

1 APPLICATION SUMMARY

Application information	
Minor change to development approval	
Address	11 Eastridge Street, STAPYLTON QLD 4207
Lot and plan	Lot 120 SP329476
Site area	13,010m ²
Properly made date	10 March 2025
Originating and current Planning Scheme including version, domain / zone / precinct and constraints / overlays	Originating planning scheme: Preliminary Approval – M38 Industrial Estate Place Code Zone: Low impact service industry & General impact business & industry (M38 Industrial Estate Place Code) Overlays: • Good Quality Agricultural Land (OM02-1) • Potential Bushfire Hazard Areas (OM10-1) • Natural Wetland and Waterways Areas (OM11-1) • Acid Sulphate Soil Hazards Areas (OM14-1) • Natural Hazard (Flood) Management Areas (OM17-5) • Conservation Strategy Plan (OM20-1) • Scenic Tourist Routes (OM22-1) • Extractive Resources (OM23-1) Current assessing instrument: Preliminary Approval – M38 Industrial Estate Place Code.
Originating approved development	COM/2024/39 - Combined application for a Development permit (Code assessable) for a Material change of use for a Warehouse and Low impact industry, Reconfiguring a lot for access easement, and Operational works for a change to ground level.
Date of originating development approval	3 June 2025
Originating approval authority	Under delegated authority
Applicant and Applicant's consultancy team	McNab developments (Qld) Pty Ltd – Applicant Gassman Development Perspectives – Planning Consultant
Owner details	Australand Industrial No. 89 Pty Ltd
Referral agencies	Not applicable
Decision due date	17 April 2025
Officer's recommendation	Approval subject to conditions

The purpose of this report is to assess an application for a change to the development approval under Section 78 of the *Planning Act 2016* for a Material change of use for a Warehouse and Low impact industry, Reconfiguring a lot for access easement, and Operational works for a change to ground level at 11 Eastridge Street, Stapylton.

The proposed changes are limited to the Material change of use component and the change to ground level aspect of the development permit. The changes relate to the frontage heavy-duty paved area, access and adjacent services and infrastructure. The changes proposed seek to consolidate the two heavy truck access points. The locations of ancillary infrastructure have been relocated as a result of the frontage reconfiguration.

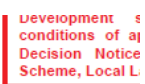


Figure 1: Approved site plan (Source: COM/2024/39)

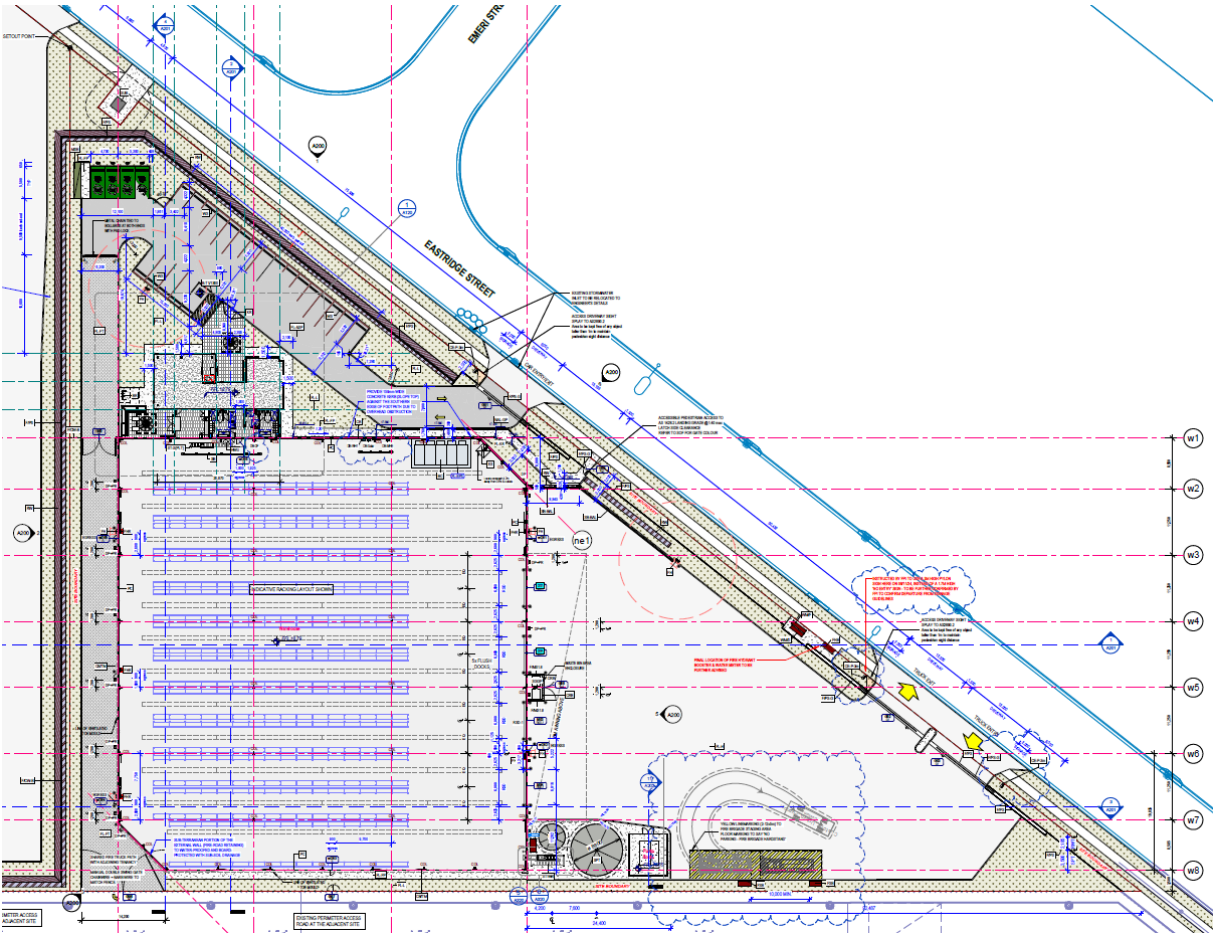


Figure 2: Proposal site plan (Source: Applicant submitted material)

3 BACKGROUND

Approval History	
Approval Reference	Comment
MIN/2023/64	Most recent change to the Preliminary Approval for Making a Material Change of Use (Impact Assessment) to Override The Planning Scheme for Industry Uses
MIN/2020/454	This approval is the most recent subdivision approval that created Stage 1 of the Vantage Industrial Estate, within which the subject site is located.
COM/2022/13	Combined application for boundary realignment and bulk earthworks. This approval reconfigured the three large central lots of Stage 1 to provide a tailored shaped and scale for Lot 121 to suit National Tiles end user.
COM/2024/39	A Combined application for the currently approved Warehouse and Low Impact Industrial use, also featured a Reconfiguring a Lot (ROL) component for an access easement, and an Operational Work aspect for Change to Ground Level. Subject of the change application.

4 PLANNING ASSESSMENT

Reference is made to Attachment No.1 – “Assessment criteria for minor change to development approval”, attached to this report. Assessment has been undertaken against these provisions and the

proposed change(s) are considered to be a minor change.

4.1 Summary of approved development and request

The applicant seeks changes to the development conditions as follows:

Cond No.	Applicant request	Officer discussion / recommendation
Material change of use		
2	Approved drawings – amend condition to reflect updated proposal plan, dates, drawing numbers and versions.	The request to amend this condition is supported. The rearrangement of the heavy duty pavement area including the consolidation of the VXOs maintains the ability for heavy vehicle to service the site, while affording access to all necessary services and infrastructure, and maintain a high quality industrial design presentation through the provision of a generously landscaped frontage.
4	Requirement to register easement – Water supply: Delete	While the Applicant has not requested any amendments to this condition, easements are no longer required for water metres and officers recommend deletion of the condition to align with current policy.
7	Landscaping works – amend condition to reflect updated landscape intent package.	The request to amend this condition is supported. The updated landscape intent packaged aligns with the frontage redesign within the approved drawings of condition 2.
14	Footpaths – amend condition to reflect updates proposal plan, dates, drawing numbers and versions.	The request to amend this condition is supported. The amended condition references the relevant updated drawings.
Operational works		
40	Approved drawings - Amend condition to reflect updated Bulk Earthwork drawings.	The request to amend this condition is supported. The earthworks drawings have been amended to reflect the amendments to the frontage configuration.
41	Approved drawings (Water and Waste) – Amend condition to reflect updates engineering drawings	Officers have opted to delete this condition as it is a duplicate and the approved drawings are identified within Condition 40.

5 CONCLUSION

This report assessed a request for a Minor change for a Combined application for a Development permit (Code assessable) for a Material change of use for a Warehouse and Low impact industry, Reconfiguring a lot for access easement, and Operational works for a change to ground level at 11 Eastridge Street, Stapylton.

6 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority the Manager of Planning Assessment of the City Development Branch approves the Minor change application for the Combined application for a Development permit (Code assessable) for a Material change of use for a Warehouse and Low impact industry, Reconfiguring a lot for access easement, and Operational works for a change to ground level, in accordance with the Attachment entitled: Decision Notice – change application approval.

Author:

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April 2025

Authorised by:

Roger Sharpe

Manager Planning Assessment

Attachment No. 1 – Assessment criteria for minor change to development approval

Review of the proposed change to the development approval has been undertaken against the:

- Definition of minor change contained within Schedule 2 of the *Planning Act 2016*.
- Schedule 1 of the Development Assessment Rules that identifies criteria for determining if a change would result in a substantially different development; and
- Section 81 of the *Planning Act 2016* that applies to assessing and deciding an application for minor change to a development approval.

Definition of minor change under Schedule 2 of the *Planning Act 2016*:

(b) for a development approval:

Minor change for a development approval	Officer comment
(i) would not result in substantially different development; and	The proposed change is minor and does not result in a substantially different development
(ii) if a development application for the development, including the change, were made when the change application is made would not cause— (A) the inclusion of prohibited development in the application; or	No prohibited development proposed.
(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or	Not applicable.
(C) referral to extra referral agencies, other than to the chief executive; or	No new referral agency is triggered by the minor change.
(D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or	No new referral agency is triggered under section 55(2).
(E) public notification if public notification was not required for the development application.	No further public notification is required.

Development Assessment Rules - Schedule 1: Substantially different development

Substantially different development consideration	Officer comments
A change may be considered to result in a substantially different development if the proposed change:	
(a) involves a new use; or	No new use is proposed.
(b) results in the application applying to a new parcel of land; or	The minor change does not apply to any additional parcels of land.
(c) dramatically changes the built form in terms of scale, bulk and appearance; or	The proposed change does not dramatically change the appearance of the proposed development which will remain generally

	consistent with the original approval.
(d) changes the ability of the proposed development to operate as intended; or	The development will continue to operate as intended.
(e) removes a component that is integral to the operation of the development; or	The proposed change does not remove a component that is integral to the operation of the development.
(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or	Change will not significantly impact traffic flow nor the transport network.
(g) introduces new impacts or increase the severity of known impacts; or	The change does not introduce new impacts of the severity of known impacts.
(h) removes an incentive or offset component that would have balanced a negative impact of the development; or	The change does not remove an incentive or offset component of the development.
(i) impacts on infrastructure provisions.	There is no impact on infrastructure provisions.

Section 81 of the *Planning Act 2016* applies to assessing an application for minor changes, in particular Subsection (2) (3) and (4) – matters the responsible entity must consider when assessing a minor change application.

Section 81 – Assessing change applications for minor changes	Officer comments
(1) In assessing the change application, the responsible entity must consider –	
(a) the information the applicant included with the application; and	The information submitted has been considered by all relevant officers as part of the assessment of the minor change application.
(b) if the responsible entity is the assessment manager – any properly made submissions about the development application or another change application that was approved; and	Considered.
(c) any pre-request response notice or response notice given in relation to the change application; and	Not applicable
(d) if the responsible entity is, under section 78A(3), the Minister – all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and	Not applicable
(da) if paragraph (d) does not apply – all matters the responsible entity would or may assess against or have regard to if the change application were a development application; and	Considered.
(e) another matter that the responsible entity considers relevant.	Considered.

Section 81 – Assessing change applications for minor changes	Officer comments
(2) Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d) or (da) consider – (a) a statutory instrument; or (b) another document applied, adopted or incorporated (with or without changes) in a statutory instrument.	Noted
Section 81 – Assessing change applications for minor changes	Officer comments
(3) The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.	The original application was assessed against the Gold Coast Planning Scheme 2003, Version 1.2, Amended November 2011, and the minor change application has been assessed against preliminary approval. Assessment benchmarks and matters are generally consistent between both applications.
Section 81 – Assessing change applications for minor changes	Officer comments
(4) However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances to -	
(a) the statutory instrument or other document as in effect when the change application was made; or	The original application was assessed against the Gold Coast Planning Scheme 2003, Version 1.2, Amended November 2011, and the minor change application has been assessed against preliminary approval. Assessment benchmarks and matters are generally consistent between both applications.
(b) if the statutory instrument or other document is amended or replaced after the change application is made but before it is decided – the amended or replacement instrument or document; or	Noted.
(c) another statutory instrument – (i) That comes into effect after the change application is made but before it is decided; and (ii) That the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made.	Noted.
Section 81 – Assessing change applications	Officer comments

**REPORT ON MINOR CHANGE TO DEVELOPMENT APPROVAL AT 11 EASTRIDGE STREET,
STAPYLTON**

APPLICATION NUMBER MIN/2025/72

DIVISION NO. 1

for minor changes	
Section 81A of the <i>Planning Act 2016</i> applies to deciding an application for minor changes, in particular Subsection (2) – deciding change applications for minor changes.	
(2) After assessing the change application under section 81, the responsible entity must decide to – (a) make the change, with or without imposing development conditions, or amending development conditions, in relation to the change; or (b) refuse to make the change.	Noted and actioned.