescribed by paragraph (j) of subsection (18) of this section within the period prescribed by this paragraph (a).

(b) Where the Local Authority decides an application to which subsections (7), (15), (16) or (16A) of this section applies, the clerk shall notify the applicant of such decision within seven days from the date of the making of the decision.

The notification shall state the grounds of the decision.

Where the notification relates to an application to which subsection (7) of this section applies, it shall contain or be accompanied by a copy of that subsection and of this subsection of this section.

Where the notification relates to an application to which subsection (15) of this section applies, it shall contain or be accompanied by a copy of that subsection and of this subsection of this section.

Where the notification relates to an application to which subsection (16) of this section applies, it shall contain or be accompanied by a copy of that subsection and of this subsection.

Where the notification relates to an application to which subsection (16A) of this section applies, it shall contain or be accompanied by a copy of that subsection and of this subsection.

An appeal to the Court by—

(i) an applicant specified in this subsection against the decision of the Local Authority on his application;

(ii) an owner or occupier of land specified in subsection (15A) (b) against the determination of the Local Authority that the use of such land notified to him by the clerk pursuant to this subsection should be entered in the Register of Existing Non-Conforming Uses as prescribed by the scheme.

may be instituted by him within 30 days after the date of the receipt by him of the notification from the clerk of the decision or determination in question but not later.

(c) Where the Local Authority fails to decide an application to which subsection (7), (15), (16) or (16A) of this section applies within the prescribed period, the applicant may appeal to the Court at any time.

(18) Procedure for processing applications for re-zoning or consent and rights of objection and appeal in relation thereto. (a) Where—

(i) an application is made to the Local Authority to exclude land from a zone and to include the land so excluded in another zone;

(ii) under a town planning scheme any building or other structure may be erected or used for any purpose on land in a zone only with the consent of the Local Authority or land in a zone may be used for any purpose only with such consent and an application is made for such consent; or

(iii) under a by-law (whether made before or after the commencement of the Local Government Act Amending Act 1968) whereby provision is made in respect of regulating and controlling the use of land and the erection or use of buildings or other structures on land in an area or part of an area to be included within a town planning scheme pending the coming into force of the scheme, any building or other structure may be erected or used on land only with the consent of the Local Authority or land may be used for any purpose only with such consent and an application is made for such consent.

(i) For the purpose of deciding an application to which paragraph (a) applies, the Local Authority shall forthwith consider every objection thereto made and lodged in accordance with paragraph (h).

(j) (i) Subject to subparagraph (ii), where the Local Authority proposes to grant an application to which paragraph (i) applies, the clerk shall give notice accordingly to every person who has made and lodged as prescribed by paragraph (h) an objection to the granting of the application.

(ii) Where an objection duly made and lodged as prescribed by paragraph (h) with the clerk is so made and lodged by more than one person—

(A) It shall be sufficient notification for the purposes of subparagraph (i) if the clerk notifies the person whose name first appears on the objection or, where the objection nominates a person as the person to whom such a notice is to be given, that person; and

(B) thereupon for the purpose of subparagraph (i), it shall be deemed that each person who made and lodged the objection was notified by the clerk at the same time as the person whose name first appears on the objection, or as the case may be, the person nominated as the person to whom a notice under this paragraph is to be given.

(iii) The notification under this paragraph shall contain, or be accompanied by a copy of this subsection.

(k) Subject to this Act, a person who has duly objected to the granting of an application whereof notice has been given pursuant to this subsection may appeal to the Court against the proposal of the Local Authority to grant the application.

Where an objection is made and lodged by more than one person every person who made and lodged the objection may appeal pursuant to this paragraph.

(l) An appeal under this subsection shall be instituted within 30 days after the giving pursuant to paragraph (j) of the notification to the person who institutes the appeal but not later.

(m) (i) Within 10 days after the institution of an appeal, or within such extended time as the Court may allow upon sufficient cause being shown, the appellant shall serve on the applicant written notice of the appeal and the grounds thereof together with a statement that the applicant may elect within 14 days after the notice is served on him to become a respondent to the appeal.

(ii) The applicant may, by filing in the Court notice of election in that behalf within 14 days after the notice is served on him under this subsection or within such extended time as the Court may allow upon sufficient cause being shown, become a respondent to the appeal and shall be entitled to be heard in the appeal as a party thereto.

(n) Where a person has duly objected, the application shall not be decided—

(i) until the time for institution of an appeal has expired; or

(ii) if an appeal is duly instituted, until the appeal is determined.

(o) In the case of an appeal, in making its decision the Local Authority shall be bound by the determination of the appeal.

(p) The Local Authority shall make its decision and the clerk shall notify the applicant thereof within 7 days after the time for institution of an appeal has expired or, if an appeal has been duly instituted, after the determination thereof. The notification shall state the grounds of the decision.

(q) Except where the Local Authority causes the applicant to post the notice of application in accordance with paragraph (a), he shall pay to the Local Authority the costs of such notice and shall lodge with his application the amount of such costs.

(r) The Court shall stay proceedings in any appeal under this subsection unless it is satisfied on oral evidence or by affidavit that the appellant has complied with the provisions of paragraph (m) in relation to the appeal.

(s) The provisions of subsection (18) of section 33 of the Local Government Act 1936-1979 shall, notwithstanding the repeal thereof, apply in relation to an application to which that subsection applied, save prior to that repeal and to objections and appeals arising out of such application as if those provisions had remained in force and action in respect of the application shall proceed accordingly.

(t) (i) Subject to subparagraph (v), where, under a town planning scheme or by-law specified in subparagraph (iii) of paragraph (a), any building or other structure may be erected or used for any purpose only

with the consent of the Local Authority or land may be used for any purpose only with such consent and an application is made for such consent, such application may be amended by the applicant prior to the application being decided by the Local Authority or, with the consent of the applicant, by the Local Authority when considering the application provided the Local Authority is of the opinion that—

(A) the amendment is of a minor nature; and

(B) the amendment would not adversely affect any person;

Provided that a Local Authority shall have no power under this paragraph to amend an application which has been the subject of an appeal to the Court and the Court has made a determination on the appeal.

(ii) A person who seeks an amendment of an application referred to in subparagraph (i) shall make application to the Local Authority for such amendment and the application shall set forth full particulars of the proposed amendment.

(iii) The Local Authority shall decide the application within 30 days from the date of receipt by it of the application.

(iv) The clerk shall notify the applicant of such decision within 7 days from the date of the making of the decision.

(v) For the purposes of this paragraph a proposed amendment shall be taken to be not of a minor nature if—

(A) the proposed use to be made of the land and the subject of the application is to be varied by the addition of other uses;

(B) the gross floor area of buildings or proposed buildings on the site, is to be increased by more than five per centum;

(C) the number of storeys to be contained in any building or proposed building or part thereof on the site is to be added to;

(D) the location of the proposed ingress to or egress from the site is to be substantially altered;

(E) the proposed ingress to or egress from the site is to be by or from roads other than roads specified in the original application; or

(F) the amenity or the likely future amenity of the locality would, in the opinion of the Local Authority, be adversely affected by the proposed amendment;

Provided that an alteration in a particular referred to in provision (D) or an amendment referred to in provision (E) shall be deemed to be an amendment of a minor nature if—

(G) the location of the proposed ingress or egress is altered or the road from or to which ingress or egress is to be had if the proposed amendment is made is a road declared under the *Main Roads Act 1920-1979* and the approval of the Commissioner of Main Roads has been obtained to the location of the points of ingress and egress; and

(H) the Court, upon an application being made to it, determines the proposed amendment is of a minor nature and would not adversely affect any person.

(18) (a) Objector may be a party in an appeal. (3) The clerk when notifying the applicant of the decision of the Local Authority on an application to which subsection (15) of this section applies shall furnish the applicant with the name and address of every person who has duly lodged, pursuant to that subsection, an objection to the application with the clerk, whether lodged before or after the commencement of the *Local Government Act Amendment Act 1973*, and where paragraph (c) of subsection (17) of this section applies in relation to the application the clerk shall forthwith on demand by the applicant furnish to the applicant the name and address of every person who has so lodged an objection.

(b) Where an applicant institutes an appeal pursuant to paragraph (c) of subsection (17) of this section, he shall forthwith make application to the clerk to be furnished with the name and address of every person who has duly lodged, pursuant to subsection (15) of this section, an objection to the application in relation to which the appeal is brought.

(ba) Where an objection duly lodged with the clerk is made and lodged by two or more persons, the clerk shall furnish to the applicant in accordance with paragraph (a) or (b) the name and address of every person who made and lodged the objection.

(c) Where an applicant institutes an appeal in respect of an application to which subsection (18) of this section relates, he shall forthwith notify in writing every person with whose name and address he has been furnished in relation to the application in question pursuant to paragraph (a) of this subsection of the appeal and the grounds of the appeal and of the objector's right to become a respondent to the appeal.

(d) Any person who has duly lodged pursuant to subsection (18) of this section an objection to an application in respect of which the applicant institutes an appeal to the Court may by filing in the Court notice of election in that behalf within fourteen days after the receipt by him of the notification pursuant to paragraph (c) of this subsection become a respondent to the appeal and shall be entitled to be heard in the appeal as a party thereto.

Where an objection is made and lodged by two or more persons, every person who made and lodged the objection may appeal pursuant to this paragraph (d).

(e) The Court shall stay proceedings in any appeal in respect of an application to which subsection (18) of this section relates unless it is satisfied on oral evidence or by affidavit that the appellant has complied with the provisions of paragraph (c) of this subsection in relation to the appeal.

APPENDIX G: THG CONCEPTUAL LAYOUT

Published on DESI Disclosure Log
RTI Act 2009

APPENDIX F: DRAFT GURAGUNBAH LOCAL AREA PLAN

Published on DESI Disclosure Log
RTI Act 2009

Contaminated Land Section
(07) 227 7370

901102

24/11/94
April,
Please check ownership details of
Lot 42. R3859861
and if same as this file please place
on LSR
ENTERED - 29/11/94.

sch4p4(6) Personal

sch4p4(6) Pe

SITE CONTAMINATION REPORT

REPORT NUMBER 091-000187

1.0 APPLICANT

Name:

Cobai Pty Ltd

Address:

C/- Basline Consulting Pty Ltd
PO Box 3624
SOUTH BRISBANE QLD 4101

2.0 PROPERTY IDENTIFICATION

2.1 Address:

28 Ghilgai Road
MERRIMAC QLD 4226

2.2 Real Property Description:

Lot 2 RP 178297
County of Ward
Parish of Gilston

2.3 Name and Address of Owner/s:

sch4p4(6) Personal information

2.4 Current Zoning:

Multiple Zoning

2.5 Proposed Zoning:

Residential A

Contaminated Land Section
(07) 227 7370

901102

4 November 1994

SITE CONTAMINATION REPORT

REPORT NUMBER 091-000187

1.0 APPLICANT

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Cobai Pty Ltd

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County of Ward
Parish of Gilston

2.3 Name and Address of Owner/s:

sch4p4(6) Personal information

2.4 Current Zoning:

Multiple Zoning

2.5 Proposed Zoning:

Residential A

3.0 LOCAL GOVERNMENT

Name:

Albert Shire Council

4.0 DATE FINAL SUBMISSION RECEIVED BY THE DEPARTMENT OF ENVIRONMENT AND HERITAGE

5 October 1994

5.0 STUDIES UNDERTAKEN BY APPLICANT OR REQUESTED BY DIRECTOR

1. Preliminary Site Contamination Assessment Ghilgai Road Merrimac, Qld 4226, prepared by Basline Consulting Pty Ltd April 1994 (Reference No. P4-015.001/JK:KW).
2. Stages II and V; Site Contamination Assessment Ghilgai Road, Merrimac Qld 4226, prepared by Baseline Consulting Pty Ltd, September 1994 (Reference No. P4-015.REP/JK:KW).

6.0 STATUS ON REGISTER OF CONTAMINATED SITES

Status:

Former

File No.:

901102

7.0 STATEMENT OF SUITABILITY

On the basis of information supplied to the Department of Environment and Heritage, the subject property is suitable for any use.

Yours sincerely

sch4p4(6) Pers

David N Miles
Director, Waste Management Branch
Division of Environment

f:\contaml\reports\091-0001.87

QUEENSLAND

Date 05/94 DEPARTMENT OF ENVIRONMENT & HERITAGE Receipt No. 51554

Received From .. COBAI PTY LTD Amount.... 400.00
Cheque Details
Bank..... WBC Chq. No..... 262241
Place..... BROADBEACH
Particulars..... CONTAM. SEARCH
4SRWM176 EH020 400.00

Cashier.... spr Per Authorised Accounting Officer sch4p4(6) Personal information

Cheques or other negotiable instruments accepted subject to clearance

Received 3 MAY 94
PL.

BASELINE

BASELINE CONSULTING PTY LTD

Development Consultants and Engineers
A.C.N. 056 892 500

Our Ref: P4-015.002/JK:KM

April 15th, 1994

The Director,
Contaminated Land Section,
Department of Environment and Heritage,
P.O. Box 155,
BRISBANE ALBERT STREET, OLD. 4002.

ATTENTION: Mr. D. N. Miles.

Dear Sir,

**RE: SITE CONTAMINATION ASSESSMENT
GHILGAI ROAD, MERRIMAC
LOT 2 ON RP. 178297**

Enclosed please find a copy of the Stage 1 Site Contamination Assessment for the above property.

The assessment has identified contamination with arsenic.

This will require to be disposed of in the local Council land fill. After this, the excavation will require to be validated by further analysis in order to ensure all contamination, lateral and vertical, has been removed. We will provide subsequent reports as they are completed.

Enclosed is our clients cheque for \$400.00 as required to cover lodgement costs.

Yours faithfully,
BASELINE CONSULTING PTY LTD

sch4p4(6) Personal information

51554

45K WM 178 E4020

35 Peel Street, South Brisbane Q 4101
Postal Address: PO Box 3624 South Brisbane Q4101
Facsimile (07) 844 5700 Telephone (07) 844 5900
Registered Professional Engineering Company of Queensland
Registration No. 249

Memorandum

To Lile
From Go
Subject Meeting with Herb.

File reference 901102

Date 19/12/94

Notes

- Road in dip area has been excavated down 2m; Material from down beneath slope was placed & analysed after mixing ~10ppm

Summary: After meeting with Herb Williams the following comments can be made

(1) The contours of the site were along the plume that Herb Williams had identified. Samples taken to either side of the plume were $\leq$ env. threshold.

Excavation of this area ~~was~~ removed as contamination. Some of the later excavations were mixed on site and used in the road (Testing of this material showed $\leq$ LHT)

(2) A number of high contaminants was recorded around the deep mound, with high leachability. However contamination was confined to this area

(3) There were a number of residual questions I had which have become academic as developer has excavated down 2m in general area of dip to make a road. The samples of road area are $\leq$ 10ppm. (Excavation was necessary because of steep slope just down from dip area.

Conclusion: Land no longer a hazard to human health or environment

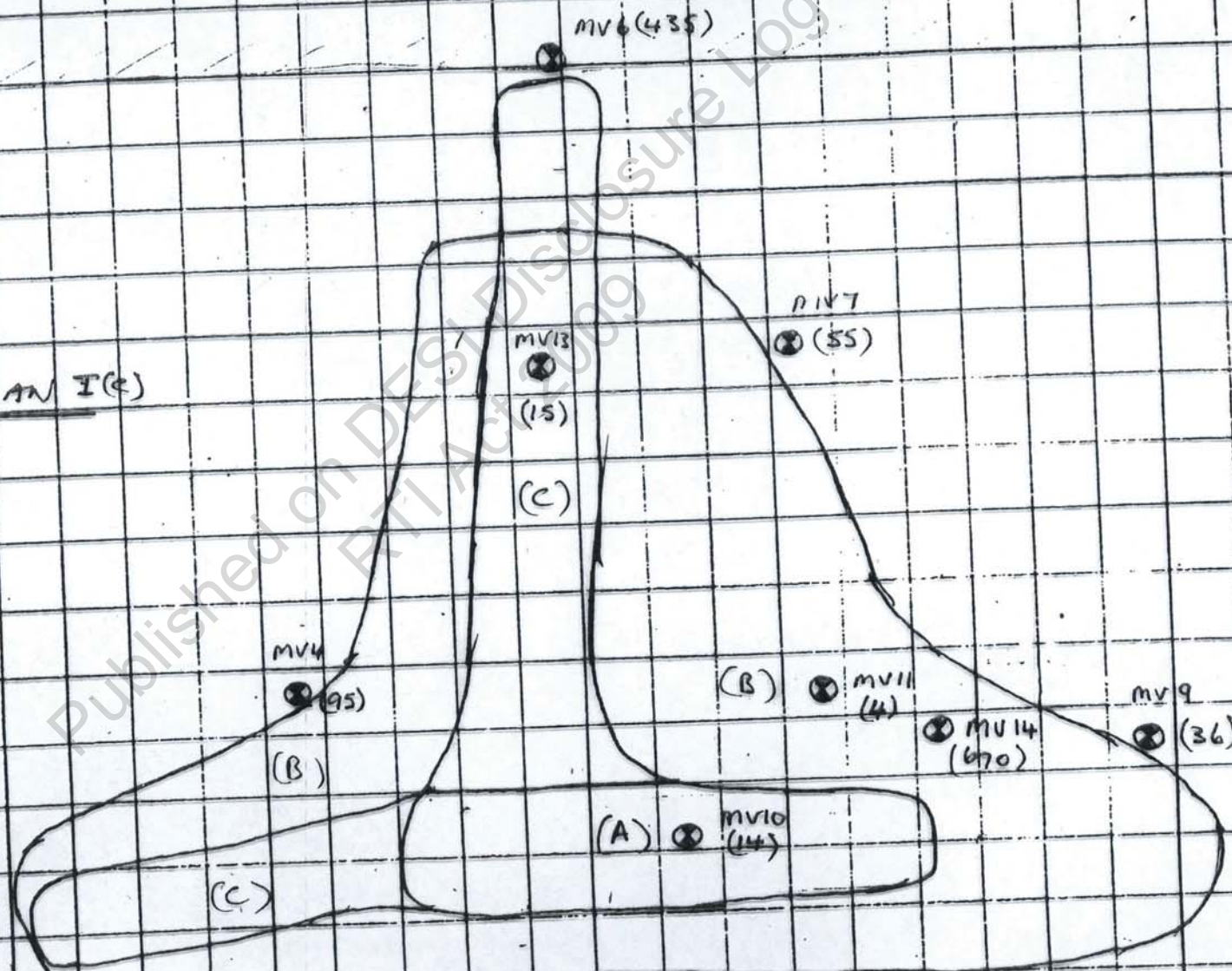
→ former site.

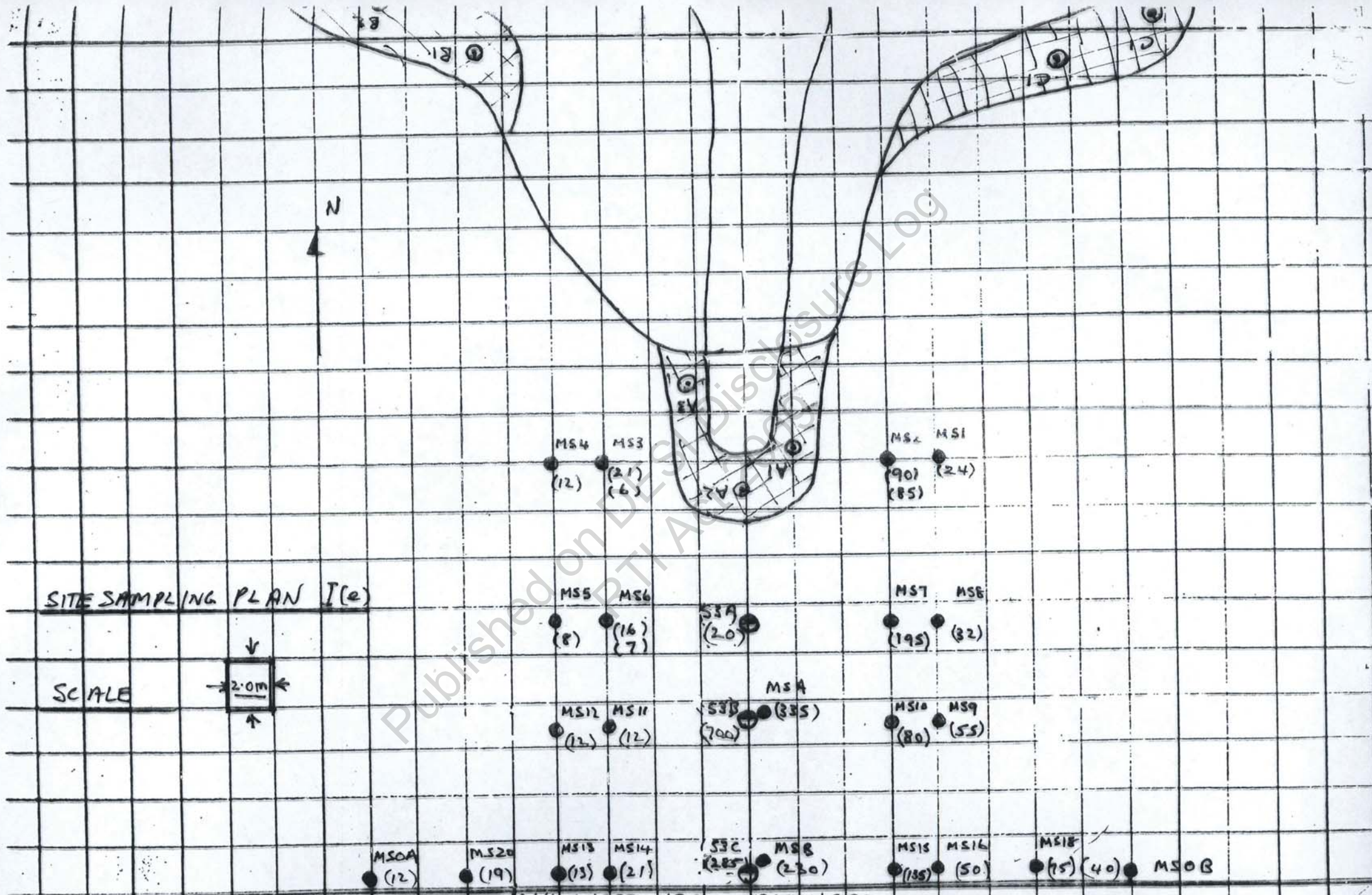
PS. place neighbouring property on ESR

— Yes

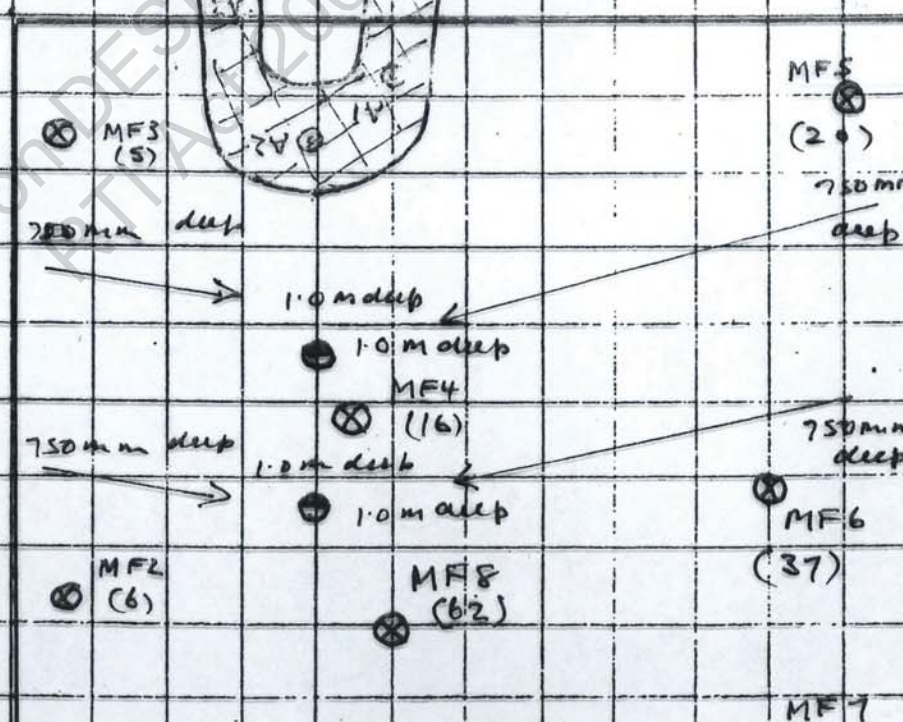
Queensland Department of Environment and Heritage

SITE SAMPLING PLAN I(c)





SITE SAMPLING PLAN I(f)

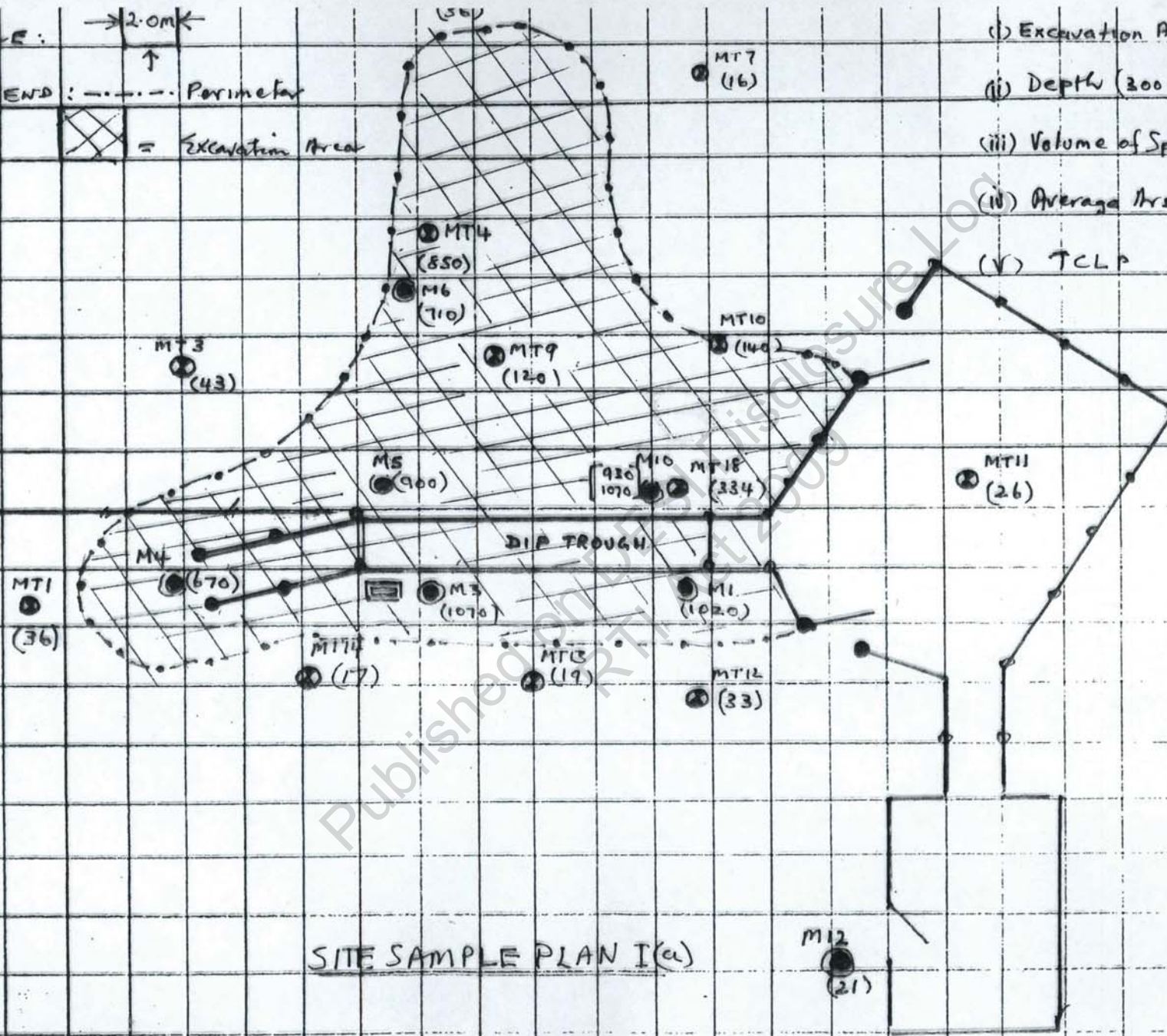


SCALE: $\rightarrow 2.0m \leftarrow$

LEGEND: $\cdots$ Perimeter

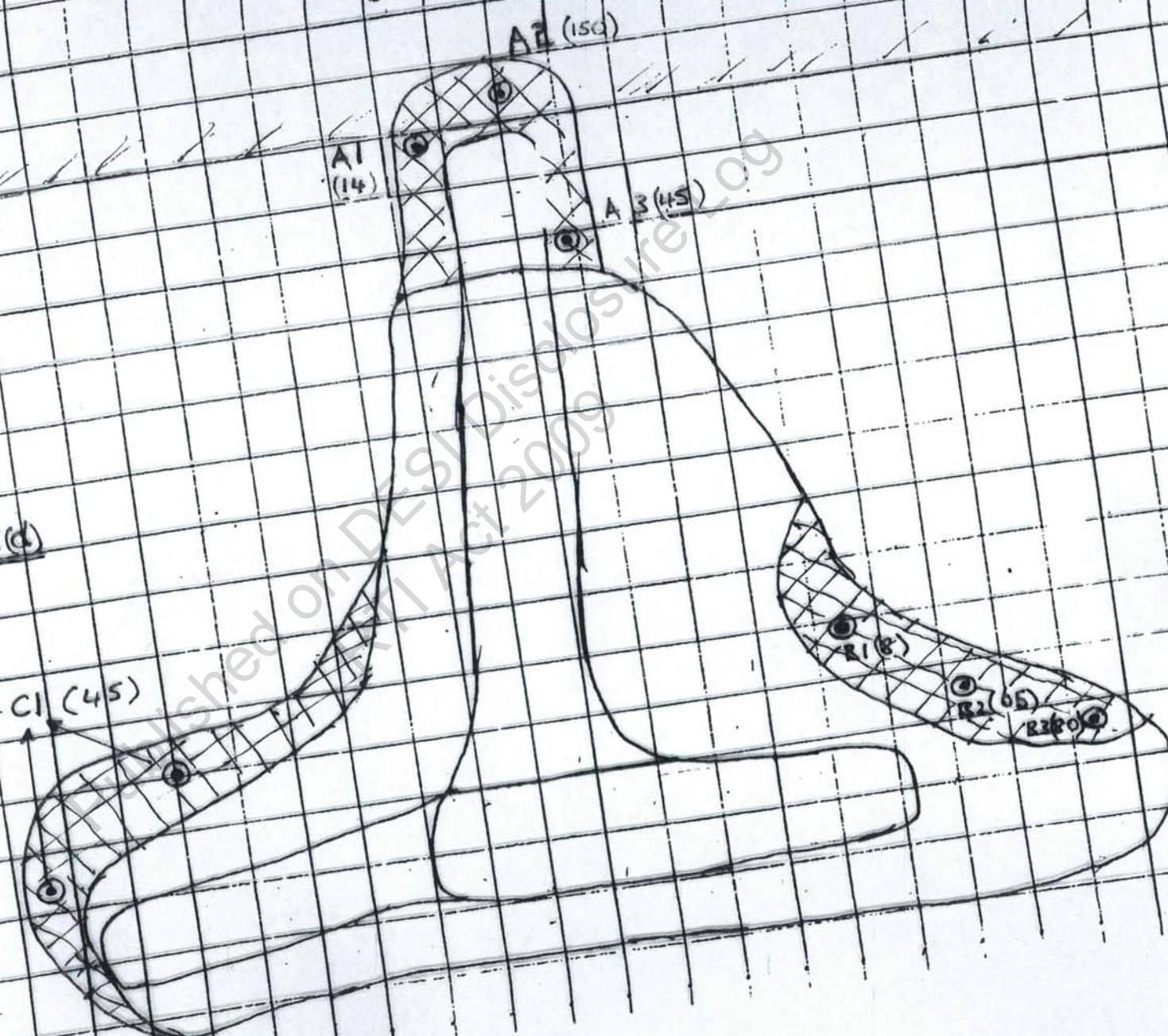
$\square$ = Excavation Area

- (i) Excavation Area: $\approx 250m^2$
- (ii) Depth (300 + 1200 mm) $\approx 750mm$
- (iii) Volume of Spoil (in Ground) $\approx 220m^3$
- (iv) Average Arsenic (estimate) $\approx 600mg/l$
- (v) TCLP $\approx 0.4mg/kg$



SITE SAMPLE PLAN I(a)

SITE SAMPLING PLAN I (C)



Memorandum

To File File reference 901102
From GC
Subject Ghidzai Road. Date 12/10/94
Notes

Stage II : further 18 samples to determine extent, should appear to be reliance on natural contours as well

TCLP run on soil MTH 850 mg/L $\rightarrow$ 0.4 mg/L.
as compared to M11 where leaching of 4.1 ppm was recorded; this was the scoop mound area & contained little soil $\therefore$ resulting in higher leaching

Stage III & IV 220 m² of soil removed to 600 ppm off-site supplier

Stage IV area around dip excavated to 2.2-2.4m other areas down to 1.0m where contamination likely to be excessive then down to 0.5m elsewhere. Plan 1 (b).

Stage V Validated 16 samples plan 1c.1
MV6 435 & MV14 670 need further work

A further 40 m³ was excavated & 8 samples taken refer to (d)

Note that (c) was a composite but given the result of MV4 and MT3 this result would appear to be representative.

Note AT 150 & continuing down hill.
& B1 2 & 3 are <100

Additional sampling undertaken down hill (b). The contamination has extended to the boundary of the property

Summary: Cattle dip plume had extended away from dip down hill, in fact down quite a steep embankment.
Fairly high levels had progressed

Queensland Department of Environment and Heritage

Memorandum

To

File reference

From

Subject

Date

Notes

away from the dip. (See transparencies

As is the contaminant. permeable layer @ 200-300mm

Sampling on the west side, up hill of the dip

had a fairly tight zone of approx 8m
levels recorded were background or slightly
above 17-36 As (Bgsd appears to about 20)

The exit path has been analysed M4 & MT1
MT1 was OK (Q6 for clarification)

MV3 @ 85 is encloses here (Q4 & Q6)

Sampling on NEE

M4 & M6 had high levels but were part
of a 'tail'. Excavated MT3 was 43

After excavat MVLD showed 98 & excavat
was extended in NE & samples C1 taken (Q8)
Particularly look @ M52

Sampling ESE (along tail)

Tail excavated MV13 OK (44m from
dip)

Sampled to fence on flat land &
excavated, all samples OK

Sampling SSE

After excavat MV14 from in the cattle
yards was 670 which is out of character with
MT11 further excavat removed contaminants
but am concerned that a tail may run
along fence line (see contour). (Q9)

Dip. excavated - validation sample good

Memorandum

To

File reference 90/102

From

Subject

Questions

Date

Notes

1. ~~The~~ Does the hatched area on Fig 1(a) correspond to a drain area. Yes

✓ 2. ~~Where~~ What are the land contours see 1st report

✓ 3. Who operated the dip, are they the current owners Yes

✓ 4. Was MTI on cow track away from dip Yes

5. What sort of pattern did dipping follow in how often, how many 300-400 head/year

6. MTI appears to be on cow path, has sure are we that we have the complete picture of the exit. Yes

7. Need finer detail as contours provided

✓ 8. ~~Q7 says~~ How confident are we that area east of MV4 (downhill is OK?) - look @ MS2

✓ 9. MV14 gives rise to concern. Map was not to scale. MV14 was in local area of scoop mound.

Confident as drain was distinct.

BASELINE

BASELINE CONSULTING PTY LTD

Development Consultants and Engineers
A.C.N. 056 892 500

CONTAMINATED
LAND SECTION

901102
- 5 OCT 1994
AW

Our Ref: P4-015.REP/JK:KM

September 28th, 1994

94/16383

The Director,
Contaminated Land Section,
Department of Environment and Heritage,
P.O. Box 155,
BRISBANE ALBERT STREET, QLD. 4002.



ATTENTION: Mr. D. N. Miles.

Dear Sir,

**RE: SITE CONTAMINATION ASSESSMENT
GHILGAI ROAD, MERRIMAC
LOT 2 ON RP. 178297**

Enclosed please find a copy of the Stage II to V Site Contamination Investigation for the above property.

Baseline Consulting Pty. Ltd. has carried out a comprehensive Stage I to V Site Investigation on the dip site involving 67 test analysis for arsenic and 10 for organo chlorines.

- (i) There were no organo chlorine residues present.
- (ii) Data supplied in conjunction with Site Sampling Plans 1(d) and 1(f) demonstrates that the dip site has been satisfactorily remediated.
- (iii) It is recommended that the Director, Waste Management Branch issue a Site Contamination Report classifying Lot 2 on RP. 178297 as former.
- (iv) The project Surveyors, Treasure and Associates, Consulting Surveyors have prepared a metes and bounds survey that shows:
 - (a) Those subdivision blocks partially or wholly encompassed by the remediated area; and
 - (b) The section of the road that overlies the compacted diluted spoil.

35 Peel Street, South Brisbane Q 4101
Postal Address: PO Box 3624 South Brisbane Q4101
Facsimile (07) 844 5700 Telephone (07) 844 5900
Registered Professional Engineering Company of Queensland
Registration No. 249

File A

- (v) When these lots are registered in due course then the subdivision lots should be appropriately classified as 'released' or 'former.'

Yours faithfully,
BASELINE CONSULTING PTY. LTD.

sch4p4(6) Personal information

Director

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STAGES II TO V

**SITE CONTAMINATION
ASSESSMENT**

GHILGAI ROAD
MERRIMAC QLD 4226

BASELINE

BASELINE CONSULTING PTY LTD

Development Consultants and Engineers

A.C.N. 056 892 500

Our Ref: P4-015.REP/JK:KM

STAGES II TO V

SITE CONTAMINATION INVESTIGATION

LOT 2 ON RP. 178297
PARISH OF GILSTON
COUNTY OF WARD

LOT 2
GHILGAI ROAD
MERRIMAC QLD 4226

PREPARED FOR COBAI PTY. LTD.
(SEPTEMBER 1994)

35 Peel Street, South Brisbane Q 4101
Postal Address: PO Box 3624 South Brisbane Q4101
Facsimile (07) 844 5700 Telephone (07) 844 5900
Registered Professional Engineering Company of Queensland
Registration No. 249

C O N T E N T S

1. INTRODUCTION
2. STAGE II SAMPLING
3. STAGE III PLAN
4. STAGE IV IMPLEMENTATION
5. VALIDATION SAMPLING
6. CONCLUSIONS

ATTACHMENTS

1. SITE SAMPLING PLAN IA
2. SITE SAMPLING PLAN IB
3. SITE SAMPLING PLAN IC
4. SITE SAMPLING PLAN ID
5. SITE SAMPLING PLAN IE
6. SITE SAMPLING PLAN IF
7. DISPOSAL APPROVAL - ALBERT SHIRE
8. DISPOSAL APPROVAL - DEH
9. ANALYTICAL RESULTS
10. FULL SUBDIVISION PLAN
11. METES AND BOUNDS DESCRIPTION
- REMEDIATED AREA

Supplementary Site Investigation

CATTLE DIP

STAGE 11 TO STAGE V

Ghilgai Road, Merrimac
Lot 2 on RP. 178297

1.0 INTRODUCTION

Baseline Consulting Pty. Ltd. completed a Stage I site investigation report on the above property. A copy of the report, reference (P4-015.002/JK:KM) was delivered to the Contaminated Land Section, Department of Environment and Heritage on April 15th, 1994.

A Stage I investigation demonstrated that the arsenic contamination was from high to very high (670-2700mg/Kg) at all of the strategic locations that Baseline routinely samples for cattle dips.

2.0 STAGE II SAMPLING

The site was sampled by Baseline on the 7th of April, 1994 in order to define the lateral perimeter and spatial spread of arsenic contamination.

In total 18 locations were sampled (MT1-MT18) and 13 samples were selected for analysis. Sample numbers M6 and M12 from the Stage I investigation were also submitted for analysis.

The results are included in Table I together with a TCLP Test result on Sample MT4.

The locations are shown on Site Sampling Plan Ia (Attachment 1).

ARSENIC IN SOIL

SAMPLE NUMBER	SAMPLE LOCATION	SAMPLE DEPTH mm	ARSENIC mg/Kg	TCLP mg/Kg
1	MT1	0-300	36	0.4
2	MT3	0-300	43	
3	MT4	0-300	850	
4	MT6	0-300	36	
5	MT7	0-300	16	
6	MT10	0-300	140	
7	MT11	0-30	26	
8	MT12	0-300	33	
9	MT13	0-300	19	
10	MT14	0-300	17	
11	MT18	600-1000	334	
12	MT9	0-300	120	
13	M6	0-300	710	
14	M12	0-300	21	

TABLE I

COMMENTS:

- (i) In addition locations M1, M3 and M4 from the Stage I investigations were analysed for organo chlorine residues all results for Total OC's were <0.01 mg/Kg.
- (ii) Sample MT4 was tested for TCLP as it came from a natural ground location. The TCLP value for M11 was obtained from a loosely consolidated mound that probably represented sludge deposits from dip cleaning. It was characteristic of dust/sand deposits that came from the animal hides during the dipping operations. There would be little arsenic fixation in this type of spoil and the high value of 4.1mg/L would not constitute a realistic value for the surrounding soils. The value for MT4 was 0.4mg/L, thus confirming this view.

3.0 STAGE III PLAN

- (i) Analytical data from the first two samplings (M series and MT series) is sufficient to draw a perimeter for excavation, expected volume of spoil and average arsenic concentration (see Site Sampling Plan I(a), Attachment 1).
- (ii) Authority for off site disposal of contaminated spoil and written consent for disposal in the Albert Shire landfill were obtained from DEH (1/6/94) and Albert Shire Council 1/6/94) respectively, (see Attachments 7 and 8).

4.0 STAGE IV IMPLEMENTATION

Following the removal of all timber yards and building in the vicinity of the dip Baseline supervised the excavation of spoil and coordinated the disposal at the shire landfill.

The operation was carried out in 7 hours by the use of 25 tonne excavator and 5 x 10m³ body trucks. The depth of excavation varied from 500mm down to a maximum of 2.4 m (below the concrete dip trough). The details are shown in Site Sampling Plan 1(b) (Attachment 2).

COMMENTS:

There were three different depths of excavation:

- (i) Area A which involved the removal of the concrete trough with an average depth of 2.2 metres.
- (ii) Area B from the perimeter in, where arsenic concentration had not been excessive with an average depth of 500mm.
- (iii) Area C where there had been evidence of arsenic 'tails' related to the exit crush and the down gradient drain, average depth 1.0 metre.

This approach was taken in an effort to minimise unnecessary spoil removal.

5.0 VALIDATION SAMPLING (A)

Following excavation a further 16 samples were taken (MV1-MV16). Six were analysed for organo chlorines and 10 for arsenic.

The results for arsenic are presented in Tables II and II(a). Sample locations are marked on Site Sampling Plan I(c) (Attachment 3).

All organo chlorine values were <LOR.

ARSENIC IN SOIL

SAMPLE NUMBER	SAMPLE LOCATION	SAMPLE DEPTH (mm)	ARSENIC mg/Kg
1	MV1	0-300	65
2	MV3	0-300	85
3	MV4	0-300	95
4	MV6	0-300	435
5	MV7	0-300	55
6	MV9	0-300	36
7	MV10	0-300	14
8	MV11	0-300	4
9	MV13	0-300	15
10	MV14	0-300	670

TABLE II

COMMENTS:

- (i) Validation value at MV6 (435) indicates the possibility of a tail running down the embankment towards the southern boundary.
- (ii) Validation value MV14 (670) indicates deeper excavation is required in the north western area (B).
- (iii) Marginal values at MV3 (85) and MV4 (95) indicate further excavation in the north eastern perimeter is needed.
- (iv) Further excavations required are marked on Site Sampling Plan I(d).
- (v) Organo chlorine values were all $<0.01\text{mg/Kg}$ and the results are included with the Analytical Certificates (Attachment).

5.10 VALIDATION SAMPLING (B)

A further 40m^3 was excavated on the 6th of July and disposed of in the Albert Shire landfill.

An additional eight locations were sampled and analysed for arsenic.

The results are presented in Table III and excavation areas and validation sampling locations are shown on Site Sampling Plan I(d) (Attachment).

ARSENIC IN SOIL

SAMPLE NUMBER	SAMPLE LOCATION	SAMPLE DEPTH (mm)	ARSENIC mg/Kg
1	A1	0-300	14
2	A2	0-300	150
3	A3	0-300	45
4	B1	0-300	8
5	B2	0-300	65
6	B3	0-300	80
7	C1(X2)	0-300	45

TABLE III

COMMENTS:

- (i) The excavations and validation analysis have cleared the north east and north west areas.
- (ii) There is a problem down slope towards the southern border with sample A2 at 150mg/Kg.
- (iii) Further sampling is required down to the southern lot boundary to determine the extent of this tail.

5.20 SUPPLEMENTARY SAMPLING (A)

An additional sampling from the southern end of the excavation to the southern lot boundary was carried on the 16th of July 1994.

Three samples S3A, S3B, S3 Tree Flat were taken at 4m, 8m and 14m from the end of the southern excavation (Site Sampling Plan 1(d)). The last sample S3 Tree Flat was in fact on or very close to the boundary.

The results are presented in Table IV and sample locations are marked on site sampling plan I(e) (Attachment 5).

ARSENIC IN SOIL

SAMPLE NUMBER	SAMPLE LOCATION	SAMPLE DEPTH (mm)	ARSENIC mg/Kg
1	S3A	0-300	20
2	S3B	0-300	700
3	S3C Tree Flat	0-300	285

TABLE IV

COMMENTS:

- (i) Indications are that an irregular tail of contamination has moved down slope and over the flat to, at least the southern boundary.
- (ii) Further investigation is required to define the east west perimeter of this contamination.

5.30 SUPPLEMENTARY SAMPLING (B)

A grid sampling approach was adopted to define the perimeter and depth of arsenic contamination between the southern limit of the excavation (Site Sampling Plan I(d)) and the southern Lot boundary. The grid covered a 16m x 18m rectangle with centres shown to scale on the Site Sampling Plan 1(d).

The analytical data is presented in Table IV.

ARSENIC IN SOIL

SAMPLE NUMBER	SAMPLE LOCATION	SAMPLE DEPTH (mm)	ARSENIC mg/Kg
1	MS1	0-300	24
2	MS2	0-300	90
3	MS2	300-700	85
4	MS3	0-300	21
5	MS3	300-500	6
6	MS4	0-300	12
7	MS5	0-300	8
8	MS6	0-300	16
9	MS6	300-700	7
10	MS7	0-700	195
11	MS8	0-300	32
12	MS9	0-300	55
13	MS10	0-700	80
14	MS11	0-700	12
15	MS12	0-300	12
16	MS13	0-300	13
17	MS14	0-700	21
18	MS15	0-700	135
19	MS16	0-300	50
20	MS18	0-300	75
21	MS20	0-300	19
22	MSA	0-1000	335
23	MSB	400-700	230
24	MSOA	0-300	12
25	MSOB	0-300	40

TABLE V

COMMENTS:

- (i) Arsenic influence (at levels of concern) extends approximately 8m east of the central N-S line of the grid.
- (ii) Arsenic influence finishes less than 6m west of the N-S line.
- (iii) Arsenic influences continues down slope N-S to the southern border. It is probable that the adjacent lot on the southern boundary of Lot 2 on RP. 178297 is affected to some degree. ✱
- (iv) Samples MSA (335) and MSB (230) were taken adjacent to the previous samples S3A and S3C to depth, to estimate the average concentration over a metre the values are around 300mg/Kg over that depth along the central N-S line.
- (v) Samples MS0A and MS20 indicate the affect has not 'fanned out' along the border of the lot to the west and samples MS18 and MS0B indicates moderate affects to the east on the border.
- (vi) A perimeter of excavation starting from 750mm along the N, S, E, W, borders and grading to 1.0 metres from east to the centre and west to the centre is shown in Site Sampling Plan I(f), Attachment 6).
- (vii) The approximately quantities involved are:
 - (a) Area = 450m^2
 - (b) Volume = 360m^3
 - (c) Average Arsenic Concentration < 80mg/Kg (calculated).

5.40 VALIDATION ANALYSIS (FINAL)

Following discussions with Mr. Marc Paton (DEH) it was agreed that the spoil removed from the excavation (at an average arsenic level of less than 80mg/Kg) would be diluted 1:5 with certain fill material from other parts of the subdivision and spread within the perimeter of the major subdivision road, compacted then covered with 2.0 m of overburden that would carry the final road tarmac. clean fill! ?

Verbal agreement was obtained from Mr. Don Lowry the Director of Waste Management, Albert Shire Council to the above proposal.

The excavation and removal was carried out on July 25th under Baseline supervision.

Upon completion validation samples were collected and the results are presented in Table II, sample locations are shown on site sampling plan I(f) (Attachment 6).

ARSENIC IN SOIL

SAMPLE NUMBER	SAMPLE LOCATION	SAMPLE DEPTH (mm)	ARSENIC mg/Kg
1	MF1	0-300	8
2	MF2	0-300	6
3	MF3	0-300	15
4	MF4	0-300	16
5	MF5	0-300	20
6	MF6	0-300	37
7	MF7	0-300	8
8	MF8	0-300	62

TABLE VI

COMMENTS:

- (i) The excavation was carried out by a D9 bulldozer and involved pushing spoil from the contaminated area and mixing it with spoil from nearby cut and fill areas in the ratio of approximately 1:5. A large stockpile was created and 10m body trucks were loaded from this by the use of a 25 tonne excavator with each bucket load randomly selected from the stockpile.
- (ii) When 10 representative truckloads were deposited and spread over the surveyed road area then random locations were sampled to give sample MF1(8).
- (iii) The remaining 7 samples MF2 to MF8 have arsenic values below levels of concern.

6. CONCLUSIONS

Baseline Consulting Pty. Ltd. has carried out a comprehensive Stage I to V Site Investigation on the dip site involving 67 test analysis for arsenic and 10 for organo chlorines.

- (i) There were no organo chlorine residues present.
- (ii) Data supplied in conjunction with Site Sampling Plans 1(d) and I(f) demonstrates that the dip site has been satisfactorily remediated.
- (iii) It is recommended that the Director, Waste Management Branch issue a Site Contamination Report classifying Lot 2 on RP. 178297 as former.

- (iv) The project Surveyors, Treasure and Associates, Consulting Surveyors have prepared a metes and bounds survey that shows:
 - (a) Those subdivision blocks partially or wholly encompassed by the remediated area; and
 - (b) The section of the road that overlies the compacted diluted spoil.
- (v) When these lots are registered in due course then the subdivision lots should be appropriately classified as 'released' or former.

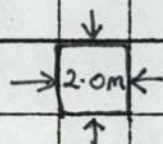
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ATTACHMENT 1

SITE SAMPLING PLAN IA

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SCALE:



LEGEND:

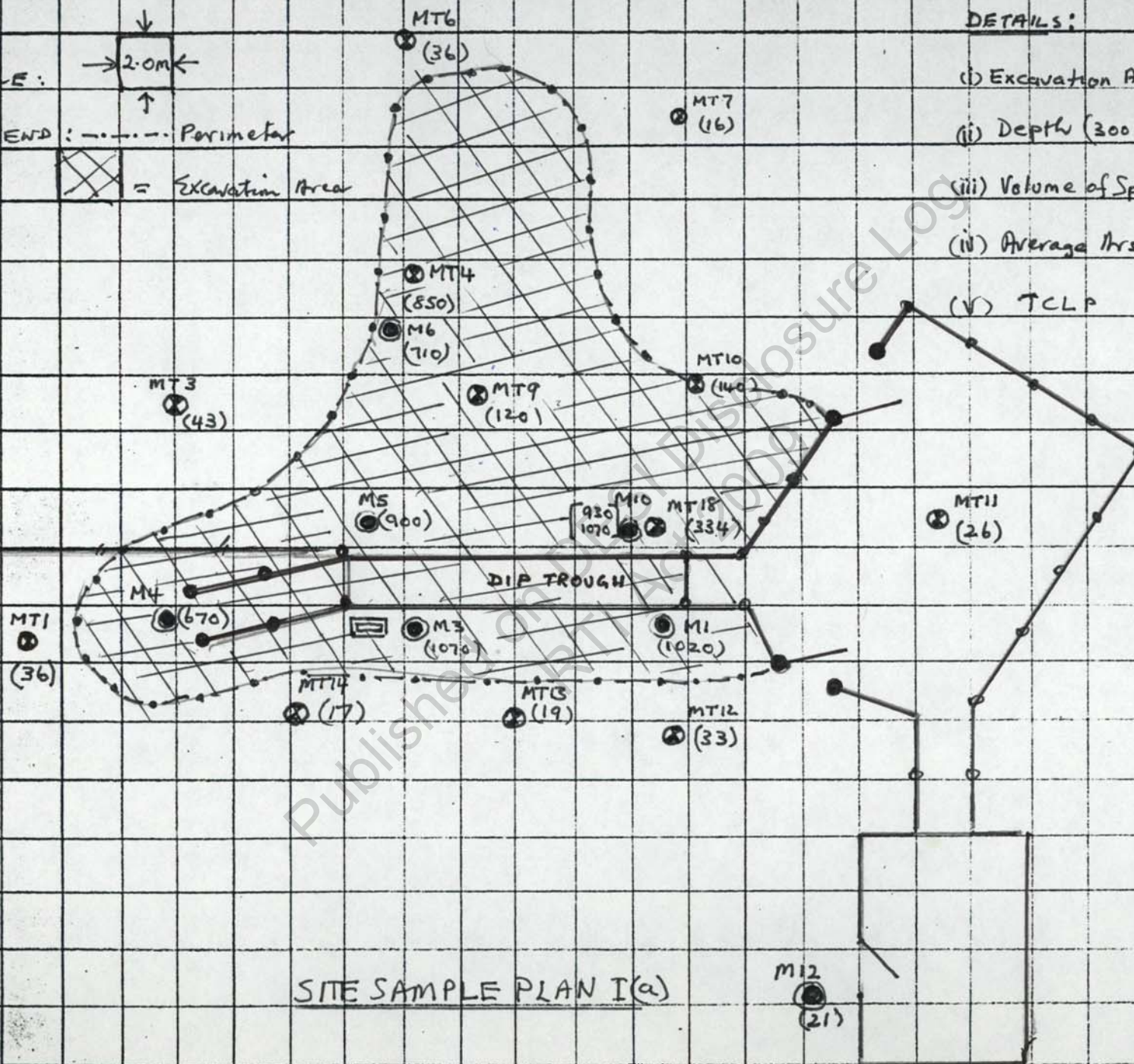
--- Perimeter



= Excavation Area

DETAILS:

- (i) Excavation Area: $\approx 250 m^2$
- (ii) Depth (300-1200 mm) $\approx 750 mm$
- (iii) Volume of Spoil (in Ground) $\approx 220 m^3$
- (iv) Average Arsenic (estimate) $\approx 600 mg/kg$
- (v) TCLP $\approx 0.4 mg/kg$

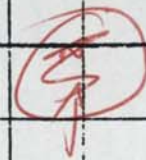


ATTACHMENT 2

SITE SAMPLING PLAN 1B

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SOUTHERN LOT BOUNDARY



↑ 3°

↑ 250
↑ 3°

EMBANKMENT

LEGEND

(i)

(B) : Average Depth (500mm)

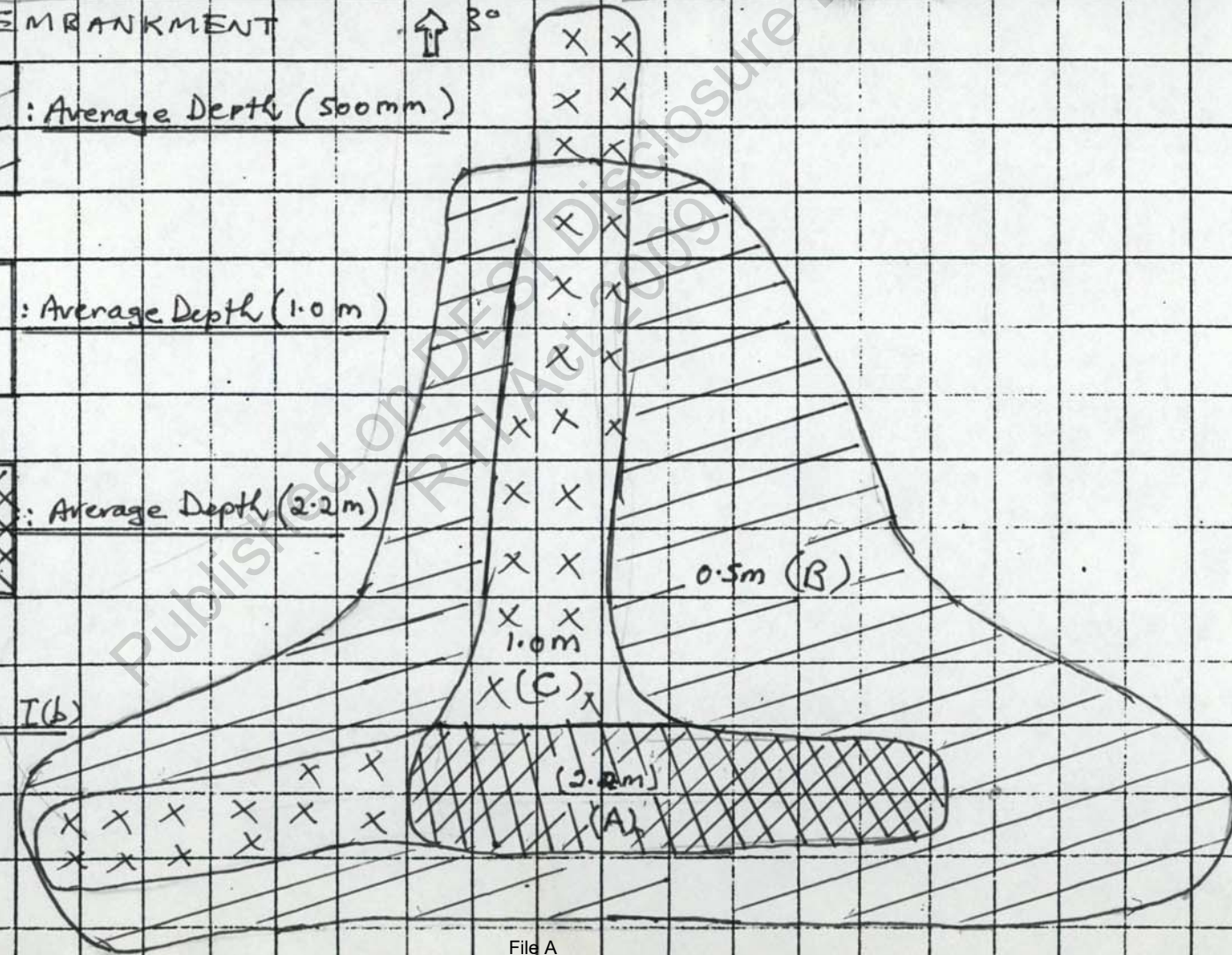
(ii)

X (C) X : Average Depth (1.0 m)
X X

(iii)

(A) : Average Depth (2.2m)

SITE SAMPLE PLAN I(b)



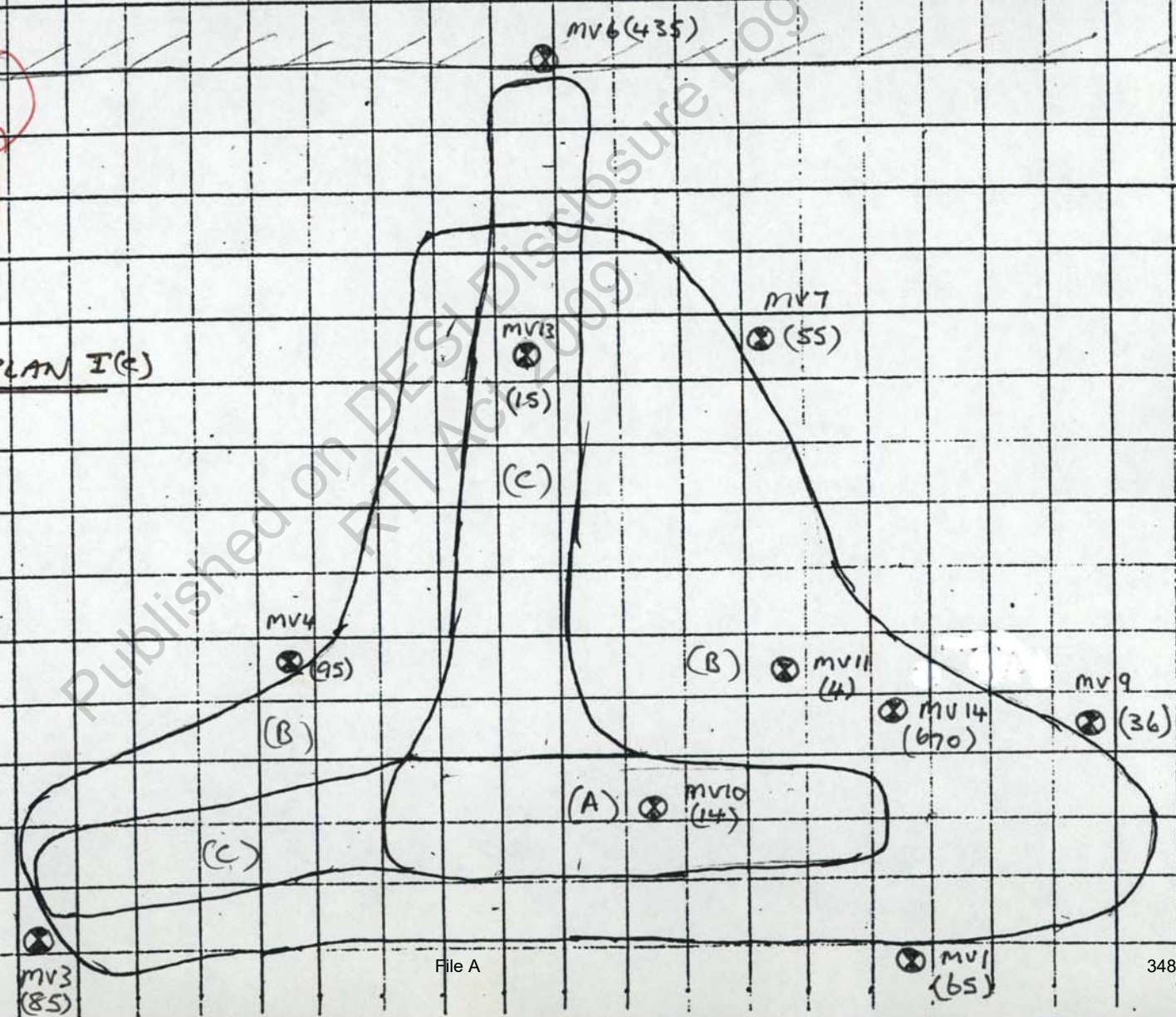
ATTACHMENT 3

SITE SAMPLING PLAN IC

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N

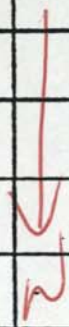
SITE SAMPLING PLAN I(c)



ATTACHMENT 4

SITE SAMPLING PLAN ID

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A2 (150)

A1 (14)

A3 (45)

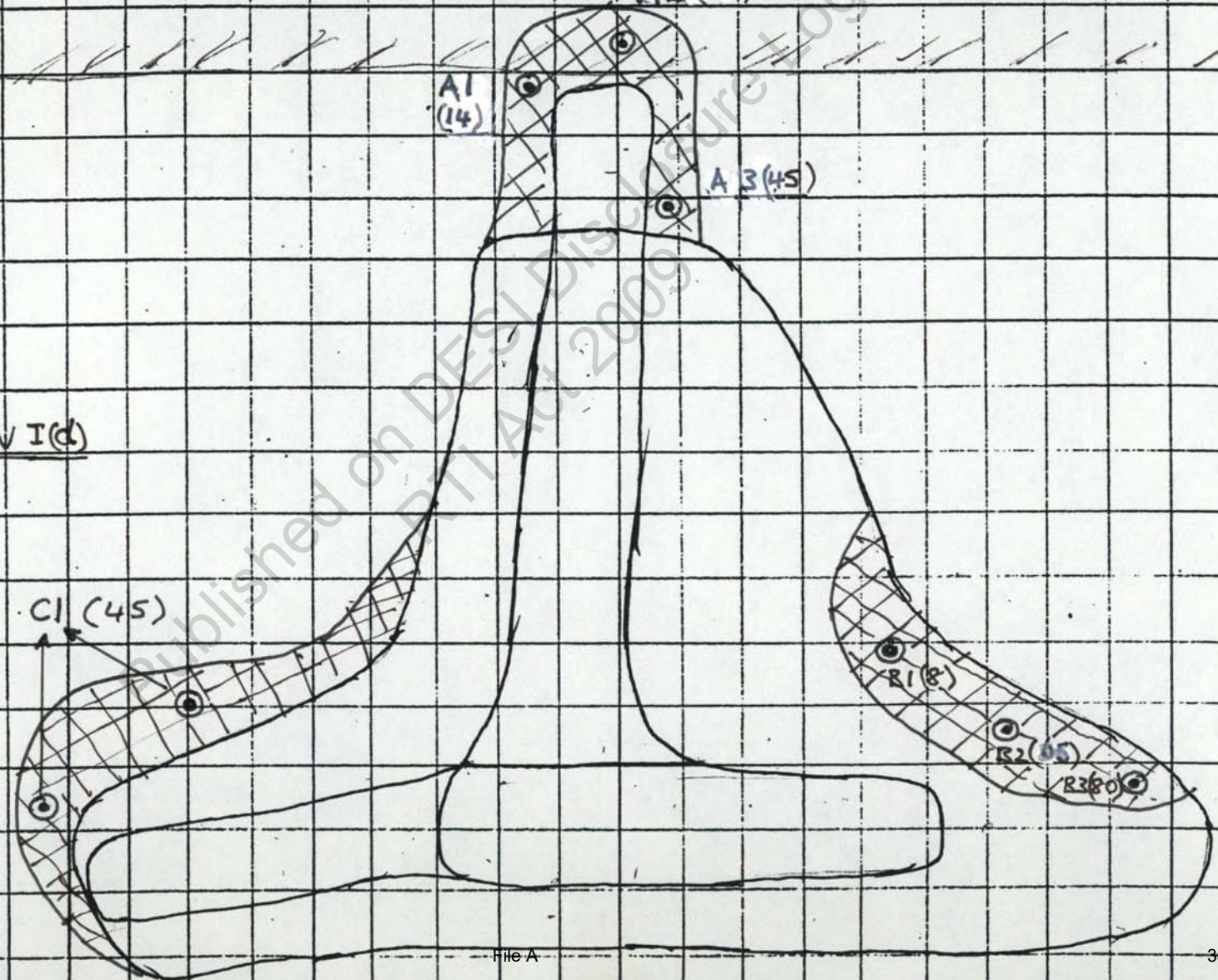
SITE SAMPLING PLAN I(d)

C1 (45)

R1 (8)

R2 (55)

R3 (80)



ATTACHMENT 5

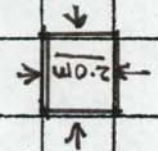
SITE SAMPLING PLAN IE

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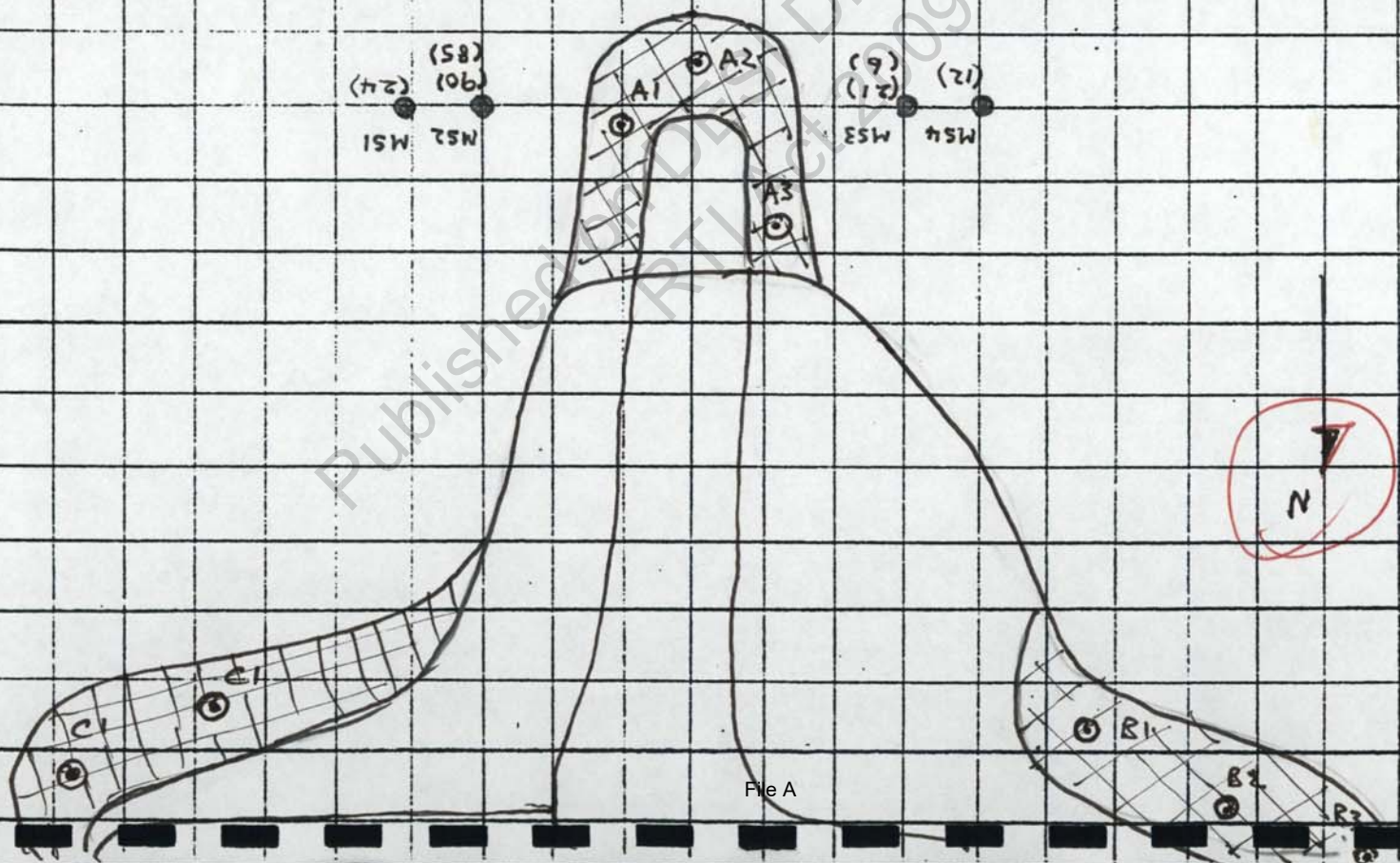
SOUTHERN LOT BOUNDARY

MS0A (12) MS20 (19) MS13 (13) MS14 (21) MS8 (230) MS15 (185) MS16 (50) MS18 (40) MS0B

MS12 (12) MS11 (12) MS21 (19) MS4 (335) MS10 (80) MS9 (55) MS7 (32) MS6 (16) MS5 (7) MS4 (8) MS3 (21) MS2 (24) MS1 (90) MS18 (75) MS17 (195) MS16 (32) MS15 (185) MS14 (230) MS13 (13) MS12 (12) MS11 (12) MS10 (80) MS9 (55) MS8 (230) MS7 (32) MS6 (16) MS5 (7) MS4 (8) MS3 (21) MS2 (24) MS1 (90)



SITE SAMPLING PLAN I (2)

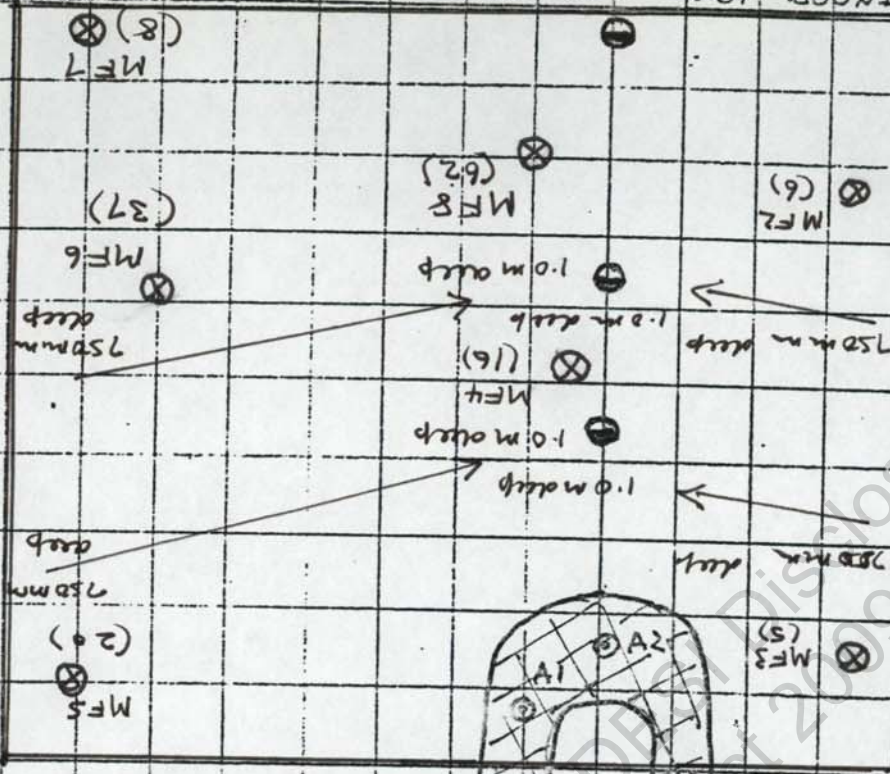


ATTACHMENT 6

SITE SAMPLING PLAN IF

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SOUTHERN LOT BOUNDARY



SITE SAMPLING PLAN (f)

ATTACHMENT 7

DISPOSAL APPROVAL - ALBERT SHIRE

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075351813

ALBERT SHIRE COUNCIL

Address all
correspondence to
General Manager/Shire
P.O. Box 172 Nerang
Qld 4211
Administration Centre
Nerang-Southport Rd.,
Nerang, Queensland
Tel: 075 78 0211
Fax: 075 96 3653

Your Ref.
Our Ref.
Enquiries contact:

JT: (0)721/10-17770/28
Mrs H Tunks - (075) 780 278 8.00am-9.00am & 4.00pm-4.30pm

1 June 1994

Baseline Consulting Pty Ltd
Attention Mr [sch4p4(6) Personal information]
P O Box 3624
SOUTH BRISBANE QLD 4101

Dear Mr [sch4p4(6) Personal information]

**DISPOSAL OF ARSENIC CONTAMINATED SPOIL
LOT 2 RP 178297 28 GHILGAI ROAD MERRIMAC**

I refer to your correspondence dated 18 May 1994 and advise that Council agrees to accept contaminated spoil from the abovementioned stock dip site at Council's landfill site at Nerang-Southport Road, Molendinar.

As discussed during previous conversations between your client, Peter Nash and officers of Council's Environmental Health Branch, the disposal of the contaminated spoil will be subject to the following conditions:-

- a) Approximately 220m³ (inground volume) of spoil at an average concentration of 600mg/kg arsenic will require special burial at Council's landfill and will attract a disposal fee, as determined by Albert Shire Council.
- b) The Toxic Characteristic Leaching Potentials (TCLP) for arsenic in the spoil is 0.40 mg/kg.
- c) The contaminated spoil is to be covered during transportation by vehicle to the landfill site.

It is requested that a copy of an "Authority for the Off-site Disposal of Contaminated Spoil" be forwarded to Albert Shire Council prior to the commencement of the disposal procedure.

Should you require further information or advice please contact Council's Environmental Health Officer, Mr Bill Walpole, on 780287.

Yours faithfully

[sch4p4(6) Personal information]

for

CHIEF EXECUTIVE OFFICER



ATTACHMENT 8

DISPOSAL APPROVAL - DEH

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RTI Act 2009



Queensland Department of Environment and Heritage

160 Ann Street • Brisbane Queensland • PO Box 155 • BRISBANE ALBERT STREET QLD 4002
Telephone (07) 227 7111 • Facsimile (07) 227 6534

Enquiries to Toni Groves
Telephone (07) 227 8580
Your reference
Our reference 901102

1 June 1994

sch4p4(6) Personal informati

Baseline Consulting Pty Ltd
PO Box 3624
SOUTH BRISBANE QLD 4101

Dear sch4p4(6) Person

APPROVAL FOR OFF-SITE DISPOSAL OF CONTAMINATED SOIL OR MATERIALS
RE: GHILGAI ROAD, MERRIMAC (LOT 2 ON RP178297)

Under Section 14 of the Contaminated Land Act 1991 approval is given for removal of 220 cubic metres (in ground) of soil contaminated with an estimated average arsenic concentration of 600 mg/kg, as described in correspondence of 18 May 1994 from Baseline Consulting Pty Ltd, to be disposed of by special burial at landfill under control of the Albert Shire Council.

Yours sincerely

sch4p4(6) Personal information

David N Miles
Director, Waste Management Branch
Division of Environment

c.c. Chief Executive Officer
Albert Shire Council
PO Box 172
NERANG QLD 4211

ATTACHMENT 9

ANALYTICAL RESULTS

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QUEENSLAND HEALTH

GOVERNMENT CHEMICAL LABORATORY

OFFICE GOVERNMENT CHEMICAL LABORATORY
39 Kessels Road
COOPERS PLAINS Q 4108, Australia

POSTAL PO BOX 594
ARCHERFIELD Q 4108, Australia

PHONE (07) 274 9111 International Code 61
FAX (07) 274 9119

Enquiries J HEGARTY

Phone (07) 274 9072

Our Ref 93MX337/348:JH:MB

Your Ref

6 May 1994

SIEAC
PO Box 446
KENMORE VILLAGE Q 4069

ATTENTION: sch4p4(6) Personal informatio

RE: Analysis of fourteen soil samples for arsenic and
three soil samples organochlorides.

Dear Sir

The soil samples have been analysed as requested. The samples were prepared according to AS1289.1(1991)4b,(iii) and then finely ground in a Tema tungsten carbide swing mill. Analyses for arsenic were conducted on the finely ground powders by X-ray fluorescence spectrometry (lower reporting limit 1 mg/kg).

SAMPLE NO:	ARSENIC (mg/kg)
M6 (0-300)	710
M12 (0-300)	21
MT1 (0-500)	36
MT3 (0-300)	43
MT4 (0-300)	850
MT6 (0-300)	36
MT7 (0-300)	16
MT10 (0-300)	140
MT11 (0-300)	26
MT12 (0-300)	33
MT13 (0-300)	19
MT14 (0-300)	17
MT18 (600-1000)	334
MT9 (0-300)	120

Vno

93MX337/348:JH:MB

A TCLP test was conducted on sample MT4 (0-300) at pH 4.9 according to USEPA 1311 (1991). Arsenic was determined by inductively coupled plasma atomic emission spectrometry; lower reporting limit 0.1 mg/L.

TCLP Result

<u>Sample</u>	<u>Arsenic (mg/L)</u>
MT4	0.4

Analysis for pesticides were conducted on the finely ground powders (lower reporting limit 0.01 mg/kg).

Organochlorine Results

<u>Sample</u>	<u>Organochlorides (mg/kg)</u>
M1	<0.01
M3	<0.01
M4	<0.01

Yours faithfully

sch4p4(6) Personal in

.....
J HEGARTY (Chemist)



QUEENSLAND HEALTH

SCIENTIFIC SERVICES

OFFICE GOVERNMENT CHEMICAL LABORATORY
39 Kessels Road
COOPERS PLAINS Q 4108, Australia

POSTAL PO BOX 594
ARCHERFIELD Q 4108, Australia

PHONE (07) 274 9111 International Code 61
FAX (07) 274 9119

Enquiries J HEGARTY

Phone (07) 274 9072

Our Ref 93MX501/515:JH:MB

Your Ref

6 July 1994

SIEAC
PO Box 446
KENMORE VILLAGE Q 4069

ATTENTION:

sch4p4(6) Personal informatio

RE: Analysis of ten (10) soil samples for arsenic and
seven (7) soil samples for organochlorines.

Dear Sir

The soil samples have been analysed as requested. The samples were prepared according to AS1289.1(1991)4b,(iii) and then finely ground in a Tema tungsten carbide swing mill. Analyses for arsenic were conducted on the finely ground powders by X-ray fluorescence spectrometry (lower reporting limit 1 mg/kg).

SAMPLE NO.	ARSENIC (mg/kg)
MV1	65
MV3	85
MV4	95
MV6	435
MV7	55
MV9	36
MV10	14
MV11	4
MV13	15
MV14	670

93MX501/515:JH:MB

ORGANOCHLORINE RESULTS

SAMPLE NO.	ORGANOCHLORINES (mg/kg)
MV2	<0.01
MV5	<0.01
MV6	<0.01
MV8	<0.01
MV10	<0.01
MV12	<0.01
MV15	<0.01

Analysis for organochlorines were conducted on the as-received samples.

Yours faithfully

sch4p4(6) Personal inf

J HEGARTY (Chemist)



QUEENSLAND HEALTH

SCIENTIFIC SERVICES

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Enquiries DR H A OLSZOWY

Phone (07) 274 9071

Our Ref 94MX4/10:HAO:MB

Your Ref

12 July 1994

SIEAC
PO Box 446
KENMORE VILLAGE Q 4069

RE: Analysis of 7 soils for arsenic; samples received 8.7.94.

Dear Sir

The seven (7) finely ground soil samples have been analysed for arsenic content as requested. All analyses were conducted on the as received samples by X-ray fluorescence spectrometry (lower reporting limit 1 mg/kg). Results are reported in milligrams per kilogram (mg/kg).

RESULTS

<u>SAMPLE</u>	<u>As (mg/kg)</u>
A1	14
A2	150
A3	45
B1	8
B2	65
B3	80
C1	45

Yours faithfully

sch4p4(6) Personal information

...
DR H A OLSZOWY (Supervising Chemist)



QUEENSLAND HEALTH

SCIENTIFIC SERVICES

OFFICE GOVERNMENT CHEMICAL LABORATORY
39 Kessels Road
COOPERS PLAINS Q 4108, Australia

POSTAL PO BOX 594
ARCHERFIELD Q 4108, Australia

PHONE (07) 274 9111 International Code 61
FAX (07) 274 9119

Enquiries DR H A OLSZOWY

Phone (07) 274 9071

Our Ref 94MX35/40:HAO:MB

Your Ref

21 July 1994

SIEAC
PO Box 446
KENMORE VILLAGE Q 4069

RE: Analysis of three (3) powdered soil samples for arsenic;
Samples received 18.7.94.

Dear Sir

The three (3) finely ground soil samples have been analysed for arsenic content as requested. All analyses were conducted on the as received samples by X-ray fluorescence spectrometry (lower reporting limit 1 mg/kg). Results are reported in milligrams per kilogram (mg/kg).

RESULTS

<u>SAMPLE</u>	<u>As (mg/kg)</u>
S3 A	20
S3 B	700
S3 Tree Flat	285

Yours faithfully

sch4p4(6) Personal information

...
DR H A OLSZOWY (Supervising Chemist)



QUEENSLAND HEALTH

SCIENTIFIC SERVICES

OFFICE GOVERNMENT CHEMICAL LABORATORY
39 Kessels Road
COOPERS PLAINS Q 4108, Australia

POSTAL PO BOX 594
ARCHERFIELD Q 4108, Australia

PHONE (07) 274 9111 International Code 61
FAX (07) 274 9119

Enquiries: J HEGARTY

Phone: (07) 274 9072

Our Ref: 94MX42/66:JH:MB

Your Ref:

2 August 1994

SIEAC
PO Box 446
KENMORE VILLAGE Q 4069

ATTENTION:

sch4p4(6) Personal informa

RE:

Analysis of twenty-five (25) soil samples for arsenic

Dear Sir

The soil samples have been analysed for arsenic as requested. The samples were prepared according to AS1289.1(1991)4b,(iii) and then finely ground in a Tema iron-chrome swing mill. Analysis for arsenic were conducted on the finely ground powders by X-ray fluorescence spectrometry (lower reporting limit 1 mg/kg).

SAMPLE NO:	ARSENIC (mg/kg)	SAMPLE NO:	ARSENIC (mg/kg)
MS1 (0-300)	24	MS11 (0-700)	12
MS2 (0-300)	90	MS12 (0-300)	12
MS2 (300-700)	85	MS13 (0-300)	13
MS3 (0-300)	21	MS14 (0-700)	21
MS3 (300-500)	6	MS15 (0-700)	135
MS4 (0-300)	12	MS18 (0-300)	75
MS5 (0-300)	8	MS20 (0-300)	19
MS6 (0-300)	16	MSA (0-1000)	335
MS6 (300-700)	7	MSB (400-700)	230
MS7 (0-700)	195	MSOA (0-300)	12
MS8 (0-300)	32	MSOB (0-300)	40
MS9 (0-300)	55	MS16 (0-300)	50
MS10 (0-700)	80		

Yours faithfully

sch4p4(6) Personal inf

J HEGARTY (Chemist)



SOIL ANALYSIS REPORT



Batch : 708

Page 1 of 3

Officer: sch4p4(6) Personal infor
Branch : AGRICULTURAL CHEMISTRY
Centre : INDOORROOPILLY

Shire : BRISBANE

Client : SIEAC-AS
Address:

Date received: 18/08/94
Date reported: 30/08/94

Agronomic data on Sample Submission sheet is attached

		Lab Number:	7589	7590	7591	7592
		Mark:	MF1	MF2	MF3	MF4
		Depth (cm):	0-30	0-30	0-30	0-30
Total Arsenic (As)	mg/kg		8	6	5	16

Unless indicated by OD (oven dry), all results are on an air dry basis

sch4p4(6) Personal information

Manager
Agricultural Chemistry



SOIL ANALYSIS REPORT



Batch : 708

Page 2 of 3

Officer: sch4p4(6) Personal
Branch : AGRICULTURAL CHEMISTRY
Centre : INDOOROOPIILY

Shire : BRISBANE

Client : SIEAC-AS
Address:

Date received: 18/08/94
Date reported: 30/08/94

Agronomic data on Sample Submission sheet is attached

	Lab Number:	7593	7594	7595	7596
	Mark:	MF5	MF6	MF7	MF8
	Depth (cm):	0-30	0-30	0-30	0-30
Total Arsenic (As)	mg/kg	20	37	8	62

Unless indicated by OD (oven dry), all results are on an air dry basis

sch4p4(6) Personal information

Manager
Agricultural Chemistry



REPORT ADDENDUM

Batch: 708

Page 3 of 3

Listing of all analysis methods used

<u>Method #</u>	<u>Analysis</u>	<u>Method</u>
	Total Arsenic (As)	pressed powder, XRF

ATTACHMENT 10

FULL SUBDIVISION PLAN

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RTI Act 2009

ATTACHMENT 11

METES AND BOUNDS DESCRIPTION

REMEDIATED AREA

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RTI Act 2009



DIP SITE AFTER REMEDIATION

Memorandum

To Fili File reference 901102
From Go'l.
Subject Gbulgai Rd, Murrumbidgee. Date 18/8/94
16 headwaters Notes

Site History: dip 80 years old (not a public dip).
dip stopped in 1975. As $\rightarrow$ 60s

Geology: black silty OPs $\rightarrow$ 75.
Geology: black silty clay hem. 200-250 mm of
sandy gravel 50 mm
clay to a 7 m.
g/w @ 78 m.

Tops: gently slope down to dip; 40 m after
dip land drops sharply

Sampling: 7 samples analysed + dip water

Results: high As.

Conclusion: Stage II coming.

Memorandum

To _____ File reference 901102

From _____

Subject Questions Date _____

Notes _____

1. Check soil type thicknesses.
2. ~~Analysis of soil~~ Any further content determined

Toni Groves
(07) 227 8580

901102

1 June 1994

[Redacted] sch4p4(6) Personal informati

Baseline Consulting Pty Ltd
PO Box 3624
SOUTH BRISBANE QLD 4101

Dear [Redacted] sch4p4(6) Personal

APPROVAL FOR OFF-SITE DISPOSAL OF CONTAMINATED SOIL OR MATERIALS

RE: GHILGAI ROAD, MERRIMAC (LOT 2 ON RP178297)

Under Section 14 of the Contaminated Land Act 1991 approval is given for removal of 220 cubic metres (in ground) of soil contaminated with an estimated average arsenic concentration of 600 mg/kg, as described in correspondence of 18 May 1994 from Baseline Consulting Pty Ltd, to be disposed of by special burial at landfill under control of the Albert Shire Council.

Yours sincerely

[Redacted] sch4p4(6) Person

David N Miles
Director, Waste Management Branch
Division of Environment

c.c. Chief Executive Officer
Albert Shire Council
PO Box 172
NERANG QLD 4211

c:\wp51\doc\chem\williams.tg

ALBERT SHIRE COUNCIL



Address all
correspondence to
General Manager/Shire
P.O. Box 172 Nerang
Qld 4211
Administration Centre
Nerang-Southport Rd.,
Nerang, Queensland
Tel: 075 78 0211
Fax: 075 98 3653

Your Ref.
Our Ref.
Enquiries contact:

JT:(0)721/10-17770/28

Mrs H Tunks - (075) 780 278 8.00am-9.00am & 4.00pm-4.30pm

1 June 1994

Baseline Consulting Pty Ltd
Attention [sch4p4(6) Personal information]
P O Box 3624
SOUTH BRISBANE QLD 4101

Dear [sch4p4(6) Personal information]

DISPOSAL OF ARSENIC CONTAMINATED SPOIL LOT 2 RP 178297 28 GHILGAI ROAD MERRIMAC

I refer to your correspondence dated 18 May 1994 and advise that Council agrees to accept contaminated spoil from the abovementioned stock dip site at Council's landfill site at Nerang-Southport Road, Molendinar.

As discussed during previous conversations between your client, Peter Nash and officers of Council's Environmental Health Branch, the disposal of the contaminated spoil will be subject to the following conditions:-

- Approximately 220m³ (inground volume) of spoil at an average concentration of 600mg/kg arsenic will require special burial at Council's landfill and will attract a disposal fee, as determined by Albert Shire Council.
- The Toxic Characteristic Leaching Potentials (TCLP) for arsenic in the spoil is 0.40 mg/kg.
- The contaminated spoil is to be covered during transportation by vehicle to the landfill site.

It is requested that a copy of an "Authority for the Off-site Disposal of Contaminated Spoil" be forwarded to Albert Shire Council prior to the commencement of the disposal procedure.

Should you require further information or advice please contact Council's Environmental Health Officer, Mr Bill Walpole, on 780287.

Yours faithfully

[sch4p4(6) Personal information]

for T R Moore

CHIEF EXECUTIVE OFFICER



BASELINE

BASELINE CONSULTING PTY LTD

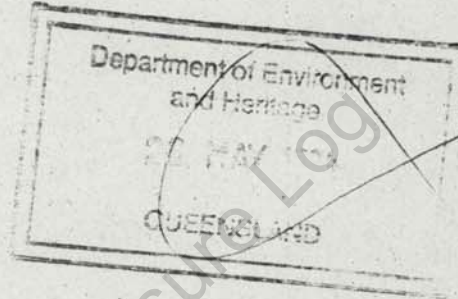
Development Consultants and Engineers
A.C.N. 056 892 500

Our Ref: P3-057.003/JK:KM
P4-015

08304

May 18th, 1994

The Director,
Waste Management Branch,
Department of Environment and Heritage,
160 Ann Street,
BRISBANE, QLD. 4000.



ATTENTION: Toni Groves.

Dear Toni,

RE: DISPOSAL OF ARSENIC CONTAMINATED SPOIL FROM
LOT 5 ON RP. 74743
CNR OF BUCKLE AND LOW STREETS, YANDINA QLD 4561 AND
LOT 5 ON RP 74743 GILGAI ROAD, MERRIMAC QLD 4226

A Stage III site investigation has been carried out on the above two properties, the first an old sawmill site and the latter an old dairy dip.

Subject to validation, the two sites comprise the following characteristics:-

- (i) Yandina: Spoil 300m³; average arsenic (150mg/Kg); TCLP (0.19 mg/Kg); Daily Cover.
- (ii) Mudgeeraba: Spoil 220m³; average arsenic (600mg/Kg); TCLP (0.40 mg/Kg); Special Burial.

A Stage III Site Investigation Report has been submitted to DEH for Yandina.

Copies of the site excavation plans, sample locations with arsenic values, calculations, certificates of Title and Registered Plans are included for both sites. These have been sent to both Local Authorities as well.

35 Peel Street, South Brisbane Q 4101
Postal Address: PO Box 3624 South Brisbane Q4101
Facsimile (07) 844 5700 Telephone (07) 844 5900
Registered Professional Engineering Company of Queensland
Registration No. 249

I know there is a significant backlog with respect to the assessment of Reports, but I would be grateful if you could arrange for the authority for off site disposal for each site as soon as possible. As usual both properties are in either subdivision or sale mode, pending clean up.

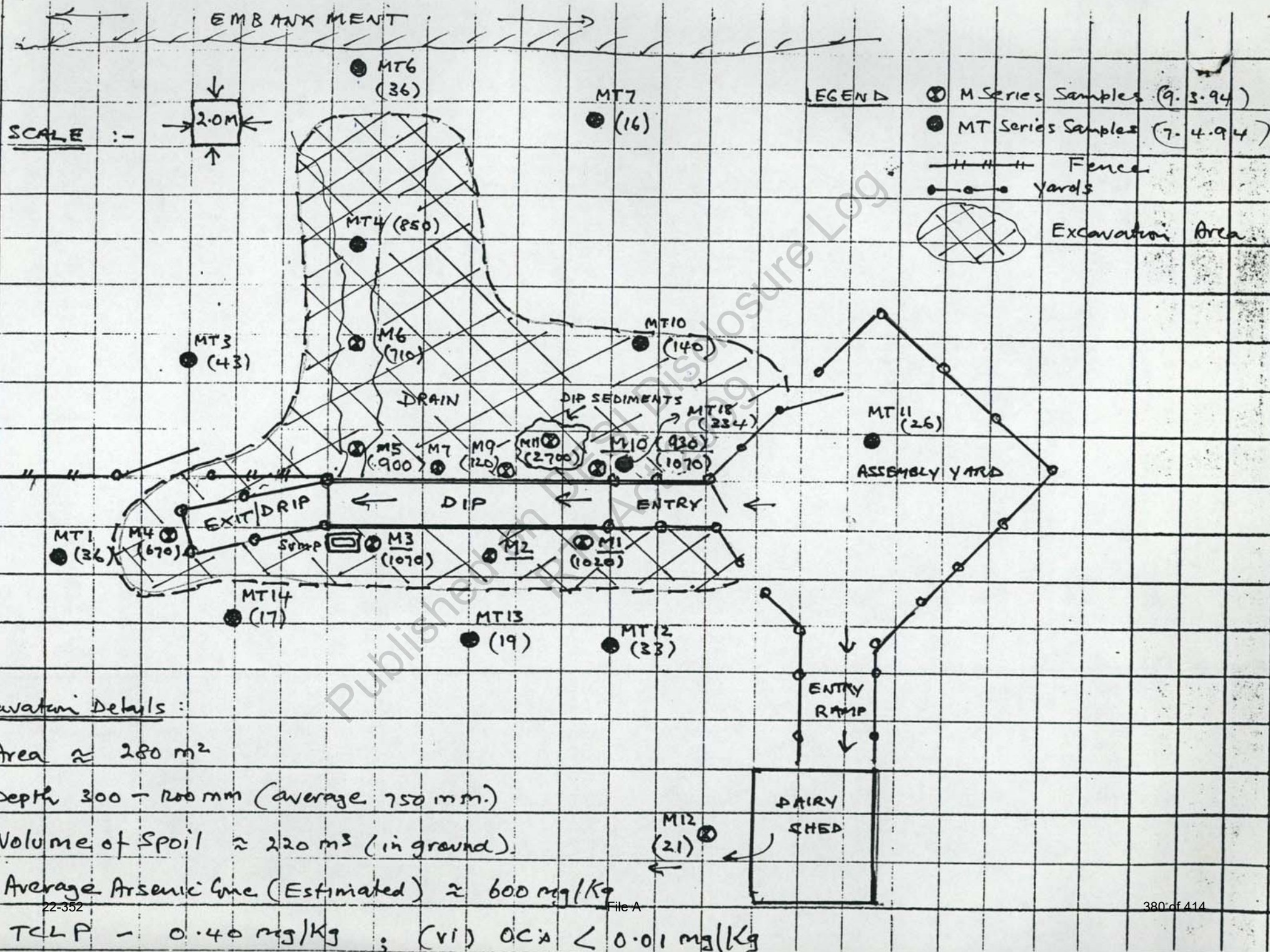
Any queries please give me a call.

Regards,

sch4p4(6) Personal information

MERRIMAC

Published on DESI Disclosure Log
RTI Act 2009



Original
Deed of Grant

QUEENSLAND

CERTIFICATE OF TITLE

Register
Vol. 6323 Fol. 98



(Page 1)

Issued: 21 July, 1982

No. A 67154

106173 (Por 26)

Dealing No.. G764500

Reference to previous

Vol. 4956 Fol. 3

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such easements encumbrances and interests as are shown in the Second Schedule.

Witness:

sch4p4(6) Personal inform

sch4p4(6) Personal informa

Registrar of Titles.



Estate and Land Referred To

Estate in Fee Simple in Lot 2 on registered Plan No. 178297 County of Ward Parish of
Gilston
Containing 16.2652 hectares

sch4p4(6) Personal information

FIRST SCHEDULE

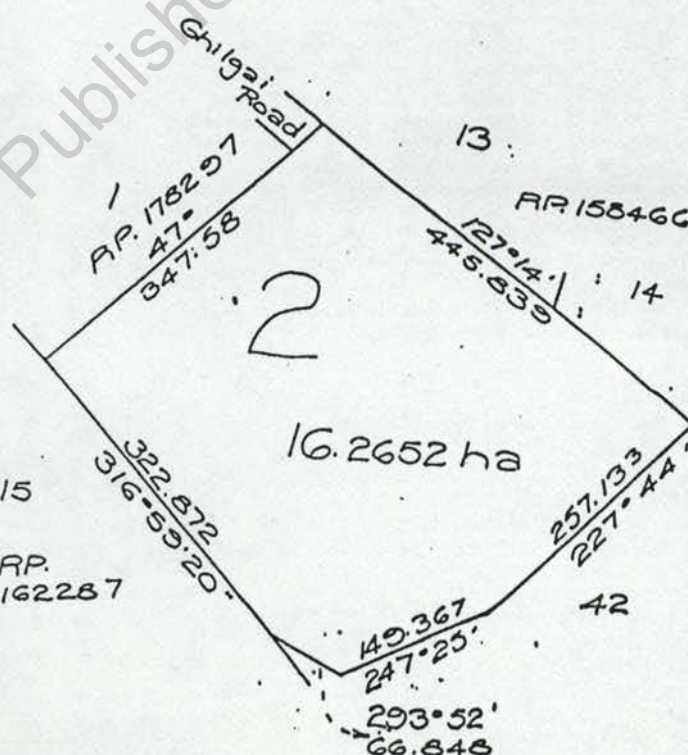
and sch4p4(6) Personal information as joint tenants

SECOND SCHEDULE

1. Rights and interests reserved to the Crown by the Deed of Grant above referred to.
2. Bill of Mortgage No. G372198 to Dorol Daphne Low Produced 8 May 1981 Registered 11 OCT 1982

sch4p4(6) Persona

PLAN OF LAND



Scale 1:5000

NOTE: Entries ruled through and authentic.

Ownership - Full Screen 80 ch / Lotplan

14/04/94

14:47:01

=====

24 GHILGAI RD	Date: 01/01/30	Price: 0	Area: 2.58 H
NERRIMAC	Owner: sch4p4(6) Personal information		
ALBERT	:		
FUTURE URBAN	RPD: L1/RP178297:PAR GILSTON		
LARGE HOMESITE - DWELLING	:		
Phone by Street/Surname	:		
:	sch4p4(6) Personal information		

=====

28 GHILGAI RD	Date: 01/01/30	Price: 0	Area: 112.8 H
NERRIMAC	Owner: sch4p4(6) Personal information		
ALBERT	:		
MULTIPLE ZONINGS	RPD: L2/RP178297 & L42/RP839861:PAR GILSTON		
CATTLE BREEDING/FATTENING	:		
Phone by Street/Surname	:		
:	sch4p4(6) Personal information		

=====

Total Properties: 2

**PRELIMINARY
SITE CONTAMINATION
ASSESSMENT**

**GHILGAI ROAD
MERRIMAC, QLD. 4226.**

Published on DESI Disclosure Log
RTI Act 2009

BASELINE

BASELINE CONSULTING PTY LTD

Development Consultants and Engineers
A.C.N. 056 892 500

OUR REF: P4-015.001/JK:KW

SITE CONTAMINATION ASSESSMENT

LOT 2 ON RP. 178297
PARISH OF GILSTON
COUNTY OF WARD

LOT 2
GHILGAI ROAD
MERRIMAC, QLD. 4226.

PREPARED FOR COBAI PTY. LTD.

(APRIL 1994)

35 Peel Street, South Brisbane Q 4101
Postal Address: PO Box 3624 South Brisbane Q4101
Facsimile (07) 844 5700 Telephone (07) 844 5900
Registered Professional Engineering Company of Queensland
Registration No. 249

CONTENTS

1. INTRODUCTION
2. APPLICANT
3. PROPERTY DESCRIPTION
4. ASSESSMENT
5. NATURE OF THE SITE
6. SCOPE OF WORK
7. SITE SAMPLING
8. CONCLUSIONS

ATTACHMENTS

1. GENERAL LOCATION PLAN
2. SITE PLAN
3. REGISTERED PLAN
4. CERTIFICATE OF TITLE
5. RATES SEARCH
6. SAMPLING LOCATIONS
7. ANALYTICAL CERTIFICATES
8. SITE PHOTOGRAPHS
9. ASSESSMENT TEAM

PRELIMINARY

SITE CONTAMINATION ASSESSMENT**LOT 2 GHILGAI ROAD, MERRIMAC****1.0 INTRODUCTION**

Cobai Pty. Ltd. [sch4p4(6) Personal information] has requested Baseline Consulting Pty. Ltd. to carry out a Preliminary Site Contamination Assessment on their property, Lot 2 Ghilgai Road, Merrimac, Gold Coast.

The property is an old dairy farm, containing a dip, which is to be rezoned and subdivided for residential purposes.

2.0 APPLICANT

Cobai Pty. Ltd.
c/- Nash Building Co. Pty. Ltd.,
P.O. Box 660,
BROADBEACH, QLD. 4218.

Tel: 075 760 111
Fax: 075 351 813

3.0 PROPERTY DESCRIPTION

28 Ghilgai Road
MERRIMAC, QLD. 4226.

Real Property Description: Lot 2 on RP. 178297,
Parish of Gilston, County of Ward.

Site Area: 16.2652 Ha

Current Owner:

[sch4p4(6) Personal information]

Phone: [sch4p4(6) Personal information]

Current Zoning: Multiple Zoning

Proposed Zoning: Residential A

Local Authority:

Albert Shire Council,
P.O. Box 172,
NERANG, QLD. 4211.

Phone: 075 780 211
Fax: 075 963 653

4.0 ASSESSMENT

A site inspection was carried out on March 9th, 1994. The Stage I sampling program was completed at that time.

5.0 NATURE OF THE SITE**5.1 Topography**

The area of the land comprises approximately 16 Hectares. The portion fronting onto Ghilgai Road is fairly level initially then greatly sloping down to the dip site some 300 metres from the entry. Some 40 metres (south) of the dip the land falls away sharply down to a large rectangular? block comprising some 100 hectares.

5.2 Vegetation

The land has been cleared and planted to improved pastures with occasional trees.

5.3 Soil Type

The soil is a duplex type with an A1 horizon (approx 200-250^{mm}) of a black silt clay loam. This is underlain by an A2 horizon comprising a 50^{mm} (approx) band of coarse sandy gravel. The B horizon a heavy yellow/brown clay continues down to a depth of at least 1000 mm.

The water table in the area would be at least 8 metres below the dip.

*Reference?
why?*

5.4 History

Discussions with owner Mr. Peter Firth and his brother-in-law has revealed that the dip is at least 80 years old and has only been used for cattle belonging to the property (not a public dip).

The dip activity was discontinued in approximately 1975. Arsenic was used exclusively up until the early 1960's. The use of Rucide an organo chlorine tickicide was then carried out for 1 year before changing to organo phosphate components which were exclusively used until dipping ceased in 1975.

6.0 SCOPE OF WORKS

The following issues are covered in this investigation.

- . Site inspection to locate probable areas of contamination
- . Site History interviews.
- . Sample collection.
- . Chemical analysis.
- . Evaluation of analytical data.
- . Collection of Certificate(s) of Title and Registered Plan(s).
- . Preparation of a report and submission to Department of Environment and Heritage.
- . Recommendations for further investigation if data indicates contamination.

7.0 SAMPLING

With respect to dip site assessment Baseline Pty. Ltd. employs a strategic approach based on knowledge of operational procedures used in dipping: -

The most likely areas are sampled for contamination.

- . Close to the trough edge at the entry end where surge and splash can flow onto the adjacent soil.
- . Adjacent to the sides where cleaning procedures frequently resulted in the deposition of contaminated sludge.
- . Adjacent to the edge of concrete drip return pad at the exit point.
- . Adjacent to any collection and return sumps.
- . Along any drainage lines associated with the dip trough.
- . Any soil mounds in the vicinity of the dip area.
- . Along exit pathways from the dip to cattle holding yards.
- . Selected locations on the down gradient side of the trough if applicable

Surface samples may be taken from 0-200 to 0-400 mm depending on the structure of the surface (eg. fill etc). Subsurface samples are collected down to 500-600mm Deep sampling at selected locations, if fill is indicated, down to 1000mm.

7.1 Sample Locations

Twelve separate locations were sampled for this dip. The locations are shown on the site sample location plan (Attachment 6). The nature of the site indicates that if contamination was present this would be evident in the analysis of lesser samples.

Accordingly seven soil samples were analysed from six locations plus a water sample from the drip trough. A TCLP (on the highest value of arsenic) was carried out.

7.2 Analytical Results

The seven soil samples were sent to the laboratory, together with the water sample from the dip trough. The remaining samples were retained in the event that further data may be required to demonstrate the absence of contamination should none be found in the first, and most likely of locations.

All samples were analysed by the Government Chemical Laboratory Coopers Plains a NATA registered laboratory. The laboratory was requested to carry out a TCLP analysis on the highest arsenic sample (if found).

The results are listed in TABLE I.

SAMPLE LOCATION	SAMPLE DEPTH (mm)	ARSENIC mg/Kg	TCLP mg/Kg
M1	0-300	1020	-
M3	0-400	1070	-
M4	0-300	670	-
M5	0-300	900	-
M10	0-300	930	-
M10	300-600	1040	-
M11	0-300	2700	PH (4.9)-4.10
DIPWATER	WATER	0.1 Ug/L	-
DEH ACCEPTABLE LEVELS		< 100	< 5.0

TABLE I

8.0 CONCLUSION

All samples sent for analysis are from high to very high in arsenic contamination.

The TCLP was done on the samples taken from a mound beside the trough that the farmer said represented dip cleaning residues. Such soil would be relatively unconsolidated as much would have come from the dust/sand etc that clings to the hides and hooves of cattle.

A high value such as this is unusual in normal soils so further tests will be done on a sample of natural soil adjacent to the dip.

A Stage II sampling has been carried out on April 7th, 1994.

When data is available a plan for remediation will be developed followed by clean up and validation.

APPENDIX 1

GENERAL LOCATION PLAN

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RTI Act 2009

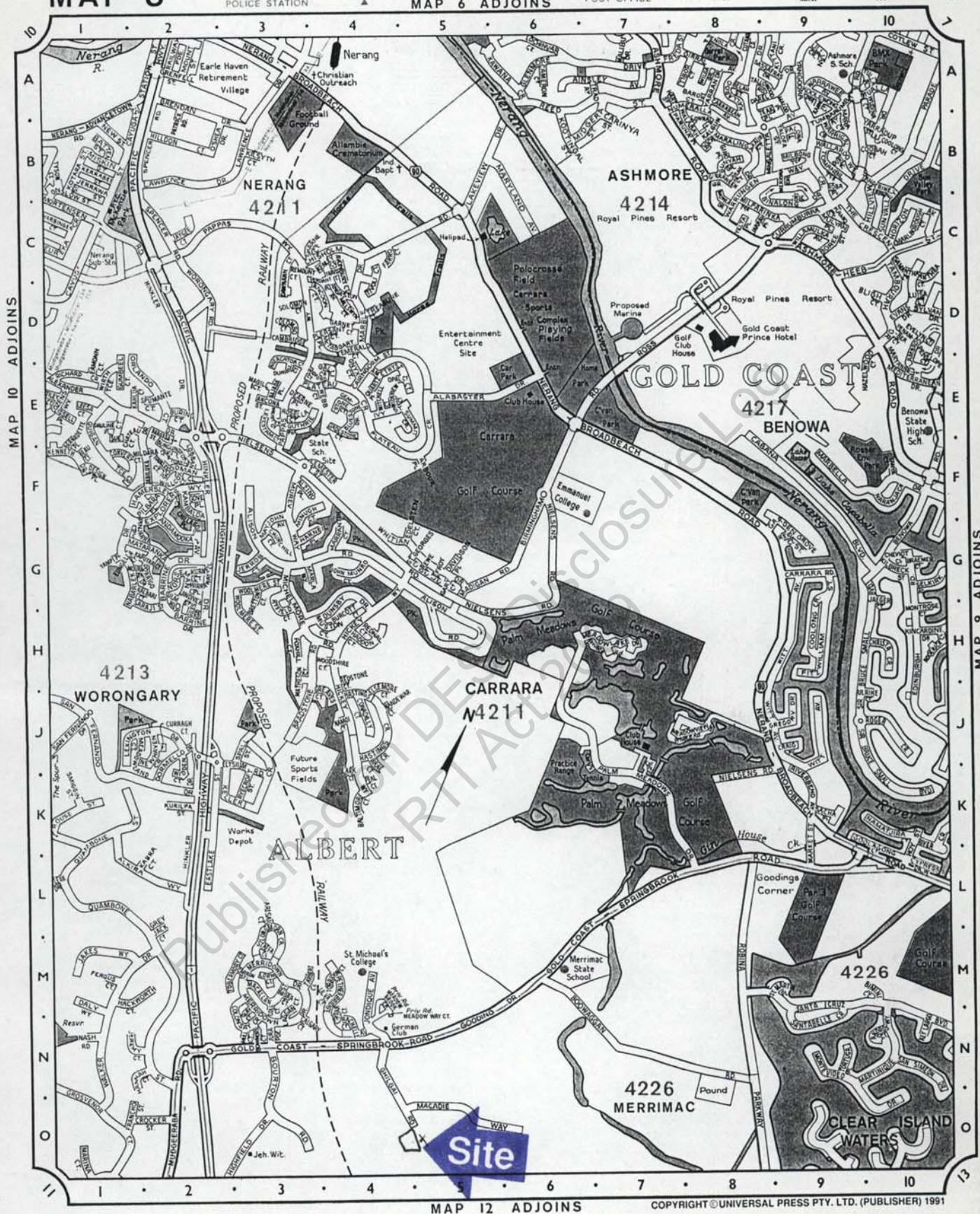
Gold Coast
MAP 8

PUBLIC TELEPHONE
SCHOOL
POLICE STATION

SCOUTS
GIRL GUIDES
MAP 6 ADJOINS

PLACE OF WORSHIP
HOSPITAL
POST OFFICE

1:10000
Metres 500m 1000m



ROYAL PINES RESORT

You could stay forever

Royal Pines Resort Gold Coast Prince Hotel, Ross Street, Ashmore. For Reservations Phone 008 074 999

APPENDIX 2

SITE PLAN

Published on DESI Disclosure Log
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APPENDIX 3

REGISTERED PLAN

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RTI Act 2009

APPENDIX 4

CERTIFICATE OF TITLE

Published on DESI Disclosure Log
RTI Act 2009

Original
Deed of Grant

QUEENSLAND.

CERTIFICATE OF TITLE

Register
Vol. 6323 Fol. 98



(Page 1)

No. A 67154

106173 (Por 26)

Dealing No.. G764500

Reference to previous

Vol. 4956 Fol. 3

Issued: 21 July, 1982

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such easements encumbrances and interests as are shown in the Second Schedule.

Witness:

sch4p4(6) Personal informa

sch4p4(6) Personal inform

Registrar of Titles.



Estate and Land Referred To

Estate in Fee Simple in Lot 2 on registered Plan No. 178297 County of Ward Parish of
Gilston
Containing 16.2652 hectares

sch4p4(6) Personal information

FIRST SCHEDULE

and sch4p4(6) Personal information as joint tenants

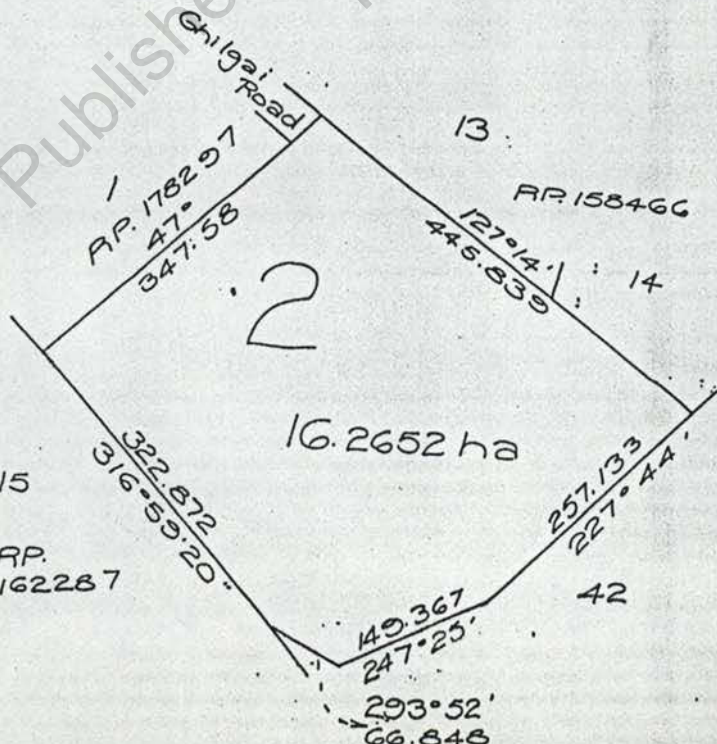
SECOND SCHEDULE

1. Rights and interests reserved to the Crown by the Deed of Grant above referred to.
2. Bill of Mortgage No. G372198 to Doris Daphne Low Produced 8 May 1981 Registered 20 May 1981.

11 OCT 1982

sch4p4(6) Pers

PLAN OF LAND



Scale 1:5000 15

NOTE: Entries ruled through and authenticated.

APPENDIX 5

RATES SEARCH

Published on DESI Disclosure Log
RTI Act 2009

Ownership - Full Screen 80 ch / Lotplan

14/04/94

14:47:01

```
=====
24 GHILGAI RD      Date: 01/01/30 Price: 0      Area: 2.58 H
MERRIMAC           Owner: sch4p4( 6) Personal information
ALBERT             :
FUTURE URBAN       RPD: L1/RP178297:PAR GILSTON
LARGE HOMESITE - DWELLING :
Phone by Street/Surname :
: sch4p4( 6) Personal information
=====
```

```
=====
28 GHILGAI RD      Date: 01/01/30 Price: 0      Area: 112.8 H
MERRIMAC           Owner: sch4p4( 6) Personal information
ALBERT             :
MULTIPLE ZONINGS   RPD: L2/RP178297 & L42/RP839861:PAR GILSTON
CATTLE BREEDING/FATTENING :
Phone by Street/Surname :
: sch4p4( 6) Personal information
=====
```

Total Properties: 2

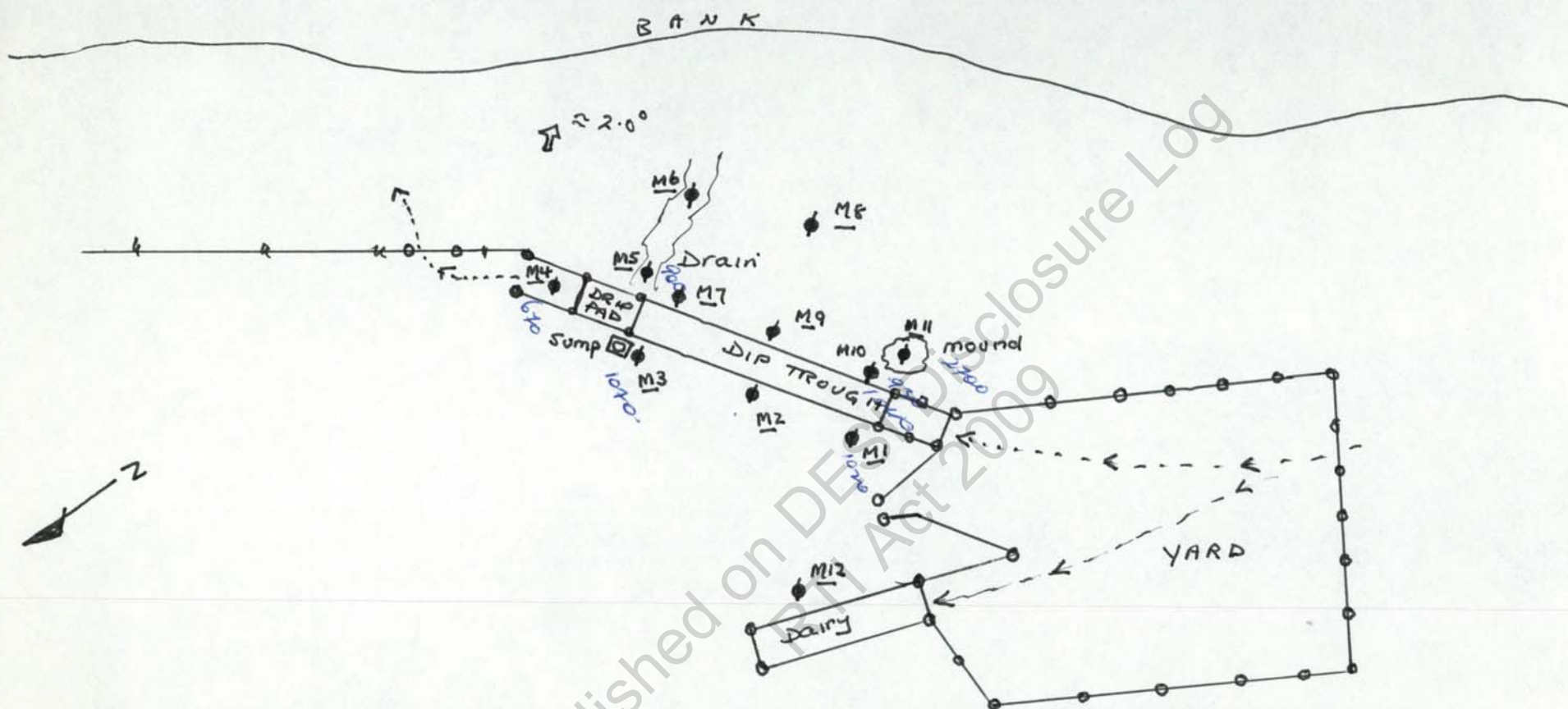
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RTI Act 2009

APPENDIX 6

SAMPLING LOCATIONS

Published on DESI Disclosure Log
RTI Act 2009

FLAT PADDOCK



SITE LOCATION AREA

APPENDIX 7

ANALYTICAL CERTIFICATES



QUEENSLAND HEALTH

GOVERNMENT CHEMICAL LABORATORY

OFFICE GOVERNMENT CHEMICAL LABORATORY
39 Kessels Road
COOPERS PLAINS Q 4108, Australia

POSTAL PO BOX 594
ARCHERFIELD Q 4108, Australia

PHONE (07) 274 9111 International Code 61
FAX (07) 274 9119

Enquiries J HEGARTY
Phone (07) 274 9072
Our Ref 93MX305/318:JH:MB
Your Ref

5 April 1994

SIEAC
PO Box 446
KENMORE VILLAGE Q 4069

ATTENTION: sch4p4(6) Personal information

RE: Analysis of seven soil samples and one water sample
for arsenic.

Dear Sir

The samples have been analysed for arsenic as requested.

The soil samples have been analysed for arsenic as requested. The samples were prepared according to AS1289.1(1991)4b,(iii) and then finely ground in a Tema tungsten carbide swing mill. Analyses for arsenic were conducted on the finely ground powders by X-ray fluorescence spectrometry (lower reporting limit 1 mg/kg).

<u>SAMPLE NO.</u>	<u>ARSENIC</u> (mg/kg)
M1 (0-300)	1020
M3 (0-400)	1070
M4 (0-300)	670
M5 (0-300)	900
M10 (0-300)	930
M10 (300-600)	1040
M11 (0-300)	2700

The water sample numbered MD has been analysed for arsenic as requested. The water sample was filtered and then analysed for arsenic by inductively coupled plasma emission spectroscopy (ICP.ES). The arsenic result is reported in milligrams per litre; lower reporting limit 0.1mg/L.

<u>SAMPLE NO.</u>	<u>ARSENIC, (mg/L)</u>
MD	1.3

93MX305/318:JH:MB

A TCLP test was carried out on sample M11 (0-300) at pH 4.9. The result of the TCLP test is reported in milligrams per litre.

SAMPLE NO.

M11 (0-300)
(mg/L)

Arsenic, As (0.1)

4.1

* PLEASE NOTE: Value in parenthesis after the element symbol indicates the lower reporting limit.

Yours faithfully

sch4p4(6) Personal information

J HEGARTY (Chemist)



QUEENSLAND HEALTH

GOVERNMENT CHEMICAL LABORATORY

OFFICE GOVERNMENT CHEMICAL LABORATORY
39 Kessels Road
COOPERS PLAINS Q 4108, Australia

POSTAL PO BOX 594
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Enquiries J HEGARTY
Phone (07) 274 9072
Our Ref 93MX305/318:JH:MB
Your Ref

5 April 1994

SIEAC
PO Box 446
KENMORE VILLAGE Q 4069

ATTENTION:

sch4p4(6) Personal informati

RE: Analysis of seven soil samples and one water sample
for arsenic.

Dear Sir

The samples have been analysed for arsenic as requested.

The soil samples have been analysed for arsenic as requested. The samples were prepared according to AS1289.1(1991)4b,(iii) and then finely ground in a Tema tungsten carbide swing mill. Analyses for arsenic were conducted on the finely ground powders by X-ray fluorescence spectrometry (lower reporting limit 1 mg/kg).

SAMPLE NO.

ARSENIC
(mg/kg)

M1 (0-300)	1020
M3 (0-400)	1070
M4 (0-300)	670
M5 (0-300)	900
M10 (0-300)	930
M10 (300-600)	1040
M11 (0-300)	2700

The water sample numbered MD has been analysed for arsenic as requested. The water sample was filtered and then analysed for arsenic by inductively coupled plasma emission spectroscopy (ICP.ES). The arsenic result is reported in milligrams per litre; lower reporting limit 0.1mg/L.

SAMPLE NO.

ARSENIC, (mg/L)

MD	1.3
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93MX305/318:JH:MB

A TCLP test was carried out on sample M11 (0-300) at pH 4.9. The result of the TCLP test is reported in milligrams per litre.

SAMPLE NO.

M11 (0-300)
(mg/L)

Arsenic, As (0.1)

4.1

* PLEASE NOTE: Value in parenthesis after the element symbol indicates the lower reporting limit.

Yours faithfully

sch4p4(6) Personal information

J HEGARTY (Chemist)

APPENDIX 8

SITE PHOTOGRAPHS

Published on DESI Disclosure Log
RTI Act 2009



THE SUBJECT DID



UPHILL OF DIP
(Looking South)



DRIP STRIP AT END OF DIP



DAIRY

APPENDIX 9

ASSESSMENT TEAM

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RTI Act 2009

ASSESSMENT TEAM

Assessments are carried out by the following, both of who are qualified as prescribed in the Act: Schedule 2, Prescribed Organisations, Contaminated Land Regulations 1991.

Mr. sch4p4(6) Person BE (Hons) MIE (Aust) CPENG RPEQ

sch4p4(6) Person is a Civil Engineer with an honours degree from Sydney University. He was in the Royal Australian Engineers until 1985 where he attained the rank of Lieutenant Colonel. He is a graduate of the School of Military Engineering, Casula, Sydney and the Royal Military College of Science, Shrivenham, United Kingdom where he undertook studies in Nuclear, chemical and Biological (NBC) defence. He has advised senior Military Planning staff on the actions required to guard against the effects of various forms of possible NBC agents introduced into the area.

Combined with his extensive civil engineering experience, particularly in residential and industrial subdivisions, he is ideally placed to undertake the leading role in site contamination assessment studies.

sch4p4(6) Personal informa BSc MRACI, C.CHEM (Aust)

sch4p4(6) Personal is a Senior Chemist with B.SC in Chemistry. He brings a wealth of experience to the problems associated with site audits and the assessment and remediation of contaminated land.

In a career spanning some 28 years he has built up extensive experience in the fields of analytical, industrial, agricultural and environmental chemistry. He has formidable experience in the investigation of contaminants associated with agriculture, manufacturing, power generation and extractive industries.

His career has involved employment in the private industry, government and as a scientific consultant, both in Australia and overseas. Shortly after the introduction of the Contaminated Land Act of 1991 he was sought out by the CHEM Unit to act as a consulting chief scientific adviser, responsible for advising on the content and suitability of consultant's assessment and remediation reports submitted for approval.

He played a significant role in the transfer of contaminated land responsibility to the Department of Environment and Heritage in July 1992. In his role as a consultant to that Department he has guided the technical direction of the contaminated land section, prepared the inaugural business plan, reviewed the Contaminated Land Act and guidelines, advised on, and participated in, difficult policy issues and has played an important role in the selection and training of scientific advisory staff.

As a private consultant he has completed numerous contamination assessments and remediation reports, including subdivision audits, cattle dips, transport depots, fuel stations, line depots, unauthorised fill sites and concrete plants.

sch4p4(6) Persona

acts as the supervising environmental scientist for all projects. He applies his experience and insight into the requirements of the Contaminated Land Section in developing assessment and remediation strategies, as well as the composition of reports.

Laboratory Testing

The Laboratories used for testing samples are the Agricultural Chemistry Laboratory of the Department of Primary Industries located at Meiers Road, Indooroopilly, or the Australian Laboratory Services at Shand Street, Stafford.

Drilling Services

Sample drilling services required for those sample too deep for hand augur sampling procedures are provided by Soil Surveys and Exploration Pty. Ltd.

Soil Surveys is a well known and experienced soil investigation organisation.

Site Id: 091-000211

Site Name: CONTAMINATES FROM DIP - MERRIMAC

Official Authorisation for CSR Site: Y

Local Government: ALBERT S.C.

Entry Date: 29/11/94

Category: PRO

Last Altered:

Location: 28 GHILGAI ROAD
MERRIMAC
4226

Lot: 42 on Plan RP859861

Tenure:

Owner:

sch4p4(6) Personal information

4226

Zoning: RES
Current Use: 3527
Prescribed Purpose: 2000
File: 901102Area: 0 ha/s
Past Use: 3527UXO region:
Contaminants: UNK
Action Officer: NIL
Vol:
Comments:Status: P
Folio: 0000CONTAMINATION FROM CATTLE DIP ON ADJOINING
PROPERTY (LOT 2 ON RP 178297) - REFER CSI FILE
901102.*Plan entered incorrectly, should be RP839861**pls. change Plan*

sch4p4(6) Personal information

sch4p4(6) Personal infor

** END OF REPORT **