

## 1 APPLICATION SUMMARY

| Application information                    |                                                                                                                                                                                                     |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address                                    | 1 Highlands Street, STAPYLTON QLD 4207                                                                                                                                                              |
| Lot and plan                               | BAL Lot 505 SP316171 (future lot 303)                                                                                                                                                               |
| Site area                                  | 19,410m <sup>2</sup>                                                                                                                                                                                |
| Type of development and proposed use       | Combined application for a Material change of use (Warehouse) 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 | <b>FPI Queensland Pty Ltd</b> – Applicant<br><b>Gassman Development Perspectives</b> – Planning Consultant<br><b>Acoustic Works</b> – Acoustic Consultant<br><b>Rytenskild</b> - Traffic Consultant |
| Owner details                              | Australand Industrial No. 89 Pty Ltd                                                                                                                                                                |
| City Plan version                          | Not applicable                                                                                                                                                                                      |
| Zone / 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                          | Not applicable                                                                                                                                                                                      |
| Officer's recommendation                   | Approval subject to conditions                                                                                                                                                                      |

## 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 22 December 2023. Under Delegated Authority the Manager of Planning Assessment of the City Development Branch approved the issue of a Development permit for Reconfiguring a lot for the creation of four 4 community title scheme industrial lots, common property, public stormwater lot, new public road, and Development permit for Operational works - Change to ground level (COM/2023/82).

## **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, and Operational works for a Change to ground level at 1 Highlands Street, Stapylton. It is of note that the proposal was lodged concurrently by the applicant with two other applications for Warehouses at 2 Highlands Street, Stapylton within Stage 2 of the Vantage Industrial Estate (COM/2024/367 & COM/2025/374). The submitted material included a suite of architectural drawings, change to ground level drawings and specialist reports.
- On 15 January 2025, City officers issued a Confirmation notice.
- On 28 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. Other subsequent items were included within the Information request.
- On 28 February 2025, the applicant provided a response to the Information request for the two applications over 2 Highlands Street (COM/2024/367 & COM/2025/374), however the key issues regarding car parking provision were not 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 would also be consistent with the subject application. Officers reinforced that support will not be given for the current significant shortfall in car parking for the reasons raised within the Information request. The Applicant was encouraged to amend the proposal design for all three applications 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.
- On 9 April 2025, the applicant provided a response to the Information request for the subject application. Officers note that the same issues were raised regarding the car parking shortfall provided over 2 Highlands Street, 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 and Operational works for a Change to ground level at 1 Highlands Street, Stapylton within Stage 3 of the Vantage Industrial Estate. The subject site is located within Precinct B (General impact business and industry) of the Land use classification and staging plan (below figure).

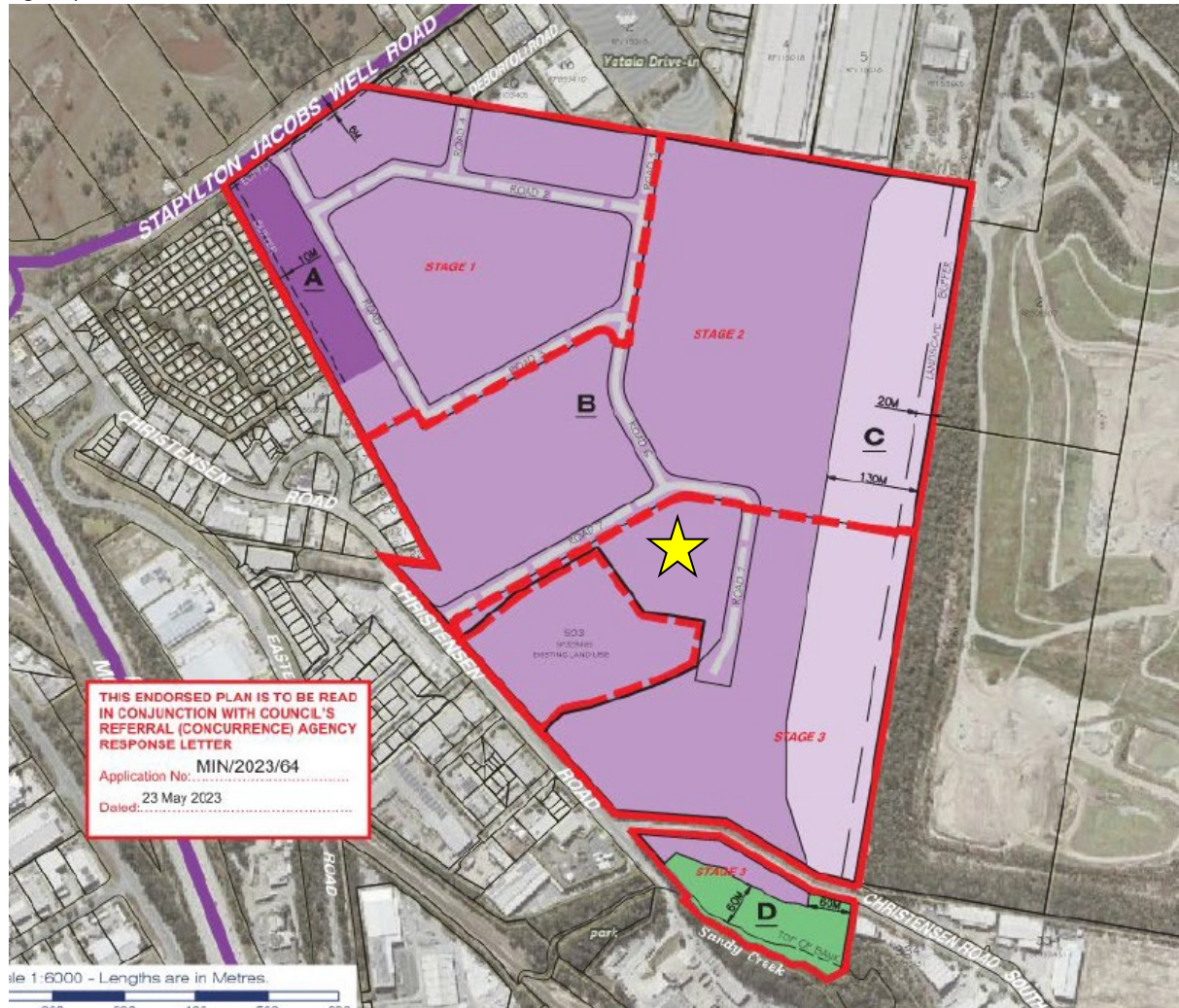


Figure 1: Land use classification plan (Source: MIN/2023/64)

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 a new Warehouses and ancillary office space 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

**DELEGATED AUTHORITY REPORT FOR CODE ASSESSMENT DEVELOPMENT APPLICATION  
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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) 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.

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

| Development proposal  |                                                                                                                                                                                                       |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Height                | Warehouse: 14.6m                                                                                                                                                                                      |
| Site cover            | 42.3%                                                                                                                                                                                                 |
| Car parking           | 100 spaces                                                                                                                                                                                            |
| Hours of operation    | 24 hours 7 days a week                                                                                                                                                                                |
| Gross floor area      | Warehouse – 7,180m <sup>2</sup><br>Ancillary office – 513m <sup>2</sup><br><b>Development total – 7,693m<sup>2</sup></b>                                                                              |
| 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           | Coastlink Court – 1 x heavy vehicle entry / exit, 1 x car entry / exit<br><b>Total: 2 VXOs</b>                                                                                                        |
| Stormwater management | Connection to the larger stormwater management regime within Stage 2 of the Vantage Industrial Estate                                                                                                 |

The following drawings identifies the proposed development.

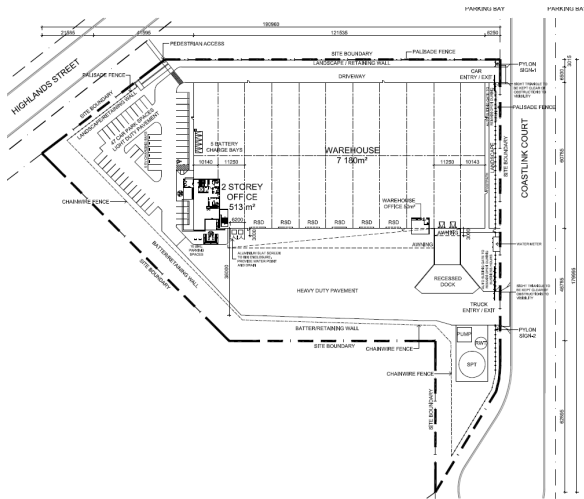


Figure 2: proposal site plan (Source: Applicant submitted material)

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## **Part B – Operational works**

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                  | -4,860m³ |
| Fill                 | 1,756m³  |



Figure 4: 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 (47 car spaces short of the requires 84 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 160m², 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:

- 1 Highlands Street is a vacant lot with no established services yet to be registered;
- Part of Stage 3 of the Vantage Industrial Estate (precinct B);
- Subject to the M38 Industrial Estate Place Code;
- Clear of all vegetation;
- Has street frontage to Coastlink; and
- The subject site is irregular in shape.



Figure 5: Aerial image of the subject site (Source: CoGC mapping)

### 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 the future lot approved as common property for the industrial state.
- East: The subject site directly adjoins Coastlink Court, opposite other industrial lots within the Vantage Industrial Estate. Further to the east; Stapylton Landfill and a deactivated quarry are located outside of the estate.

- South: The location of the proposed development is directly north of other future industrial lots which form part of Stage 3 of the Vantage industrial estate.
- West: The subject location is directly adjacent to a site supporting Amgrow operations; outside of the Vantage industrial area.



Figure 6: 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).<br><br>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 does not trigger assessment against any assessment benchmarks listed in a Schedule of the Planning Regulation 2017.                                                                                                                                                                                                                  |

## 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.<br><br>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.<br><u>Local Government Infrastructure Plan</u><br><br>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 |
|-----------|-----------------|-------------------|
|-----------|-----------------|-------------------|

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| Zone code                                                                          | Constraint code                                                                                 | Development codes                                                                                        |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>M38 Industrial Estate Place Code</li> </ul> | <ul style="list-style-type: none"> <li>Car parking, access and transport integration</li> </ul> | <ul style="list-style-type: none"> <li>Works for infrastructure code;</li> <li>Landscape work</li> </ul> |

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                               |
|                                               | PC 44                | Site access                                    |
|                                               | PC46 & 47            | Amenity protection                             |
| Car parking, access and transport integration | PC10                 | Driveways and Crossovers                       |

#### 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PC8</b><br>On-site vehicle parking is provided to meet expected demand, having regard to: <ul style="list-style-type: none"> <li>(a) The size of the proposed workforce;</li> <li>(b) The likely number of visitors to the site;</li> <li>(c) The likely size and number of service and transport vehicles to be on the site at any one time;</li> <li>(d) On-site parking and loading/unloading activities within sites;</li> <li>(e) The availability of conveniently located on-street parking;</li> <li>(f) Any possible future expansion,</li> </ul> | <b>AS8.1.1</b><br>The number of car parking spaces provided on-site generally meets the standards set out in the <b>Constraint Code 4 – Car Parking, Access and Transport Integration</b> in the Gold Coast City Planning Scheme (version 1.1 Amended January 2007), as follows:<br>OR<br><b>AS8.1.2</b><br>The number of car parking spaces provided on-site is generally in accordance with <b>Table to Acceptable solutions AS8.1.2</b> , as follows:<br>(note – AS8.1.1 and AS8.1.2 prescribe the same car parking rate for Warehouse): |

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|                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| redevelopment or change of use. | <p><u>Warehouse</u> –</p> <p>2 spaces per tenancy or lot, plus one (1) space per 50m<sup>2</sup> of GFA up to 500m<sup>2</sup>, plus one (1) space per 100m<sup>2</sup> of GFA over 500m<sup>2</sup></p> <p><b>AS8.3</b></p> <p>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 parkin, should the use of the site change and/or the actual car parking demand rise.</p> |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**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 |
|--------------------------------------------|-----------------------------------------------------------|-----------------------------|
| <b>Warehouse</b><br>(7,693m <sup>2</sup> ) | 84 spaces                                                 | 47 spaces                   |

The proposed car parking supply does not meet the prescribed parking rate under either the Place Code or Constraint Code (includes a significant shortfall, being 37 car parking spaces).

To address PC8 of the Place Code and PC16 of the Constraint Code, Rytenskiid 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 40 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 410m<sup>2</sup>. The proposed development includes a car parking provision of 1 space per 160m<sup>2</sup>.
- 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 37 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.

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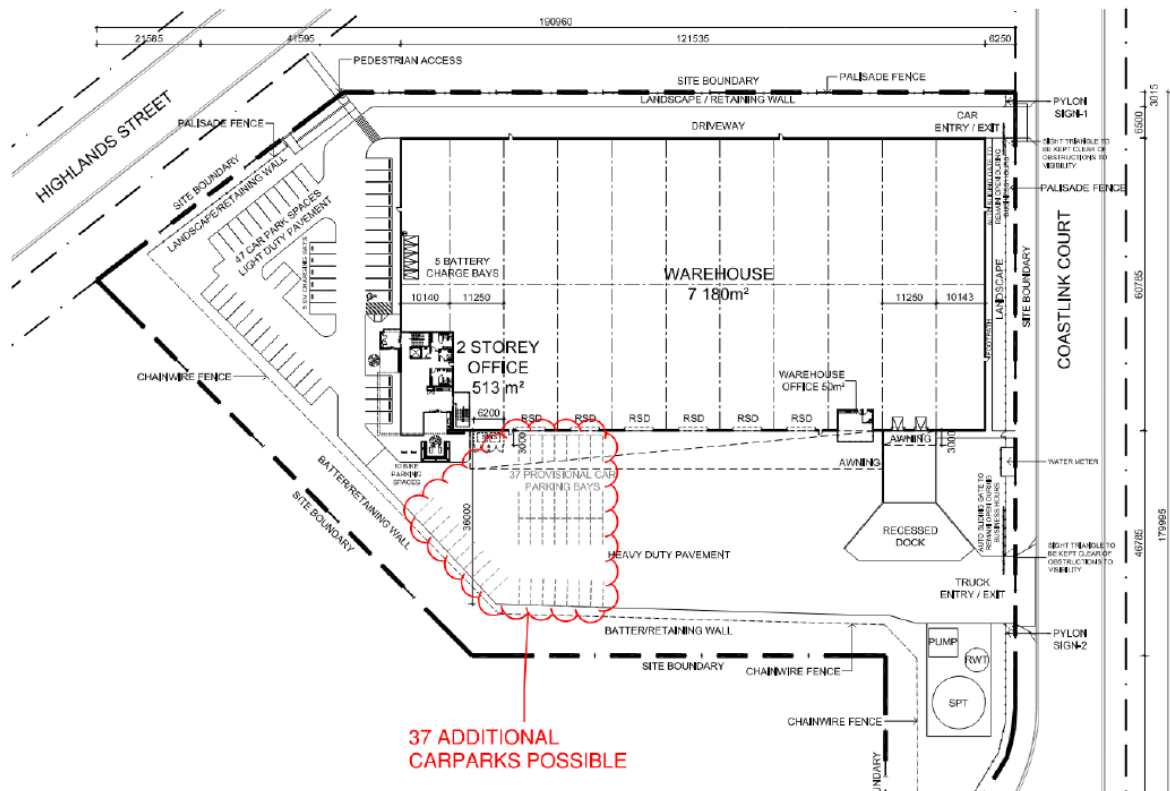


Figure 7: Possible additional car parking area (Source: Applicant submitted material)

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                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <b>PC14</b><br><br>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 <b>Planning Scheme Policy 17 - Site Analysis</b> . | <b>AS14</b><br><br>No acceptable solution provided. |
| <b>PC15</b><br><br>The layout of the site must provide a clear separation between the public access areas and the areas set aside for servicing the building.                                                                                                                                                | <b>AS15</b><br><br>No acceptable solution provided. |
| <b>PC16</b><br><br>Industrial structures, storage or service areas, which are likely to appear visually dominating or unsightly,                                                                                                                                                                             | <b>AS16</b><br><br>No acceptable solution provided. |

are located to the rear or sides of sites or are otherwise designed and screened to enhance their appearance, when viewed from the street.

**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 the majority of the surrounding sites are currently vacant, the design of the lot layout supporting the proposed development 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 a single road frontage to the west of the site. As such the built form addresses the street frontage. 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                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b>PC20</b><br><br>Building design and appearance must be conducive to the safety and comfort of all building users. | <b>AS20.2</b><br><br>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 a large Warehouse 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 maintaining 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:

| <b>Performance Criteria</b>                                                                | <b>Acceptable Solution</b>                                                                    |
|--------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>PC25</b><br><br>Landscape design is used to enhance the landscape character of the YEA. | <b>AS25.3</b><br><br>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 is 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.

**Site Access - M38 Industrial Estate Place Code**

The Acceptable outcome and corresponding Performance outcome is provided below:

| <b>Performance Criteria</b>                                                                                                               | <b>Acceptable Solution</b>                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PC44</b><br><br>Treatment of access points to the site maintains appropriate sight distances and visually enhances its identification. | <b>AS44</b><br><br>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:

| <b>Performance Criteria</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Acceptable Solution</b>                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| <p><b>PC46</b></p> <p>The proposed use must not detract from the amenity of the local area, having regard, but not limited, to the impact of:</p> <ul style="list-style-type: none"> <li>a. noise;</li> <li>b. hours of operation;</li> <li>c. traffic;</li> <li>d. lighting;</li> <li>e. signage;</li> <li>f. visual amenity;</li> <li>g. privacy;</li> <li>h. odour and emissions.</li> </ul>                                                                                                                        | <p><b>AS46</b></p> <p>No acceptable solution provided.</p> |
| <p><b>PC47</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>a. noise;</li> <li>b. hours of operation;</li> <li>c. traffic;</li> <li>d. lighting;</li> <li>e. signage;</li> <li>f. visual amenity;</li> <li>g. privacy;</li> <li>h. odour and emissions;</li> <li>i. dust; and</li> <li>j. vibration.</li> </ul> | <p><b>AS47</b></p> <p>No acceptable solution provided.</p> |

**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.

**Vehicle Access - Car Parking, Access and Transport Integration Constraint Code**

| <b>Performance criteria</b>                                                                                                                                  | <b>Acceptable solution</b>                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>PC10</b><br>Driveways from car parks or developments into public roads must be minimised to reduce interference with public road traffic and pedestrians. | <b>AS10.2</b><br>The maximum number of crossovers for non-residential developments is two crossovers per property. |

**Officer's comment**

Two vehicle access points are proposed from Coastlink Court and compliance with Acceptable Solution AS10.2 cannot be achieved, as such assessment is required against Performance Criteria PC10.

Coastline Court was created as part of the Stage 3 subdivision of the Vantage Industrial Estate. The new road results in a cul-de-sac servicing the industrial freehold lots created within the subdivision. The two vehicle access points accommodate all-movement access for heavy vehicles and all-movement access to a car parking area separately. Given the extensive road frontage to Coastlink Court for the large industrial lot, officers consider the inclusion of one additional VXO is unlikely to result in interference with the public road.

On that basis, compliance with AS43/AS55.1 of M38 Industrial Estate Place Code and AS10.2/AS18 of Car Parking, Access and Transport Integration Constraint Code is achieved.

**6 INFRASTRUCTURE CHARGES**

Infrastructure charges are not applicable for the preliminary approval. However, on lodgement of a new development permit, a new infrastructure charges notice will be issued.

The final estimated infrastructure charge is \$557,795.29

## Charge calculation

| Charges Resolution No. 1 of 2023 |        |                              |   |                   |                     |
|----------------------------------|--------|------------------------------|---|-------------------|---------------------|
|                                  | Qty    |                              |   | Rate              | Gross Charge Amount |
| Impervious area                  | 14,712 | Square Metres                | @ | \$ 12.70          | \$ 188,842.40       |
| Other industry                   | 6,715  | sq m Gross Floor Area        | @ | \$ 63.52          | \$ 426,536.80       |
|                                  |        |                              |   |                   | \$ 613,379.20       |
| Net Charge Summary               |        |                              |   |                   |                     |
| Gross Charge Amount              |        | Applied Credit Amount        |   | Net Charge Amount |                     |
| \$ 613,379.20                    |        | \$ 35,583.91                 |   | \$ 577,795.29     |                     |
| Applied credit details           |        | Standard lot credit applied. |   |                   |                     |

## 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:<br><b><u>MCU:</u></b> <ul style="list-style-type: none"> <li>Approved plans</li> </ul>                                                                                                                                                                                                                       |
| Hydraulics and Water Quality   | Hydraulics and Water Quality reviewed the submitted material and provided the following conditions:<br><b><u>OPW:</u></b> <ul style="list-style-type: none"> <li>Overland flow paths and hydraulic alterations.</li> <li>Erosion and sediment control.</li> </ul>                                                                                                                                                  |
| Landscape Assessment           | Landscape Assessment reviewed the submitted material and provided the following conditions:<br><b><u>MCU:</u></b> <ul style="list-style-type: none"> <li>Landscaping works.</li> </ul>                                                                                                                                                                                                                             |
| Operational Works              | Operational Works reviewed the submitted material and provided the following conditions:<br><b><u>OPW:</u></b> <ul style="list-style-type: none"> <li>Approved drawings (Planning Assessment has amended the condition requiring amendments to drawings to remove works facilitating the unsupported VXO to Christensen Road).</li> <li>Rectification of Council's infrastructure.</li> <li>Earthworks.</li> </ul> |

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                       | <ul style="list-style-type: none"> <li>• Certification of works.</li> <li>• Supervision of works.</li> <li>• Hold point inspection.</li> <li>• Practical completion.</li> <li>• Bond.</li> </ul>                                                                                                                                                                                                                                                           |
| Plumbing and Drainage | <p>Plumbing and Drainage reviewed the submitted material and provided the following conditions:</p> <p><b><u>MCU:</u></b></p> <ul style="list-style-type: none"> <li>• Plumbing and drainage works.</li> </ul>                                                                                                                                                                                                                                             |
| Transport Assessment  | <p>Transport Assessment reviewed the submitted material and provided the following conditions:</p> <p><b><u>MCU:</u></b></p> <ul style="list-style-type: none"> <li>• Approved drawings – amended in red</li> <li>• Off street vehicle and car parking facilities</li> <li>• Off street bicycle parking and end of trip facilities</li> <li>• Loading and unloading (excluding waste collection vehicles)</li> <li>• Security gate requirements</li> </ul> |
| Water and Waste       | <p>Water and Waste reviewed the submitted material and provided the following conditions:</p> <p><b><u>MCU:</u></b></p> <ul style="list-style-type: none"> <li>• Restrictions regarding Council sewer and water supply infrastructure.</li> </ul>                                                                                                                                                                                                          |

## 7.2 External referrals

There is no concurrence or advice agency(s) triggered by this development application.

## 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 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 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