

1 APPLICATION SUMMARY

Application information	
Address	2 Highlands Street, STAPYLTON QLD 4207 & 2 Fairway Street, STAPYLTON QLD 4207
Lot and plan	Lot 204 SP316171 & Lot 205 SP316171
Site area	2 Highlands Street: 37,660m ² 2 Fairway Street: 42,320m ² (access easement only)
Type of development and proposed use	Combined application for a Material change of use (Warehouse x 2), Reconfiguring a lot for an access easement, and Operational works for a change to ground level.
Categories of development and assessment	Code assessment
Properly made date	24 December 2024
Decision due date	11 September 2025
Applicant and Applicant's consultancy team	FPI Queensland Pty Ltd – Applicant Gassman Development Perspectives – Planning Consultant Acoustic Works – Acoustic Consultant Rytenschild - Traffic Consultant
Owner details	Australand Industrial No. 89 Pty Ltd
City Plan version	Not applicable
Zone / Precinct	Low impact industry, Future low impact industry precinct, Medium impact industry, Future medium impact industry, High impact industry.
Overlays	Not applicable
Submissions	Not applicable
Key matters raised by submitters	Not applicable
Referral agencies	SARA – State transport infrastructure
Officer's recommendation	Preliminary approval

2 PROPOSAL

2.1 Site history

- The Vantage Industrial Estate was created subsequent to a Preliminary approval to override the Planning scheme for Industry uses (MIN/2019/762). The Preliminary

approval included variations to the Gold Coast Planning Scheme 2003 version 1.2, overriding the Yatala Enterprise Area Place Code through the M38 Industrial Place Code.

- The subject site was established on 27 April 2021. Under Delegated Authority the Executive Coordinator Planning Assessment of the City Development Branch approved the issue of a Development permit for Reconfiguring a Lot (create 7 industrial lots), and Development permit for Operational works - Change to ground level (COM/2020/262).
- A minor change to COM/2020/262 was approved on 18 February 2022 which sought to relocate the boundary of the subject site to facilitate a subsequent Material change of use (MIN/2021/637).

2.2 Background

- On 24 December 2024, the applicant lodged a combined application for a development permit for a Material change of use to establish a Warehouse (2 x tenancies), Reconfiguring a lot for an access easement, and Operational works for a Change to ground level at 2 Highlands Street, Stapylton. It is of note that the proposal was lodged concurrently with another application over the site for a single Warehouse tenancy. The submitted material included a suite of architectural drawings, ROL plans for an access easement, change to ground level drawings and specialist reports.
- On 15 January 2025, City officers issued a Confirmation notice identifying the requirement to refer the proposal to SARA as concurrence agency.
- On 21 January 2025, the proposal was referred by the applicant to SARA.
- On 30 January 2025, City officers issued an information request raising key concerns for the significant shortfall in car parking spaces, requiring the proposal to be amended to include additional car parking. Additionally, concerns were raised with the sixth vehicle access point proposed to Christensen Road given the higher order of the road. Other subsequent items were included within the Information request.
- On 28 February 2025, the applicant provided a response to the Information request, however the key issues regarding car parking provision and site access were not amended or adequately addressed.
- On 19 March 2025, Officers issued correspondence to the applicant in reply of the information request response issued for both applications within 2 Highlands Street, Stapylton (COM/2024/374 & COM/2024/367). Officers reiterated that the position remains unchanged, and support will not be given for the current significant shortfall in car parking for the reasons raised within the Information request, nor for vehicle access to Christensen Road. The Applicant was encouraged to amend the proposal design to address the outstanding matters. Alternatively, officers intended to finalise assessment of the current submitted material with the position of non-support for the proposed layout design.
- On 20 March 2025, the Applicant noted that the consistent approach to resolve car parking shortfalls with this scale of development is to condition restrictions to staff numbers onsite. City officers provided the following response to the applicant's representations:

Officers acknowledge historical approvals with such a significant shortfall in car parking. In these instances officers have conditioned maximum staff numbers guided by the staffing requirements of the specific end user. Given the end user is unknown in this instance, officers have less confidence accepting the shortfall.

While we appreciate that a predicted end user may have a disproportionate split in GFA/staff, officers must ensure long term development intent for the site is maintained. We have become increasingly aware of large scale operators who have been unable to be appropriately accommodated on sites within approved industrial and commercial

developments (Vantage industrial estate included) due to the underlying development approval layout being insufficiently designed to cater for a flexible range of industrial operators.

It is considered that the M38 Industrial Estate Place Code aligns with a broader user demand and the flexible reuse of industrial developments. For this reason, officers are not willing to rely upon the Nearmaps study as the selected examples do not capture a complete data sample reflecting the broader car parking requirement within industrial areas.

Officers are open to exploring a nominated increased car parking provision option within the hardstand areas supported by dimensioned drawings and servicing swept paths.

This current position was justified and reasoned within the Information request item originally issued included below for ease of reference. For the reasons identified above, sufficient justification hasn't been made to demonstrate compliance with Performance Criteria PC8 of the M38 Industrial Estate Place Code and to accommodate flexible reuse of prime industrial land.

- On 26 March 2025, officers reiterated the position of being unable to accept the significant shortfall in car parking. The applicant was further urged to provide an amended layout or hard stand area layout as suggested in the response to the Information request, supported by dimensioned drawings and servicing swept paths. Officers advised they will continue with assessment of the current submitted material where only a preliminary approval for the use can be provided until additional car parking is provided on-site and all other matters raised in the items below are addressed including removing vehicle access to Christensen Road.
- Further time was agreed upon to address the outstanding matters.
- On 9 April 2025, the applicant provided a response to the Information request for COM/2024/372 at 1 Highlands Street, Stapylton. Officers note that the same issues were raised regarding the car parking shortfall provided over the second site, however the applicant failed to provide sufficient justification to achieve compliance with Performance criteria PC8 of the M38 Industrial Estate Place Code. The response included identical reporting which officers had previously indicated could not be supported. Upon review of the response, officers were able to conclude that the applicant was not going to resolve the outstanding matters. This conclusion informed the response issued to the applicant on 9 April 2025 as below:

Upon receipt of the response to Information request COM/2024/372 officers note that the Targeted Traffic Response letter and the Information Request Response letter provide the same justification in car parking shortfall within the submitted response to COM/2024/374 & COM/2024/376 at 2 Highlands Street, Stapylton. As indicated in the previous correspondence below, officers are not willing to accept such a significant car parking shortfall outcome based on the information provided. To reiterate, officers are not supportive of creating a legacy issue of insufficient carparking provision by pigeonholing development to exclusively support restricted staff numbers and seek to attract activities which can sustain a larger workforce.

It is noted that the Information Request Response letter once again suggests that additional car parking can be provided within the extensive hardstand area, however this has not been supported by dimensioned drawings or servicing swept paths. As stated within the previous correspondence, without the demonstration of additional car parking provided within the site, compliance with Performance Criteria PC8 cannot be

achieved. As such officers will continue with assessment of the current submitted material where only a preliminary approval for the use can be provided.

The Applicant is advised that without an amended layout or hard stand area layout as suggested in the response to the Information request, officers cannot support the current proposal and will be issuing a preliminary approval for COM/2024/374, COM/2024/367, & COM/2024/372 Highlands Street, Stapylton Vantage.

- On 15 August 2025, the applicant provided additional information including further justification for the reduced car parking rate, augmentation of the Christensen Road light duty access, amended proposal plans, and amended earthworks plans. Officers consider that the additional information has been sufficient to progress assessment against the relevant benchmarks.

2.3 Brief description of proposed development

The purpose of this report is to assess an application for a Development for a Material change of use to establish a Warehouse, Reconfiguring a lot for an access easement, and Operational works for a Change to ground level at 2 Highlands Street, Stapylton within Stage 2 of the Vantage Industrial Estate.

The Vantage Industrial Estate was created subsequent to a Preliminary approval to override the Planning scheme for Industry uses. The Preliminary approval included variations to the Gold Coast Planning Scheme 2003 version 1.2, overriding the Yatala Enterprise Area Place Code through the M38 Industrial Place Code.

The M38 Industrial Place Code is the overarching categorising instrument for the overall Vantage Industrial Estate.

Part A – Material change of use

The proposal includes the construction of two new Warehouses and ancillary office spaces on a vacant lot.

The M38 Industrial Place Code section 2.1.5 identifies that land use definitions are to be found within Part 4, Division 1, Chapters 1-3 of the Gold Coast City Planning Scheme 2003, as amended. The Our Living City Gold Coast Planning Scheme 2003 Version 1.2 (Amended November 2011) defines the proposed Warehouse use as follows:

‘A building or enclosed land used to store and display goods, merchandise and materials and to sell these only by wholesale. This term does not include a Shop, Showroom, Salvage Yard or Toxic or Dangerous Goods Store.’

Table A of the Yatala Enterprise Area Local Area Plan Table of Development (As Modified) – Material Change of Use identifies Warehouse development within Precinct B (General Impact Business and Industry) (below image) as Self Assessable. As the proposed development does not comply with all of the Self Assessable benchmarks within the M38 Industrial Place Code, the development is elevated to Code Assessment.

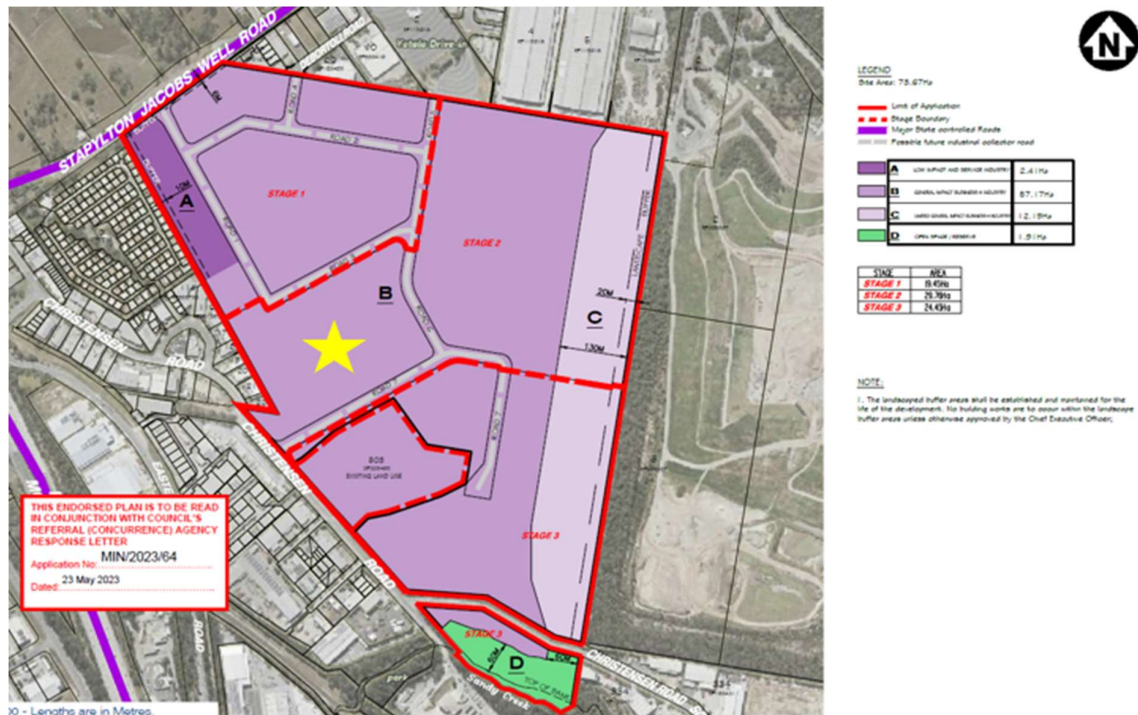


Figure 1: Land use categorisation plan of the preliminary approval (Source: MIN/2023/64)

The development key details of the proposal are outlined in the table below:

Development proposal		
Height	Warehouse: 14.6m	
Site cover	56.4%	
Car parking	100 spaces	
Hours of operation	24 hours 7 days a week	
Gross floor area	Warehouse A – 10,757m ² Ancillary office – 744m ² Tenancy A total – 11,501m ²	Warehouse B – 8,005m ² Ancillary office – 649m ² Tenancy B total – 8,649m ²
	Development total - 20,155m²	
Servicing	The development provides a loading bay for loading and unloading of an Articulated Vehicle (AV). An AV has been demonstrated to access the service bay and enter and exit the site in a forward gear.	
Site access	- Homestead Drive – 1 x heavy vehicle entry / exit, 2 x car entry / exit - Highlands Street – 1 x heavy vehicle entry / exit, 1 x car entry / exit - Christensen road - 1 x car entry / exit Total: 6 VXOs	
Stormwater management	Connection to the larger stormwater management regime within Stage 2 of the Vantage Industrial Estate	

The following drawings identifies the proposed development.

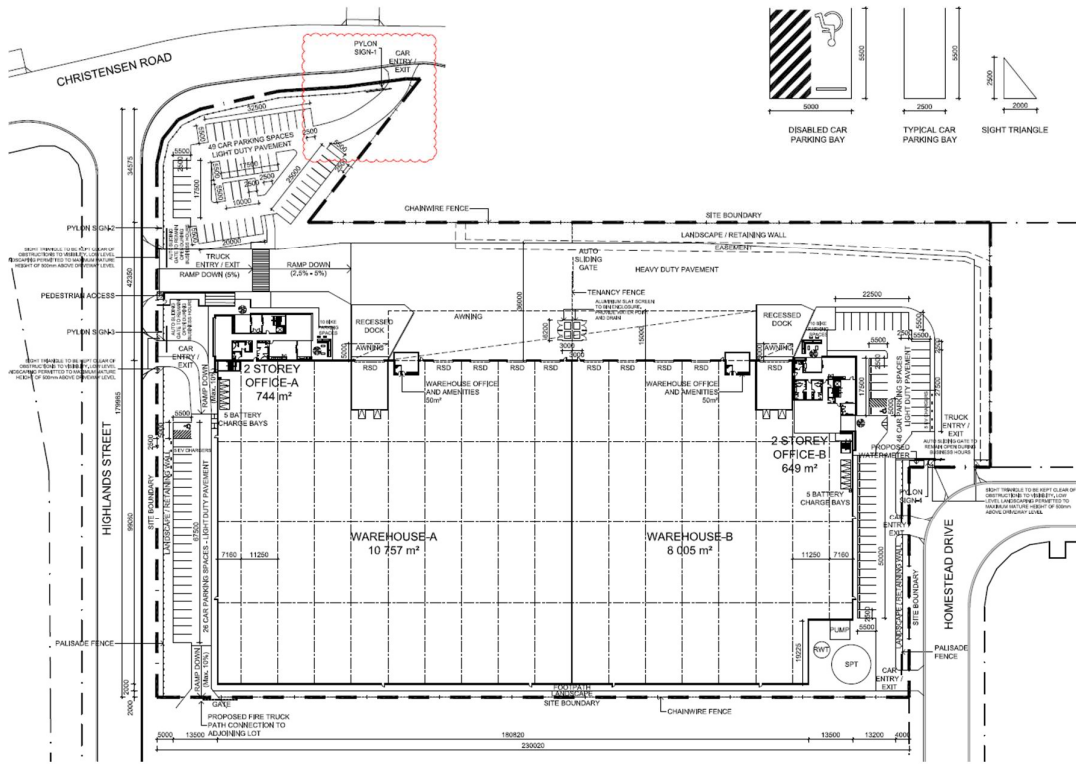


Figure 2: proposal site plan (Source: Applicant submitted material)

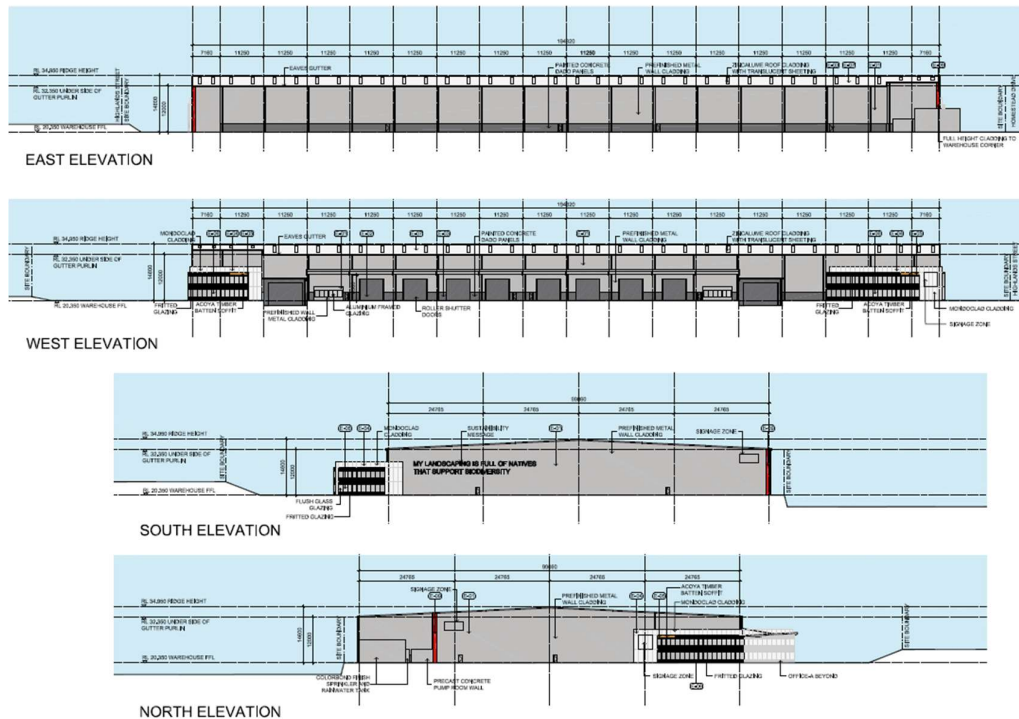


Figure 3: proposal elevations (Source: Applicant submitted material)

The proposal includes a Reconfiguring a lot component limited to establishing an access easement. An access easement is proposed over lot 205 in favour of lot 204 to facilitate fire truck access from lot 204 through to Homestead Drive.

HOMESTEAD DRIVE

204
SP316171

Emt
2559 m²

205
SP316171

Emt O
SP339789

FAIRWAY STREET

HIGHLANDS STREET

LEGEND
SUBJECT LOT

Table F of the Yatala Enterprise Area Local Area Plan Table of Development (As Modified) – Reconfiguring a lot does not identify provisions for access easements. The M38 Industrial Estate Place Code reflects the definition of Reconfiguring a lot identified within the relevant planning provisions of the Gold Coast City Council, being the *Gold Coast Planning Scheme 2003* at the time of making the Variation Request.

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Part C – Operational works

The proposed development includes Operational works for a Change to ground level to prepare the building pad to facilitate the hardstand areas and the vehicle access points.

Table B of the Yatala Enterprise Area Local Area Plan Table of Development (As Modified) – Operational Works identifies excavation or fill works that exceed a volume of 100 cubic metres of fill or excavation as Code Assessable.

Development proposal	
Cut	-5,806m ³
Fill	1,984m ³

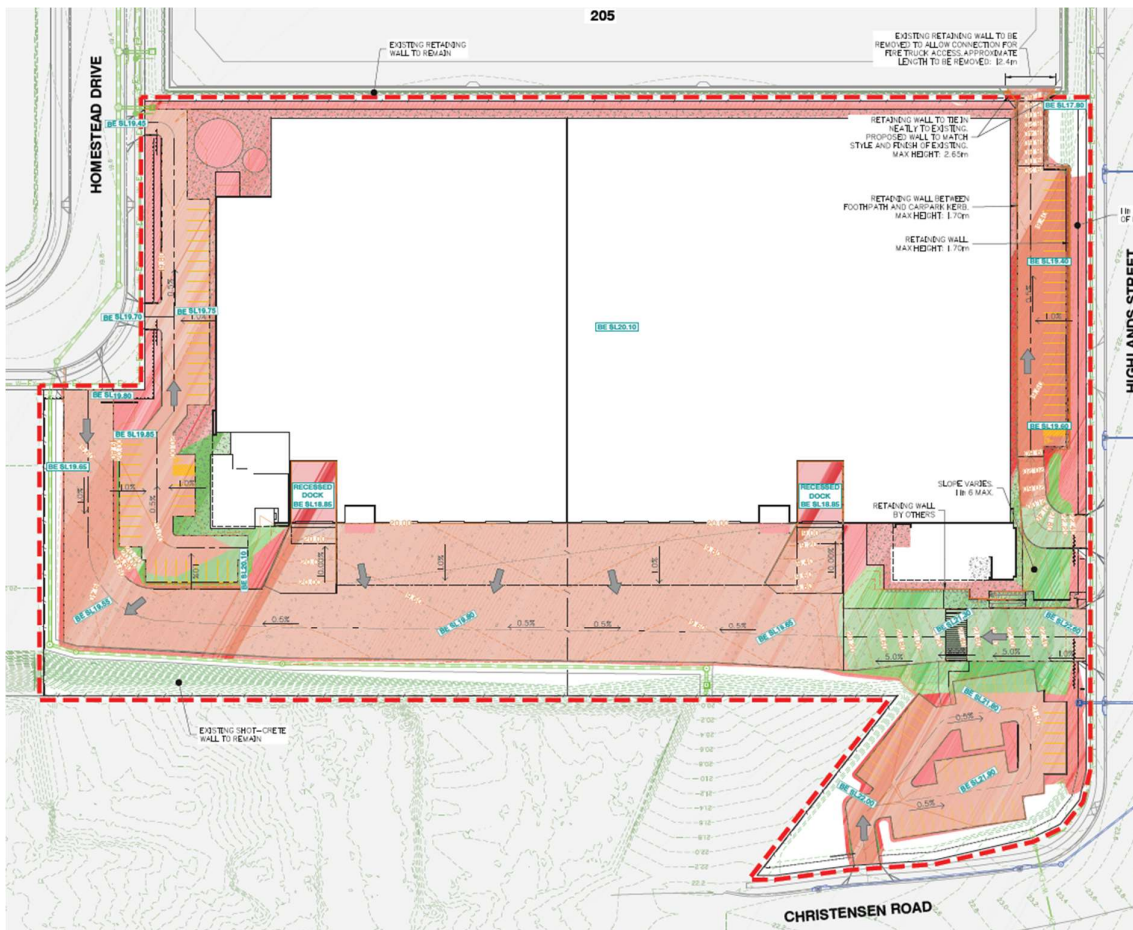


Figure 5: Bulk Earthworks Layout Plan (Source: Applicant submitted material)

3 KEY CONSIDERATIONS

The key considerations of the proposal include:

Car parking supply

The car parking provision is considerably short of Acceptable Solution AS8.1.1 of the M38 Industrial Estate Place Code (90 car spaces short of the requires 216 spaces). The applicant has provided

justification that a Warehouse use would require limited staff less than that of other industrial uses.

The applicant provided a car parking survey including samples from similar scale industrial development and the car parking demands. The examples provided an average peak occupancy of 1 space per 410m². The proposed development includes a car parking provision of 1 space per 170m², officers find merit in the justification for the proposed car parking provision through the car parking study. However, officers maintain concerns in the ability for the development to meet the car parking demands of future users. To address officer's concerns and ensure flexible staffing and reuse within the future, the applicant has demonstrated that additional car parking can be provided within the hardstand areas which is discussed further in the below assessment against the M38 Industrial estate place code.

4 SITE CONTEXT

4.1 Subject site and immediate context

The subject site is:

- 2 Highlands Street is a vacant lot with no established services;
- 2 Fairway Street (access easement) is improved by a single industrial tenancy;
- Part of Stage 2 of the Vantage Industrial Estate (precinct B);
- Subject to the M38 Industrial Estate Place Code;
- Clear of all vegetation;
- Has street frontages to Christensen Road, Highlands Street, and Fairway Street; and
- The subject site is irregular in shape.



Figure 6: Aerial image of the subject site (Source: CoGC)

4.2 Local context

The subject site forms part of the suburb of Stapylton including large areas of industrial zoned land strategically located in close proximity to the Pacific Motorway. The subject land is vacant and has been cleared and is subject to bulk earthworks.

Immediately to the:

- North: The subject site adjoins Precinct A of the Vantage Industrial Estate.
- East: The subject site directly adjoins other lots within Stage 2.
- South: The location of the proposed development is directly north Highlands Street. Further to the south is the Amgrow site.
- West: The subject location is directly adjacent to small Low impact industry lots.

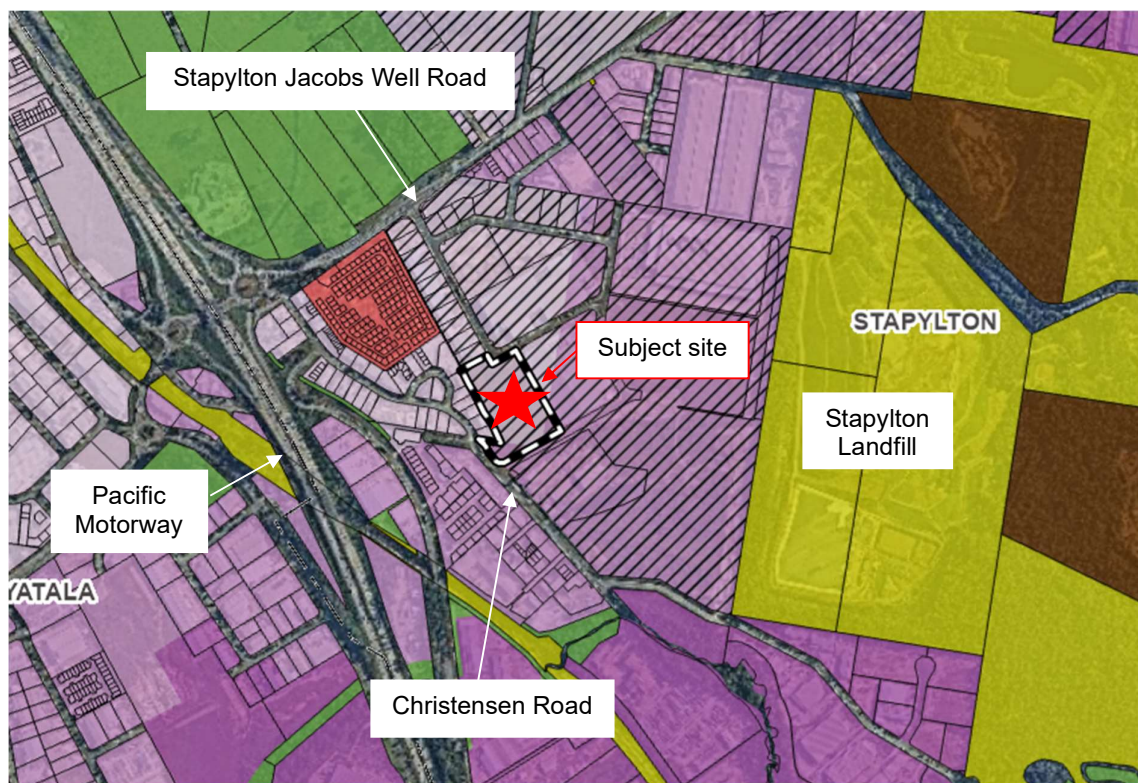


Figure 7: Aerial view of the subject site and local context (Source: CoGC)

5 PLANNING ASSESSMENT

Section 45(3) of the *Planning Act 2016* identifies:

- (3) A **code assessment** is an assessment that must be carried out only –
- (a) against the assessment benchmarks in a categorising instrument for the development; and
 - (b) having regard to any matters prescribed by regulation for this paragraph.

The proposed development triggers code assessment and has been assessed in accordance with Section 45(3) of the *Planning Act 2016*.

5.1 State Planning instruments

The application has been assessed against the following instruments:

Instrument	Comment
State Planning Policy	The M38 Industrial Estate Place Code appropriately reflects all aspects of the State Planning Policy apart from aspects relating to natural hazards, risk and resilience (coastal hazards). The proposal does not trigger assessment against any assessment benchmarks relating to natural hazards, risk and resilience (coastal hazards).
South East Queensland Regional Plan	The proposal is consistent with the goals, elements and strategies; and the Southern Sub-regional directions of the South East Queensland Regional Plan 2017 (ShapingSEQ).
Planning Regulation 2017	The proposal triggers assessment against the State development assessment provisions (Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 – Assessable development if the development exceeds thresholds). The application was referred to SARA who was identified in Schedule 10 to act as a Concurrence Agency . This is discussed in section 7.2 within this planning report.

5.2 Local categorising instruments

The application has been assessed against the following instruments:

Local categorising instrument	Comment
Temporary Local Planning Instrument	The proposal does not trigger assessment against any temporary local planning instruments.
Variation approval	The proposal does trigger assessment against a variation approval. This is discussed in section 5.2.1 within this planning report.
City Plan	The subject site is within the City Plan area of the City of Gold Coast. However, the City Plan is not the local categorising instrument for the proposed development. <u>Local Government Infrastructure Plan</u> There is no new trunk infrastructure required as part of this development.

5.2.1 Assessment against a variation approval

The M38 Industrial Estate Place Code is a Preliminary Approval overriding the planning scheme for the subject site, approved pursuant to Section 3.1.6 of the *Integrated Planning Act 1997*.

The proposal has been lodged pursuant to The M38 Industrial Estate Place Code which is the local categorising instrument for the development.

Pursuant to the aforementioned approval, developments within the M38 Industrial Estate are to be assessed against the assessment criteria specified in the Gold Coast Planning Scheme 2003 Version 1.2 and The M38 Industrial Estate Place Code.

The following is an assessment of the application against the M38 Industrial Estate Place Code applicable codes in the table below:

Zone code	Constraint code	Development codes
M38 Industrial Estate Place Code	Car parking, access and transport integration	- Works for infrastructure code; - Landscape work

This is a 'report by exception' and only discusses issues where the development does not meet the relevant acceptable solutions or where a relevant performance criteria does not have a stated corresponding acceptable solution. This is outlined in the table below:

Code	Performance Criteria	Subject matter
M38 Industrial Estate Place Code	PC8	Vehicular parking
	PC14, PC15 & PC16	Siting
	PC20	Building and layout design, safety and comfort
	PC25	Landscape design
	PC43 & 44	Site access
	PC46 & 47	Amenity protection
	PC51	On-site vehicle parking and movement

5.2.1.1 Assessment against the M38 Industrial Estate Place Code and the Constraint Codes

Assessment has been undertaken against the applicable Performance Criteria for each subject matter as follows:

Car parking supply - M38 Industrial Estate Place Code

The Acceptable Solution and corresponding Performance Criteria is provided below:

Performance criteria	Acceptable solution
PC8 On-site vehicle parking is provided to meet expected demand, having regard to: (a) The size of the proposed workforce; (b) The likely number of visitors to the site; (c) The likely size and number of service and transport vehicles to be on the site at any one time; (d) On-site parking and loading/unloading activities within sites; (e) The availability of conveniently located on-street parking; (f) Any possible future expansion, redevelopment or change of use.	AS8.1.1 The number of car parking spaces provided on-site generally meets the standards set out in the Constraint Code 4 – Car Parking, Access and Transport Integration in the Gold Coast City Planning Scheme (version 1.1 Amended January 2007), as follows: OR AS8.1.2 The number of car parking spaces provided on-site is generally in accordance with Table to Acceptable solutions AS8.1.2, as follows: (note – AS8.1.1 and AS8.1.2 prescribe the same car parking rate for Warehouse): <u>Warehouse</u> – 2 spaces per tenancy or lot, plus one (1) space per 50m² of GFA up to 500m², plus one (1) space per 100m² of GFA over 500m² AS8.3 A lesser provision may be acceptable where it can be demonstrated, to Council's satisfaction, that the parking needs of a particular development will be adequately met. Where less than the standard amount of parking is provided, the left over space is retained as landscaped open space and placed so as to be suited to ready conversion to additional parking, should the use of the site change and/or the actual car parking demand rise.

Officer's comment

The following table identifies the prescribed car parking requirement and the proposed car parking supply for the development:

Component	Car parking required to meet Place Code / Constraint Code	Proposed car parking supply
Warehouse A (11,501m ²)	122 spaces	75 spaces
Warehouse B (8,654m ²)	94 spaces	46 spaces
Total (20,155 m ²)	216 spaces	121 spaces

The proposed car parking supply does not meet the prescribed parking rate under the M38 Industrial estate Place Code (includes a significant shortfall, being 95 car parking spaces).

To address Performance criteria PC8 Rytenschild Traffic Engineering has provided the following information:

- The tenant is yet to be confirmed, however, Warehouses can only be operated by a limited number of persons; it is estimated that the building will have a maximum of 95 staff on-site, at any one time.
- The applicant provided a car parking survey including samples from similar scale industrial development and the car parking demands. The examples provided an average peak occupancy of 1 space per 410m². The proposed development includes a car parking provision of 1 space per 170m².
- A comparison of the estimated car parking rates, the proposed car parking provision is expected to meet anticipated demands for distribution activities.
- As the proposed industrial building is capable of supporting other industrial uses as envisioned within Precinct B of the Vantage Industrial Estate, the applicant has demonstrated that additional car parking can be provided within the site should a future user have a higher car parking demand (below image). An additional 54 car parking spaces are able to be supported adjacent the excess loading bays. It is anticipated that if a manufacturing use was to occupy the tenancy requiring more staff, lesser logistical activities would be required allowing for the reduction in accessible loading bays.

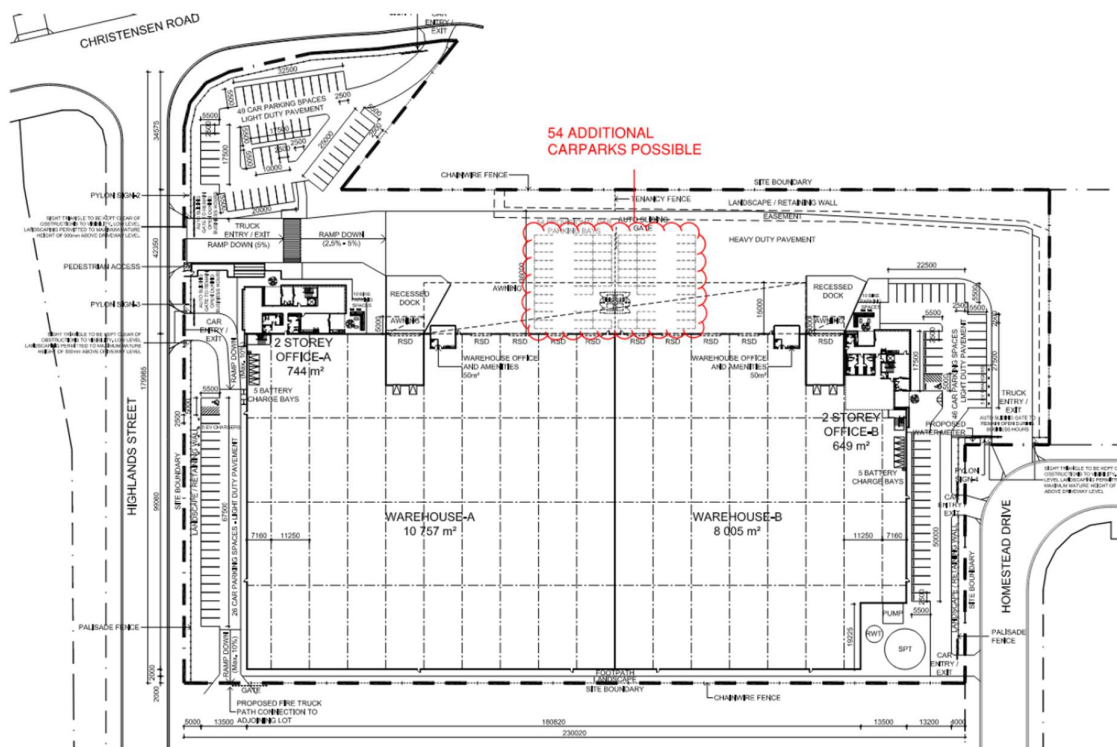


Figure 8: Possible additional car parking area (Source: Applicant submitted material)

The development proposal is considered to demonstrate that the car parking supply will sufficiently cater for an intended logistical user, with the ability to provide additional staffing should manufacturing activities require a higher car parking provision.

On this basis, compliance with Performance criteria PC8 has been demonstrated.

Siting - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC14 All buildings must be sited to complement the industrial character and the predominant built form of the surrounding area and to reduce potential conflicts between uses having regard to a site analysis, prepared in accordance with Planning Scheme Policy 17 - Site Analysis .	AS14 No acceptable solution provided.
PC15 The layout of the site must provide a clear separation between the public access areas and the areas set aside for servicing the building.	AS15 No acceptable solution provided.
PC16 Industrial structures, storage or service areas, which are likely to appear visually dominating or unsightly, are located to the rear or sides of sites or are otherwise designed and screened to enhance their appearance, when viewed from the street.	AS16 No acceptable solution provided.

Officer's comment

No Acceptable Solutions are provided under the subject matter of Siting within the M38 Industrial Estate Place Code, therefore assessment against Performance Criteria PC14, PC15 and PC16 is required.

PC14: While a significant portion of the site is currently being developed, the layout design is cohesive with the intent of the M38 Industrial Estate Place Code. The proposed development includes generous setbacks facilitating access around the built form and maintains an appropriate interface to future industrial uses.

The lot benefits from three road frontages to the north, west and south of the site. As such the built form addresses all street frontages. It is considered that this configuration is suitable for industrial functionality on the site while negating any potential conflicts between adjacent industrial uses.

PC15: The proposed development clearly articulates a separation between public access and areas allocated for servicing the building. Multiple access points are proposed affording separate access to car parking areas and service vehicle entry points.

PC16: The proposed development includes substantial landscaping addressing the road frontages which is designed to soften the built form of the industrial use. Additionally, conditions are provided to ensure that any potentially visually offensive elements will be appropriately screened from the view of the street to achieve a high quality industrial appearance.

Based on the above assessment it is considered the development complies with Performance Criteria PC14, PC15 and PC16 of the M38 Industrial Estate Place Code.

Building and layout design, safety and comfort - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC20 Building design and appearance must be conducive to the safety and comfort of all building users.	AS20.2 Entrances to premises are clearly visible from the street, and are not obscured or dominated by car parking.

Officer's comment

The proposed development includes staff/visitor car parking areas in front of the ancillary office entrance. As such the proposed development does not comply with Acceptable Solution AS20.2 and needs to be assessed against Performance Criteria PC20 of the M38 Industrial Estate Place Code.

The proposed development includes two large Warehouses with an ancillary office space. As the office space is intended as the entrance for staff and visitors to the site, the car parking areas are located closely to the office entrance. To ensure that areas intended for the public and loading bays are kept separate, the building design and site layout is considered safe and practical while maintain a high quality industrial design.

Based on the above assessment it is considered the development complies with Performance Criteria PC20 of the M38 Industrial Estate Place Code.

Landscape design - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC25 Landscape design is used to enhance the landscape character of the YEA.	AS25.3 Dwarf walls prevent vehicles breaching landscaped areas along frontages.

Officer's comment

The proposed development does not include dwarf walls bordering the landscaped areas along the frontages and cannot comply with Acceptable Solution AS25.3 and will assessed against Performance Criteria PC25.

The proposed landscape design provides generous landscaping along all areas presenting to the street, adjacent parking areas, and focal planting around building entrances. Although dwarf walls are not provided along frontages, dense landscaping and frontage fencing is considered to prevent vehicles from breaching the site. The landscape design is considered to enhance the landscape character of the YEA.

Based on the above assessment it is considered the development complies with Performance Criteria PC25 of the M38 Industrial Estate Place Code.

Vehicle access

<u>M38 Industrial Estate Place Code</u>	
Performance criteria	Acceptable solution
PC43 Site access is designed and constructed to provide for the safe ingress/egress of vehicles to the site.	AS43 Vehicular access to the site is designed and constructed in accordance with Council, Department of Main Roads and AUSTROAD standards, and/or the following minimum requirements: (a) comprises a single vehicular driveway (entrance/exit), wherever possible; (b) is not closer than ten metres to an intersecting street on the same side of the street; (c) provides a minimum sight distance of 110 metres; (d) shares adjoining property access driveways, wherever possible; (e) always enters the street at right angles; (f) where the site has frontage to two roads, access is taken off the secondary/minor road, if possible; (g) where separate entry and exit driveways are used, the first driveway reached from the kerbside lane is clearly delineated and signposted.
PC55 Conflicts between pedestrians and vehicles at entrance points to parking areas are minimised.	AS55.1 The number of vehicle entry points to a development site is minimised, particularly in areas which have high volumes of pedestrian traffic and on streets with a significant through road function.
<u>Car Parking, Access and Transport Integration Constraint Code</u>	
PC10 Driveways from car parks or developments into public roads must be minimised to reduce interference with public road traffic and pedestrians.	AS10.2 The maximum number of crossovers for non-residential developments is two crossovers per property.
PC18 Vehicle crossovers must be constructed to minimise conflict with passing traffic and pedestrians.	AS18 Access to developments with more than one frontage road is via minor roads. Impacts of driveway traffic are concentrated on less busy

	roads, with traffic distributed to major roads via existing intersections.
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Officer's comment

The subject site has frontage to three roads, being Christensen Road, Highlands Street and Homestead Drive, with vehicle access proposed from all three roads, with a total of six crossovers, as follows:

- Christensen Road: single access point, comprising all-movements access to a car parking area (49 spaces)
- Highlands Street: two access points, comprising all-movements access for heavy vehicles and all-movements access to a car parking area (26 spaces)
- Homestead Drive: single egress point, accommodating heavy vehicle exit, and two access points facilitating all-movements access to a car parking area (46 spaces)

The proposal for multiple access points conflicts with AS43 and AS55.1 of the Place Code and AS10.2 of the Constraint Code; moreover, the proposal for access from Christensen Road, which is a high-order road, conflicts with AS43 and AS55.1 of the Place Code and AS18 of the Constraint Code which require access to be taken from the site's minor road frontage.

The relevant Performance criteria require:

- (a) *Site access is designed and constructed to provide for the safe ingress/egress of vehicles to the site.*

The subject site is a large industrial site with a site area of 3.7ha and benefits from three street frontages. The six proposed site access points are spread across the three road frontages. Heavy vehicle access is provided from Highlands Street through to Homestead Drive. It is of note that the heavy vehicle access is proposed separate of the car parking areas and associated light vehicle access points. With the consideration of conflicts between vehicles, the site design is responsive to the requirement to provide safe ingress/egress of vehicles to the site.

- (b) *Conflicts between pedestrians and vehicles at entrance points to parking areas are minimised.*

The subject site benefits from over 300m of street frontage. The inclusion of six vehicle access points over the 300m of site frontage is not considered to result in conflicts between vehicle movements and pedestrians accessing the site. Given the industrial nature of the surrounding area, minimal pedestrian activity is expected. Further, there is no ability for on street car parking along the Christensen Road frontage minimising pedestrian activity along this interface.

The staff vehicle parking areas are located separate to the heavy vehicle access points. The layout design situates a total of 72 car parking spaces adjacent the ancillary offices, minimising potential for conflicts between vehicles and pedestrians within the site. The western most car park facilitates 49 carparking spaces, separated from the ancillary office by the truck entry/exit location. To manage conflicts between heavy vehicles and pedestrian activity within the site, a pedestrian crossing is located across the driveway ramp approximately 28m within the site (below image).

The location of the pedestrian crossing internal to the site provides suitable visibility for heavy vehicles entering the site with sufficient space for the largest service vehicle to stand within the site when yielding to internal pedestrian movements. Further, landscaping is provided around the

extent of the car parking areas guiding pedestrians to the designated crossing locations reducing risk of conflict.

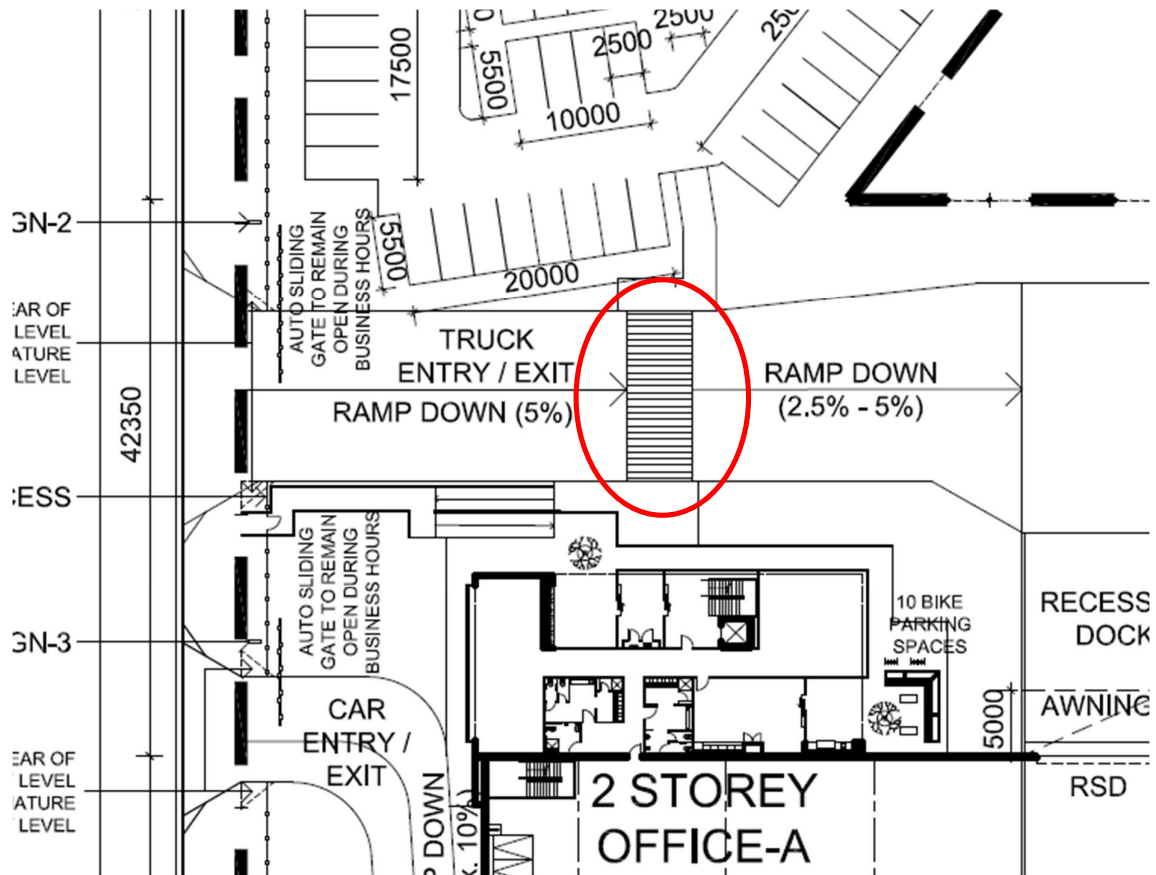


Figure 9: Excerpt of site plan illustrating the pedestrian route from the car parking location to the ancillary office area (Source: Applicant submitted material amended by City officer)

- (c) Driveways from car parks or developments into public roads must be minimised to reduce interference with public road traffic.

The proposed driveways function as both entry and exit points to the site, separate driveways are not provided to facilitate separate entry and exit. As such, driveways are considered to be minimised facilitating a dual function.

Based on the above assessment, the proposed access arrangement is considered to comply with Performance criteria PC43 and PC55 of the M38 Industrial Estate Place Code, and Performance criteria PC10 and PC18 of the Car Parking, Access and Transport Integration Constraint Code.

Site Access - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC44 Treatment of access points to the site maintains appropriate sight distances and visually enhances its identification.	AS44 Access points incorporate decorative paving treatment and landscaping which distinguishes the access point, but which does not obstruct the safe sight distance requirements outlined above.

Officer's comment

Pavement treatments are not proposed to differentiate the site entry points so full compliance with Acceptable Solution AS44 cannot be achieved. As such, assessment is provided against Performance Criteria PC44.

The provision of landscape treatment of access points visually distinguishes the entry locations while maintaining appropriate site lines/distances.

Based on the above assessment it is considered the development complies with Performance Criteria PC44 of the M38 Industrial Estate Place Code.

Amenity protection - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC46 The proposed use must not detract from the amenity of the local area, having regard, but not limited, to the impact of: a. noise; b. hours of operation; c. traffic; d. lighting; e. signage; f. visual amenity; g. privacy; h. odour and emissions.	AS46 No acceptable solution provided.
PC47 The proposed development must take into account and seek to ameliorate any negative aspects of the existing amenity of the local area, having regard, but not limited, to the existing impact of: a. noise; b. hours of operation; c. traffic; d. lighting; e. signage; f. visual amenity; g. privacy; h. odour and emissions; i. dust; and j. vibration.	AS47 No acceptable solution provided.

Officer's comment

The M38 Industrial Estate Place Code does not provide Acceptable Solutions for the prevention of loss of amenity and threats to health and safety. As such, the development must be assessed against

Performance Criteria PC46 and PC47 to maintain compliance with the M38 Industrial Estate Place Code.

(a) Noise:

PC46: It is considered that the proposed development includes measures which adequately mitigate noise emissions from the use and meet acoustic quality objectives and reduce the opportunity for nuisance to be created. Compliance with PC46 will be ensured through conditions of approval and is considered to be achieved.

PC47: Due to the Industrial nature of the site and surrounding areas a level of noise emissions is expected but it is not considered to impact negatively on the proposed development.

(b) Hours of operation:

PC46: The proposed development is envisioned for the industrial estate, including extended hours of operation to facilitate logistic requirements. It is not anticipated that the proposed hours of operation will have negative impact on the surrounding industrial land uses.

PC47: The surrounding area will support other industrial activities expected to operate similarly to the proposed development including 24/7 operations. It is considered that the surrounding operating hours of the industrial area will have negligible impacts on the proposed development.

(c) Traffic:

PC46: The proposed land use of a Warehouse is accepted development within the M38 Industrial Place Code. It is expected that a Warehouse will involve activities which will increase traffic through the wholesale of merchandise and goods stored within the warehouse. Due to the scale of the development under the *Planning Regulations 2017* the proposed development was referred to SARA as concurrence agency. General advice has been provided by SARA. It is considered that the traffic generated from the proposed development will be managed effectively to mitigate possible negative impacts on amenity.

PC47: The site and surrounding area is located close to the Pacific Motorway, common for industrial estates within the area. As such, there is an anticipated level of traffic expected to be generated from industrial areas. The traffic impacts have been considered in the prior staged approval and are not anticipated to have any negative impacts to the amenity of the subject site.

(d) Lighting:

PC46: No part of the proposed development includes any light spillage from the site which may impact the amenity of the surrounding area.

PC47: There are no existing activities in the surrounding area which includes lighting which may cause negative impact on the proposed development. Standard conditions have been included in the officer's recommendation to ensure this outcome is achieved.

(e) Signage:

PC46: The proposed development has not included any signage, including signage which may detract from the surrounding amenity.

PC47: There are no existing activities in the surrounding area which includes signage which may cause negative impact on the proposed development.

(f) Visual amenity:

PC46: The proposed development consists of a high quality industrial design with ample landscaping to soften the built form. It is considered that the outward appearance of the proposed development is cohesive with the intent of the industrial estate and is unlikely to have any negative impacts to the visual amenity of the surrounding area.

PC47: As the areas surrounding the site is currently vacant land, it is not considered that the proposed development is impacted negatively by any activities which could compromise the quality of the visual amenity. It is expected that considerations of visual amenity will be addressed appropriately in any future developments within the surrounding industrial area.

(g) Privacy:

PC46: The proposed development is located within an industrial estate and all interfaces include other industrial land uses. As the nearest sensitive land use is sighted approximately 300m away and is

separated from the subject site by other industrial land uses, it is considered that the proposed development will have negligible impacts on surrounding privacy.

PC47: It is not considered that any surrounding activities within the industrial estate will contribute negatively to the privacy of the proposed development, none the less the proposed development includes substantial landscaping providing screening.

(h) Odour and emissions:

PC46: It is not anticipated that the proposed development will produce any odour emissions other than what can be expected from loading and unloading activities. The proposed Warehouse does not include any manufacturing activities which would contribute negatively to odour and emissions.

PC47: The surrounding area supports industrial uses, which can be expected to produce a reasonable level of odour or emissions. It is not considered that the surrounding land uses will contribute negatively to the amenity of the proposed development through odour and emissions.

(i) Dust:

PC47: It is considered unlikely that the amenity of the proposed development will be impacted by an unreasonable level of dust from the surrounding industrial area.

(a) Vibration:

PC47: It is considered unlikely that the amenity of the proposed development will be impacted by vibrations from the surrounding industrial area.

Based on the above assessment it is considered the development complies with Performance Criteria PC46 and PC47 of the M38 Industrial Estate Place Code.

On-site vehicle parking and movement - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC51 On-site vehicle parking is located: a. to allow easy access to building entrances; b. to provide visitor spaces for short term/high turnover use clearly visible from the street and sign posted accordingly; c. to be adequately screened from the street; d. compatible with surrounding development and, where possible, facilitating shared use with adjacent land users.	AS51.1 In areas where visual amenity is important and/or where relatively large amounts of parking are provided, parking areas are generally situated to the rear or side of the site. In particular, employee parking is situated at the rear of the site, with staff entrances at the rear of the building.

Officer's comment

The proposed development seeks to provide car parking including employee parking at the front of the site which conflicts with Acceptable Solution AS51.1 requiring parking areas to be situated to the rear or the side of the site. As such assessment is required against Performance Criteria PC51.

To achieve separation between loading bays and pedestrians, the car parking areas have been located adjacent to the ancillary office space at the front of the site. It is considered that locating

parking areas to the side or rear of the site would potentially create conflicts between staff entering the building and heavy vehicles servicing the site.

The proposed siting of the car parking areas is considered to allow easy access to the building entrances for both staff and potential visitors. The proposed parking areas includes the provision of substantial landscaping ensuring the parking areas do not dominate the street front.

Based on the above assessment it is considered the development complies with Performance Criteria PC51 of the M38 Industrial Estate Place Code.

6 INFRASTRUCTURE CHARGES

The final estimated infrastructure charge is \$1,566,351.58.

Charge calculation

Charges Resolution No. 1 of 2023					
	Qty			Rate	Gross Charge Amount
Impervious area	32,287	Square Metres	@	\$ 12.91	\$ 416,825.17
Other industry	18,374	sq m Gross Floor Area	@	\$ 64.53	\$ 1,185,674.22
					\$ 1,602,499.39
Net Charge Summary					
Gross Charge Amount		Applied Credit Amount		Net Charge Amount	
\$ 1,602,499.39		\$ 36,147.81		\$ 1,566,351.58	
Applied credit details		Existing lot credit applied based on payments made on SUR/2023/227.			

Office Use Only	
\$ 1,054,919.82	DC011
\$ 386,202.65	DC013
\$ 125,229.11	DC020
\$ 1,566,351.58	

7 REFERRALS

7.1 Technical advisors

This application has been assessed by internal technical advisors who have provided comments and reasonable and relevant conditions. If not previously included, technical advisor comments and an overview of the recommended conditions are provided in the table below:

Technical advisor area	Conditions/Comments (if not included within report)
Health and Regulatory Services	Health and Regulatory Services reviewed the submitted material and provided the following conditions: MCU: Approved plans
Hydraulics and Water Quality	Hydraulics and Water Quality reviewed the submitted material and provided the following conditions: OPW: Overland flow paths and hydraulic alterations.

	Erosion and sediment control.
Landscape Assessment	Landscape Assessment reviewed the submitted material and provided the following conditions: <u>MCU:</u> Landscaping works.
Operational Works	Operational Works reviewed the submitted material and provided the following conditions: <u>OPW:</u> - Approved drawings (Planning Assessment has amended the condition requiring amendments to drawings to remove works facilitating the unsupported VXO to Christensen Road). - Rectification of Council's infrastructure. - Earthworks. - Certification of works. - Supervision of works. - Hold point inspection. - Practical completion. - Bond.
Plumbing and Drainage	Plumbing and Drainage reviewed the submitted material and provided the following conditions: <u>MCU:</u> Plumbing and drainage works.
Subdivision Engineering	Subdivision Engineering reviewed the submitted material and provided the following conditions: <u>ROL:</u> Requirement to register easement/s.
Transport Assessment	Transport Assessment reviewed the submitted material and provided the following conditions: <u>MCU:</u> - Approved drawings – amended in red - Off street vehicle and car parking facilities - Off street bicycle parking and end of trip facilities - Loading and unloading (excluding waste collection vehicles) - Security gate requirements
Water and Waste	Water and Waste reviewed the submitted material and provided the following conditions: <u>MCU:</u>

	Restrictions regarding Council sewer and water supply infrastructure.
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7.2 External referrals

The application was referred to the following external agency(s):

7.2.1 Concurrence agency(s)

The application was referred to the State Assessment and Referral Agency (SARA) due to the following trigger identified within the Planning Regulation 2017:

- Schedule 10, Division 4, Subdivision 1, Table 1 of the Planning Regulations: Development application for an aspect of development stated in schedule 20 that is assessable development under a local categorising instrument or section 21, the development exceeds thresholds.
SARA as a concurrence agency provided a referral agency response with General advice on 7 March 2025.

8 PUBLIC NOTIFICATION

No part of the application required public notification.

9 CONCLUSION

Council is in receipt of a Combined application for a development permit for a Material change of use to establish a Warehouse, Reconfiguring a lot to establish and access easement, and Operational works for a Change to ground level.

Assessment reveals the proposal has addressed the relevant benchmarks of the M38 Industrial Place Code.

It is recommended the application be approved, subject to conditions.

10 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority, the Manager Planning Assessment of the City Development approves (with conditions) the issue of a Development permit for a Material change of use for a Warehouse, Reconfiguring a lot for an access easement, and Operational works for a Change to ground level, in accordance with the Attachment entitled: decision notice – approval (with conditions).

Author:

Natasha Sidabutar

Senior Planner

September 2025

Authorised by:

Roger Sharpe

Manager Planning Assessment