

1 APPLICATION SUMMARY

Application information	
Lot, Plan and Address	Lot 304 SP329491, 167-191 Christensen Road South, STAPYLTON QLD 4207
City Plan version	City Plan Version 13
Type of development, proposed use and level of assessment	Material change of use (code assessment)
Applicant and consultants	VPH07 Pty Ltd (A.C.N. 690 603 591) - Applicant Zone Planning Group – Town Planning VICTO – Building designer Studio 8 Concept + Design – Landscape consultants CLA Consultants – Civil Engineers
Land owner	VPH07 Pty Ltd (A.C.N. 690 603 591)
Officer's recommendation	Approval, subject to conditions

2 PROPOSAL

The purpose of this report is to assess an application for a development permit for a material change of use (code assessment) to establish Industry (15 tenancies) at Lot 304 SP329491, 167-191 Christensen Road South, Stapylton.

The subject site, which is now registered, is located within the Vantage Industrial Estate which was established via a Preliminary Approval (section 242 of Sustainable Planning Act 2009), for making a Material Change of Use (Impact Assessment) to override the Planning Scheme for Industry Uses. The Preliminary Approval contained variations to the Gold Coast Planning Scheme 2003 version 1.2, that amended the Yatala Enterprise Area Place Code, approved a Land Use Classification and Staging Plan, Type of Assessment and Tables of Development of the Yatala Enterprise Area Local Area Plan.

Assessment is under the M38 Industrial Place Code and the M38 Industrial Park Land Use Classification and Staging Plan. The subject site is located in Stage 2.

Land use classification under the Preliminary Approval:

- Precinct B: General Impact Business and Industry

The proposed development is defined as Industry pursuant to the Our Living City Gold Coast Planning Scheme 2003 Version 1.2 (Amended November 2011) as per the following:

"Industry

Any premises used or intended for use that, in the course of any trade or business, involves the manufacture, production, processing, repair, or storage of any article, material or thing whether solid, liquid or gaseous.

This term includes any of the following ancillary activities, when carried out on the same land as the primary activity:

- *the storage of goods;*
- *the provision of amenities for employees and clientele;*
- *selling by wholesale goods resulting from the operation; and*
- *accounting or administration in connection with the operation, provided that this activity does not exceed 20% of the total use area."*

Under Section 4.1, Table A of the Place Code, a Material Change of Use for Industry within Precinct B is listed as self-assessable. However, due to non-compliance with a number of the Acceptable Solutions of the relevant codes (for rear boundary setback, type of service vehicle, supply of carparking, landscape buffer), the level of assessment is

lifted to code assessment, with Council's assessment limited to those items that do not comply with the relevant Acceptable Solutions.

Background

The subject site forms part of the Vantage Industrial Estate which is subject to a Preliminary Approval (Variation Approval) being the M38 Industrial Estate Place Code. The Preliminary Approval associated with the Estate was most recently amended through Council Approval MIN/2023/64 on 17 May 2023. It is noted that only the Land Use Classification Plan and Staging Plan were amended via this Minor Change, with the M38 Development Code of the superseded Minor Change Approval MIN/2020/659 remaining relevant to all development.

Developments within the M38 Industrial Park area are to be assessed against the assessment criteria specified within the M38 Industrial Estate Place Code and the corresponding codes of the 'Our Living City Gold Coast Planning Scheme 2003 Version 1.2 (Amended November 2011)'. To the extent of any inconsistency between the M38 Industrial Estate Place Code and an applicable code under the planning scheme, the M38 Industrial Estate Place Code prevails.

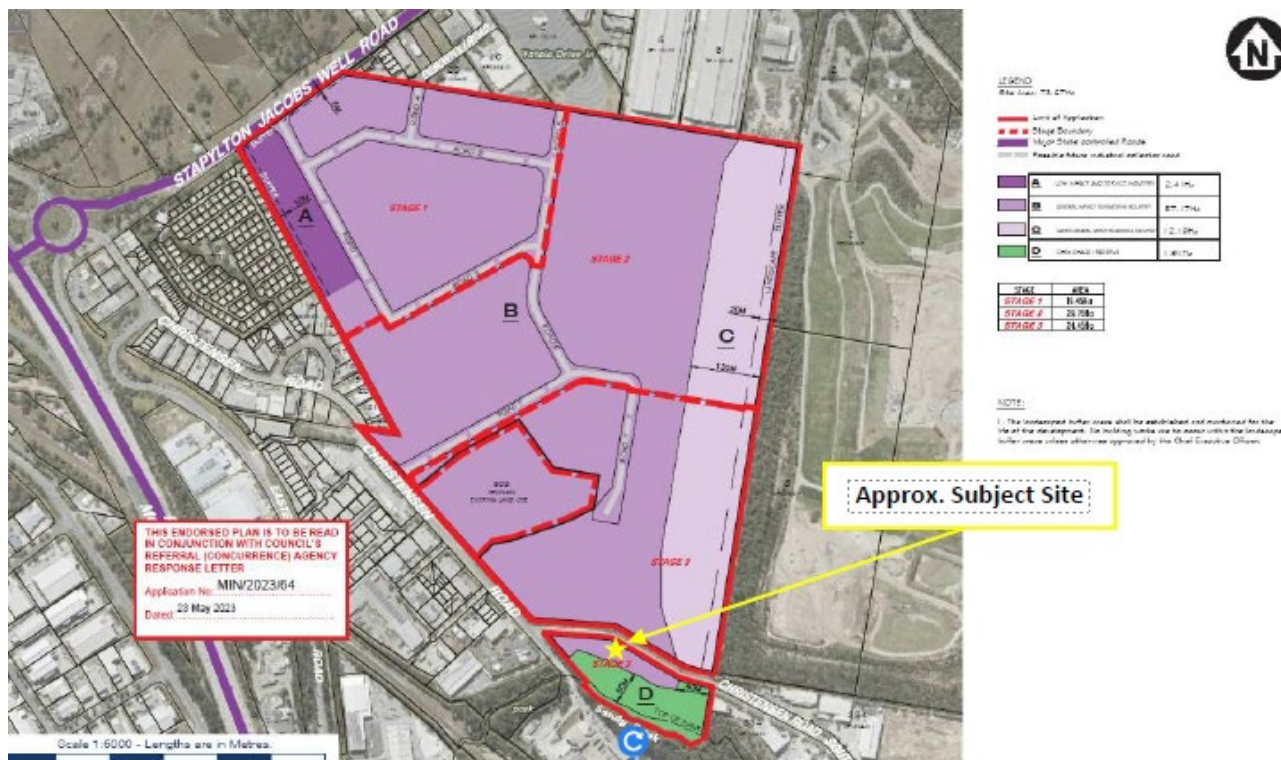


Figure 1: Approved Plan of Development – M38 Industrial Estate Place Code
(Source: Gassman Development Perspectives)

Further to the Preliminary Approval, the most recent approved plan of subdivision to establish the subject site (Council Reference: COM/2023/82) was approved on 21 December 2023.

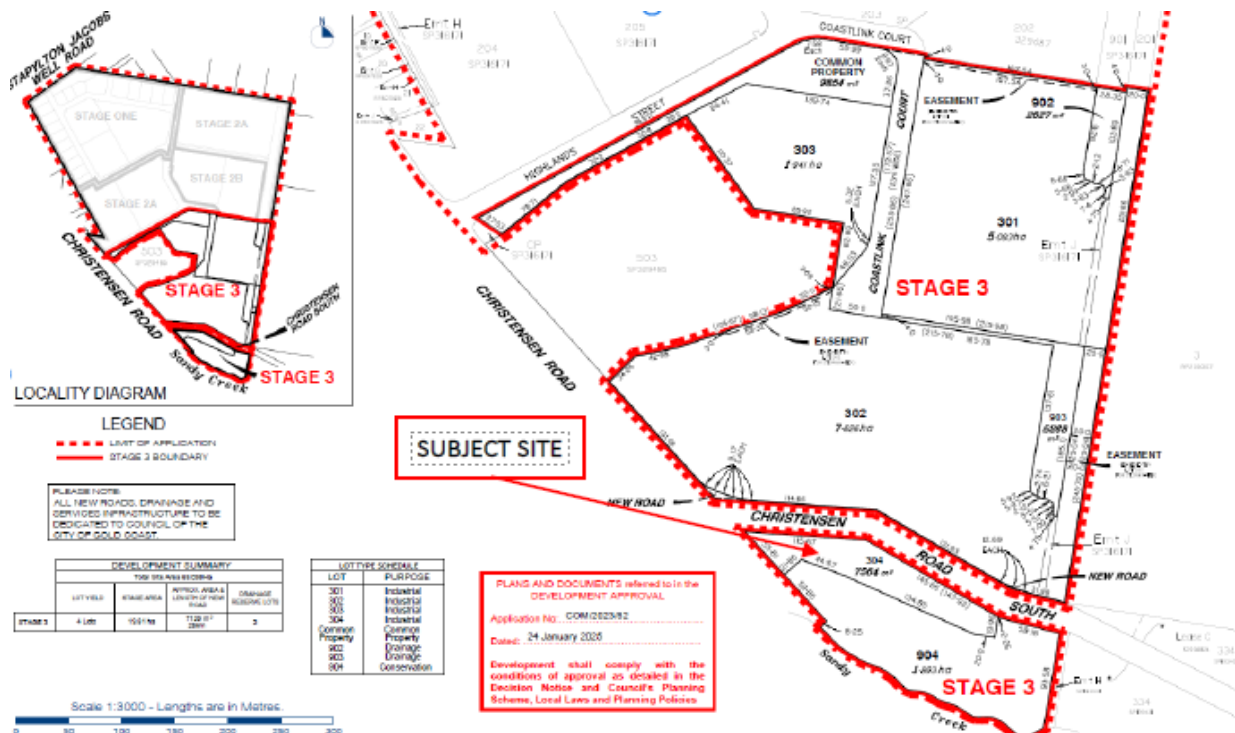


Figure 2: Approved Subdivision Plan – COM/2023/82 (Source: Gassman Development Perspectives)

Brief description of proposed development

The proposed development comprises a single large industrial building with a total of 15 tenancies, each facing north towards Christensen Road South. Each tenancy includes an ancillary office area. A total of two vehicular crossovers is proposed to service the development, with 66 carparking spaces to be provided and shared across the development.

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

Development proposal	
Height	9.8m
Setbacks	Primary front setback – 5m
Site cover	46.7%
Car parking	63 car parking spaces
Bicycle parking	30 bicycle parking spaces
Hours of operation	Not stated. M38 Place code only restricts hours in Precinct A
Gross floor area	Tenancy sizes of 186m ² -328m ² Total 4,457.3m ²
Servicing	Heavy Rigid Vehicle (HRV) loading bay. AV can enter & exit in forward gear
Landscaping	Minimum 1.5m wide landscaping buffer along the road frontages
Stormwater	Connect to Vantage Estate stormwater infrastructure

Figures 1 and 2 below provide an overview of the proposal:

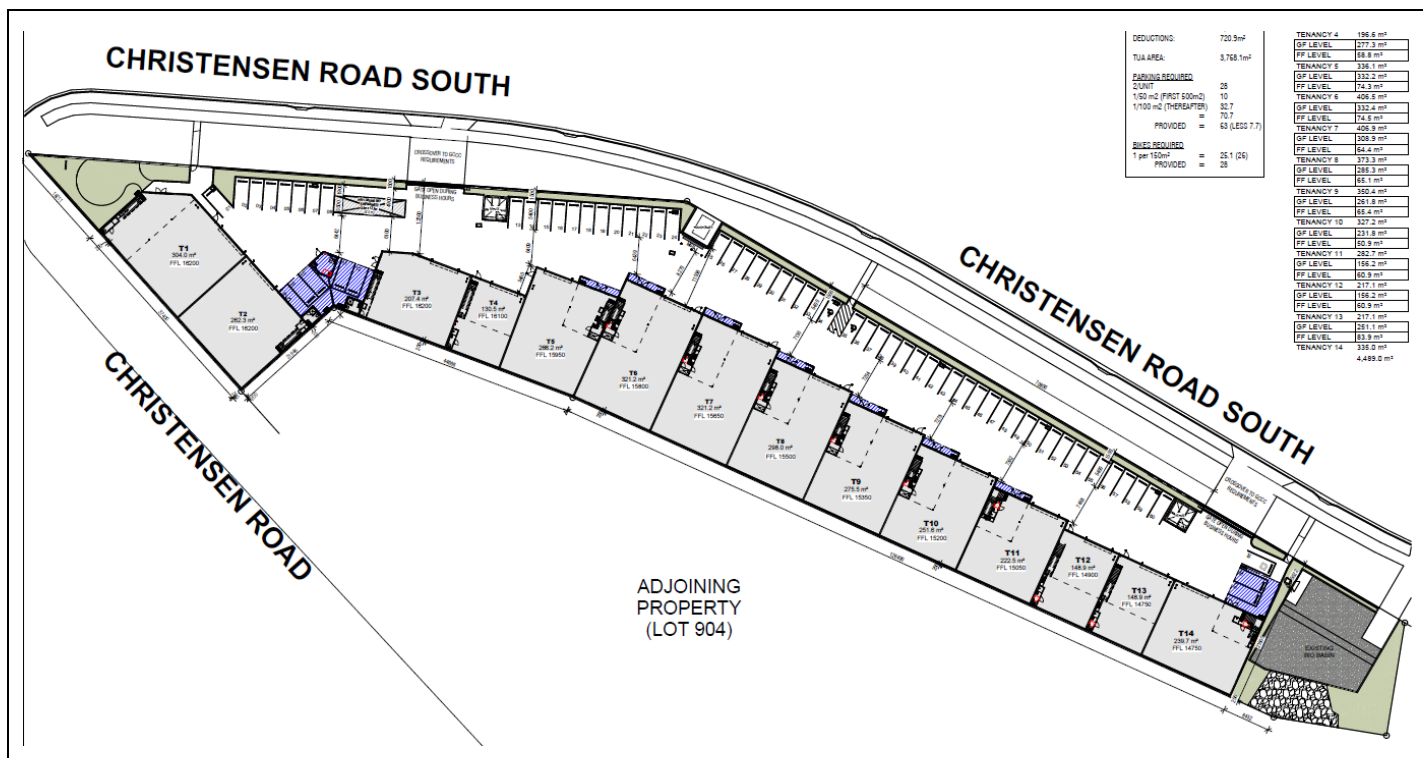


Figure 3: Site Plan (Source: VICTO)



Figure 4: Perspective (Source: VICTO)

3 SITE CONTEXT

The subject site is 7,564m² and is located in Stage 3 of the Vantage Industrial Estate in the northern Gold Coast suburb of Stapylton. It adjoins a densely vegetated lot (Lot 904 on SP329491) to the south that has been dedicated to Council for public open space, providing a buffer to the waterway to the south. The site is adjacent to the Stapylton Landfill Facility to the northeast with the rest of the surrounding area characterised by existing or planned future industrial development.

The subject site is approximately:

- 1 kilometre south-east of the M1 Pacific Motorway, Yatala north interchange;
- 4.2 kilometres south-east of the Beenleigh CBD;
- 30.1 kilometres north-west of the Southport CBD; and
- 36.5 kilometres south-east of the Brisbane CBD.



Figure 3: Aerial Photograph of Site (Source: Nearmaps)

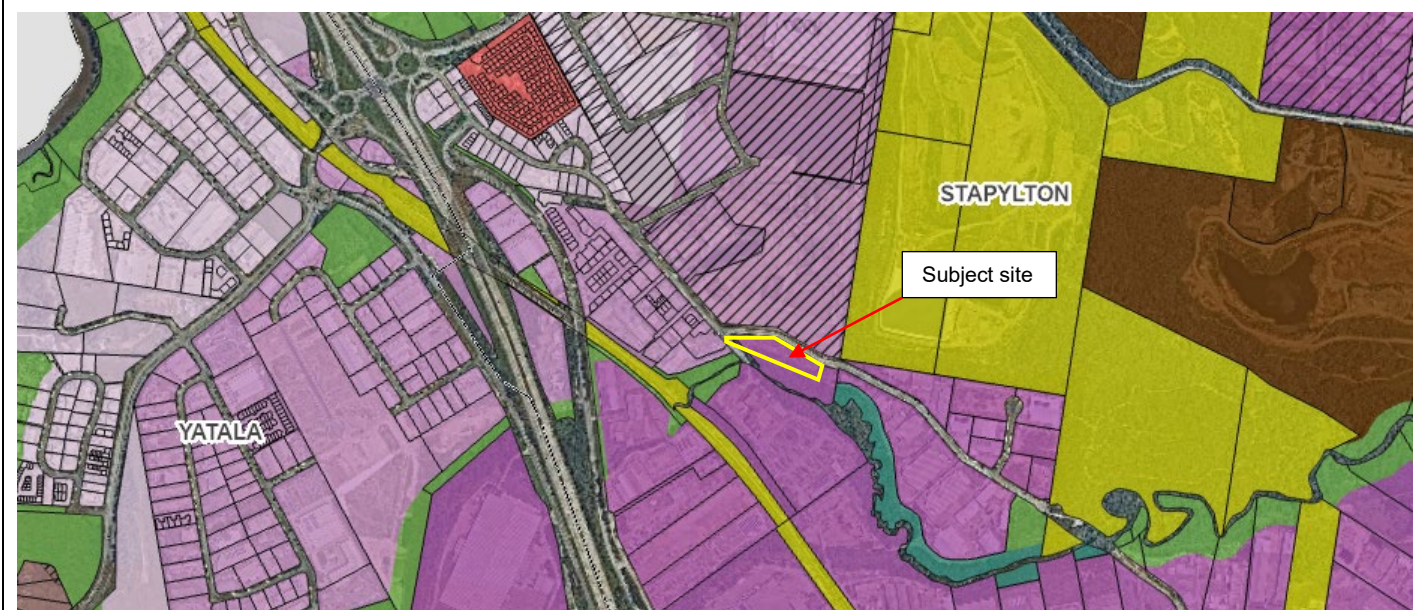


Figure 4: Site Context and Zone (Source: City of Gold Coast Interactive Mapping)

4 ASSESSMENT

The proposed development triggers code assessment and has been assessed against the relevant assessment benchmarks of the categorising instrument (City Plan Codes) and any matters prescribed by regulation.

4.1 State Planning instruments

The application has been assessed against the following instruments:

Instrument	Comment
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State Planning Policy	The City Plan 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).
<i>Planning Regulation 2017</i>	The proposal does not trigger assessment against any assessment benchmarks listed in a Schedule of the <i>Planning Regulation 2017</i> .

4.2 Code Assessment

The tables of assessment in the M38 Industrial Estate Place Code and Gold Coast Planning Scheme 2003, Version 1.2 identify the applicable assessment benchmarks for the proposal outlined in the table below:

Place code	Specific Development codes	Constraint Codes
M38 Industrial Place Code	- Landscape Work - Works for Infrastructure	- Bushfire Management Areas - Car Parking, Access and Transport Integration - Sediment and Erosion Control

Under the City Plan, compliance with a code can be achieved by meeting the purpose and overall outcomes, or by complying with either the performance outcomes or acceptable outcomes. This report is prepared on a “report by exception” basis. A brief assessment is provided for all applicable benchmarks, with detailed discussion limited to key assessment matters only.

Key Matters

Key Matter 1 – Setback to open space

The proposed development complies with all codes of the M38 Industrial Place Code and relevant codes of the Gold Coast Planning Scheme 2003 version 1.2.

AS4.3 of the M38 Industrial Estate Place Code requires a 3m setback from the common boundary of public open space which includes a fence and landscape buffer strip. Further to this, condition 50 of the Preliminary Approval (MIN/2023/64) requires retaining walls to be setback from the public open space by 600mm in accordance with Planning Scheme Policy 11 - Land Development Guidelines. To comply with PC4, officers have recommended an amended drawings condition requiring the all buildings and retaining walls are set back 600mm to the open space to the rear.

Key Matter 2 – Bushfire

The submitted Bushfire Management Plan, dated 12 March 2025, prepared by Wollemi Eco-Logical, identifies that the site is within a bushfire hazard area and provides minimum distances to achieve different BAL levels, including 8.2m to the southern vegetation to achieve a tolerable risk of 40kW/m². However, the report states that the proposed development does not require any separation from the southern boundary apart from the 200mm (0.2m) originally proposed.

The applicant has advised the proposed development is for a Class 8 building, which is not subject to specific bushfire related design and construction standards under the National Construction Code (NCC) or AS3959–2018.

Planning Assessment officers have not required a bushfire trail within the development site. While this is a non-compliance with the Bushfire Management Areas Constraint Code, the development will be constructed using a combination of tilt-up concrete panels and sheet metal with no openings facing the public open space which is

considered to mitigate against fire hazard. Furthermore, a bushfire trail within the fenced development site will not facilitate 'fuel reduction activity' within the open space as required by PC10(c) of the Bushfire Management Areas Constraint Code.

Key Matter 2 – Car Parking and Service Vehicles

The development provides a total of 63 car parking spaces resulting in a shortfall of 8 car parking spaces and the applicant has relied on on-street parking as the site has a road frontage able to accommodate this shortfall.

Planning Assessment supports the reduced on-site provision given the availability of on-street parking on both sides of Christensen Road South.

The development provides for loading of a Heavy Rigid Vehicle on site and can accommodate an Articulated Vehicle to enter and exit the site in a forward gear.

Code Assessment

Subject matter	Benchmark		Comment
	PC	AS	
M38 Industrial Estate Place Code			
Building setback	PC4	AS4.3	AS4.3 of the M38 Industrial Estate Place Code requires a 3m setback from the common boundary of public open space which includes a fence and landscape buffer strip. PC4 requires that <i>“The layout of buildings, structures and activities achieves an attractive and orderly appearance where development is visible from the public domain. A good standard of visual amenity is achieved through generous building setbacks and high quality landscaping.”</i> The site is constrained by its narrow, elongated shape and the open space to the rear is densely vegetated which will visually screen the rear of the development. The rear of the building will not be readily visible from the public domain which is considered to comply with PC4. Further to this, a condition is recommended requiring the building and retaining walls to be setback from the public open space by 600mm in accordance with Planning Scheme Policy 11 - Land Development Guidelines and Condition 50 of the Preliminary Approval (MIN/2023/64).
Vehicular parking	PC8	AS8.1.2	To comply with AS8.1.2 of the M38 Industrial Place Code, the development must provide 71 car parking spaces based on 14 tenancies with total TUA 3,768m². The submitted drawings show a total of 63 car parking spaces resulting in a shortfall of 8 car parking spaces. In addressing PC8, the applicant has relied on on-street parking as the site has a road frontage able accommodate this shortfall. Planning Assessment supports the reduced on-site provision on the following grounds: • The proposed supply equates to approximately 4 car parking spaces per tenancy. • Tenancy sizes ranging from 150m² to 300m². • The site has approximately 220m of frontage, which could potentially accommodate up to 35 on-street parking spaces. • On-street parking is also available on both sides of Christensen Road South. • Reliance on on-street parking is common within industrial areas. Based on the above assessment it is considered the development complies with PC8 of M38 Industrial Place Code.

Subject matter	Benchmark		Comment
	PC	AS	
Siting	PC14	AS14	An acceptable solution is not provided so the application is assessed against the PC. PC14 requires that <i>"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..."</i> A condition is recommended requiring the building and retaining walls to be setback from the public open space by 600mm in accordance with Planning Scheme Policy 11 - Land Development Guidelines and Condition 50 of the Preliminary Approval (MIN/2023/64).
Siting	PC15	AS15	An acceptable solution is not provided so the application is assessed against the PC. PC15 requires that <i>"The layout of the site must provide a clear separation between the public access areas and the areas set aside for servicing the building"</i>. The building and retaining walls will be setback from the public open space at the rear by 600mm with fencing along the boundary in compliance with PC15. The front of the proposed development does not comply with PC15 as pedestrians parking along the road frontage will need to cross over the service vehicle paths to access the tenancies. However, given the development layout is constrained by the elongated lot configuration, this is accepted as a technical non-compliance.
Siting	PC16	AS16	An acceptable solution is not provided so the application is assessed against the PC. PC16 requires that: <i>"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"</i>. While the servicing of tenancies will be visible from the street, given the development layout is constrained by the elongated lot configuration, this is accepted as a technical non-compliance.
Design of Carpark Areas	PC21	AS21	The external width of the bed along the Christensen Road South frontage varies between 1.2 to 1.5m in lieu of 3m. To comply with PC21 a condition is recommended requiring an increase in the width of the front garden bed by approximately 0.6m by extending the garden bed to the proposed wheel stops.
Landscape Design	PC25	AS25.1	The front landscaping buffer does not provide the required five metre buffer for 25% of the frontage as required by AS25.1. As such, the development does not comply with AS25.1 and is assessed against PC25. The proposed development contains landscaping along all street frontages. To comply with PC25 a condition is recommended requiring an increase in the width of the front garden bed by approximately 0.6m which will contribute to the landscape character of the industrial area.
Amenity Protection	PC46	AS46	An acceptable solution is not provided so the application is assessed against the PC. The proposed development will enhance visual amenity of the surrounding industrial area through the use of landscaping and the high-quality architectural design of the building. The subject site is located approximately 800m from the closest sensitive receivers so is not expected to adversely impact the amenity of any sensitive receivers.
Bushfire Management Areas Constraint Code			
Fire / Maintenance Trails	PC10	AS10.1 – AS5.4	The original subdivision design did not provide a fire trail along the southern boundary of the site or within the public open space and the current application is not proposing a fire trail between the proposed

Subject matter	Benchmark		Comment
	PC	AS	
		& AS10.5.3	building and hazardous vegetation. As such, the proposal does not comply with AS10.1 to AS10.5. PC10 requires that: <i>“Fire/maintenance trails must be provided to:</i> <i>a) enable access for fire fighters, residents and equipment;</i> <i>b) mitigate against fire hazard; and</i> <i>c) allow fuel reduction activity.”</i> The development will be constructed using a combination of tilt-up concrete panels and sheet metal with no openings facing the public open space which will mitigate against fire hazard. Conditions are recommended requiring the buildings and retaining walls to be setback from the public open space by 600mm (0.6m) in accordance with Condition 50 of the Preliminary Approval (MIN/2023/64). Planning Assessment officers consider that a fire trail should have been established within the public open space to achieve compliance with PC10(c).
Car Parking, Access and Transport Integration Constraint Code			
Access to car park areas	PC9	AS9.1	The submitted drawings show gates at both vehicle access points, so compliance with Acceptable Solution AS9.1 is not achieved. A condition of approval is recommended requiring that the security gates remain open during the hours of operation, ensuring unrestricted access for employees and visitors. Based on the above assessment and the proposed condition of approval it is considered the development complies with PC9 of the Car Parking, Access and Transport Integration Constraint Code.
Loading bay and set down area and design service vehicle requirements	PC13 & PC14	AS13 & AS14.1	To comply with Acceptable Solutions AS13 and AS14.1 of the Car Parking, Access and Transport Integration Constraint Code, the development must be designed to accommodate a 20m Articulated Vehicles (AV) through the provision of loading areas. The submitted drawings show a loading bay which can accommodate a Heavy Rigid Vehicle (HRV), and swept path assessment has been provided demonstrating the ability of the HRV to access the site in forward gear manoeuvre within the site and exit in forward gear. Transport Assessment has undertaken an Articulated Vehicle (AV) swept path which demonstrates that, if required, an AV is capable of entering and exiting the site in forward gear and can utilise the circulation aisle for temporary loading. Based on the above assessment it is considered the development complies with PC13 and PC14 of the Car Parking, Access and Transport Integration Constraints Code is achieved.

5 TECHNICAL ADVISORS

This application has been assessed by internal technical advisors who have provided comments and conditions, identified below.

Technical Advisor	Conditions/Comments (if not included within report)
Environmental and Bushfire Assessment	Conditions: - Approved plans - No damage to retained vegetation

	• Certification Advice notes: • Bushfire management • Bushfire management Property notification: • Bushfire management
Open Space and Landscape Assessment	Conditions: • Amended plans • Landscaping works on private land • Setbacks to private open space • Boundary fences • Further development permit for Operational works – landscape works (Private works)
Plumbing and Drainage	Conditions and property notifications provided: • Plumbing and drainage works
Transport Assessment	Conditions: • Of street vehicle and car parking facilities • Off street bicycle parking facilities • Loading and unloading (excluding waste collection vehicles) • Security gate requirements • Footpaths Advice Notes: • Development infrastructure • Further development permit for Operational works - infrastructure
Civil engineering	It is considered the development complies with all relevant codes. Scope of approval condition is recommended.

6 CONCLUSION

The purpose of this report was to assess an application for a development permit for a material change of use (code assessment) to establish Industry (15 tenancies) at Lot 304 SP329491, 167-191 Christensen Road South, Stapylton.

After a detailed assessment, it has been determined the proposal meets with the M38 Place Code and relevant constraint codes of the Gold Coast Planning Scheme 2003, Version 1.2, Amended November 2011.

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

7 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority, the Manager Planning Assessment approves (with conditions) the issue of a development permit for a material change of use to establish Industry 15 tenancies), in accordance with the Attachment entitled: Decision notice—approval (with conditions) .

Author:

Sue Wilkinson

Planner

April 2026

Authorised by:

Roger Sharpe

Manager Planning Assessment