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OUR REF: 6132
YOUR REF: MIN/2024/208

24 April 2026

The Chief Executive Officer
Council of the City of Gold Coast
PO Box 5042
GOLD COAST MC QLD 9729

Via email: mail@goldcoast.qld.gov.au

Dear Sir/Madam,

RE: MINOR CHANGE REQUEST TO DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR A WAREHOUSE – MIN/2024/208

AT: 28 EASTRIDGE STREET, STAPYLTON QLD 4207 – LOT 117 ON SP316137

We act on behalf of the Applicant, *Eastridge 117 Pty Ltd,* requesting a minor change to development permit MIN/2024/208 under s78 of the *Planning Act 2016* (the Act) for the above-mentioned property.

This change application seeks to amend the existing Warehouse approval by converting the triple tenancy Warehouse back into a single tenancy Warehouse. The proposed changes are minor in nature and are consistent with the minor change requirements under the Planning Act 2016.

In support of this minor change application, we enclose the following:

- **Attachment A** – Forms;
- **Attachment B** – Existing Approval Package MIN/2024/208;
- **Attachment C** – Existing Preliminary Approval Package MIN/2023/64; and
- **Attachment D** – Amended Proposal Plans.

As the application will be lodged electronically, the prescribed fee of **$1,506.60** (20% of $7,533.00) will be paid upon receipt of Council's invoice.

There are no affected entities for this change application.

Access Business Park
76 Business Street Yatala Q 4207
Phone (07) 3807 3333
Fax (07) 3287 5461

Web www.gassman.com.au
Email mail@gassman.com.au
Post PO Box 392 Beenleigh Q 4207
A.B.N 62 010 752 388

1.0 SITE DESCRIPTION

Table 1 - Site Summary	
Site Address	28 Eastridge Street, Stapylton QLD 4207
Real Property Description	Lot 117 on SP316137
Total Site Area	4,094m^2
Current Site Use	Warehouse
Local Authority	Council of the City of Gold Coast
Zoning	Low impact industry (Future low impact industry precinct).

2.0 APPROVAL HISTORY

Table 2 - Approval History	
Approval Reference	**Comment**
MCU201100650 Dated: 6 May 2013 Most recent minor change MIN/2023/64 (23 May 2023)	Overarching Preliminary Approval On 6 May 2013, Council approved a Preliminary Approval for making a Material Change of Use to override the Planning Scheme for industry uses. This Preliminary Approval includes an endorsed Place Code and Land Use Classification Plan and supports industrial land uses and industrial subdivision within the relevant industrial land use precincts. The original approval has been amended a number of times, with the most recent Minor Change (MIN/2023/64) approved on 23 May 2023. The subject site is wholly located within Precinct B – General Impact and Business Industry. A copy of the most recent version of the Preliminary Approval is included at **Appendix C** for Council's convenience.
MCU/2022/525 Dated: 28 March 2023	Development approval for Material Change of Use for a Warehouse.
MIN/2024/208 Dated: 26 June 2024	Minor change to development permit MCU/2022/525 to convert the warehouse into three separate tenancies. **This application seeks to change this approval.**

3.0 BACKGROUND

On 28 March 2023 Council approved a Material Change of Use for a Warehouse on the subject site (MCU/2022/525). The approved development involved the establishment of a single warehouse building with ancillary office. The proposed development supported on-site servicing by a HRV and provided a total of 34 parking spaces.

On 10 June 2024, the approval was amended to convert the approved warehouse into three separate tenancies, each with ancillary office space and shared car parking area (MIN/2024/208). The GFA of the changed development was 2,824.78m², while the TUA was 2,667.25m². The ancillary office for each tenancy remained below the 20% TUA threshold as follows:

- Tenancy 1 – (19%)
- Tenancy 2 – (15.9%)
- Tenancy 3 – (12.5%)

Based on the approved TUA, the development was required to provide a total of 38 parking spaces, however the development was approved with only 37, given this represented only a minor shortfall. 34 spaces were located externally to the main warehouse building, with three parking spaces located inside each tenancy (one per tenancy - reserved for staff).

A copy of the approval is provided within **Attachment A**, and an extract of the approved ground floor and mezzanine layouts is provided in **Figures 2** and **3** below.

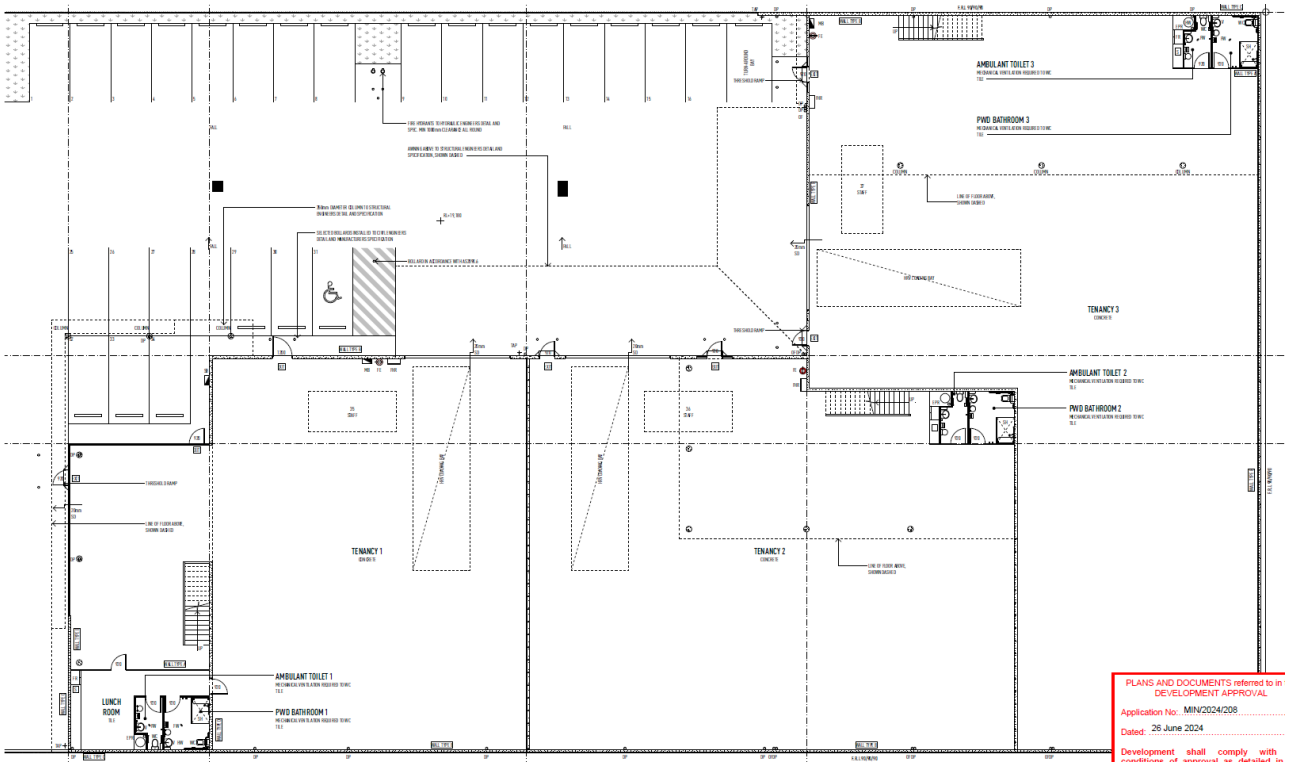


Figure 1: *Approved ground floor layout – MIN/2024/208* (GDP File, 2026)

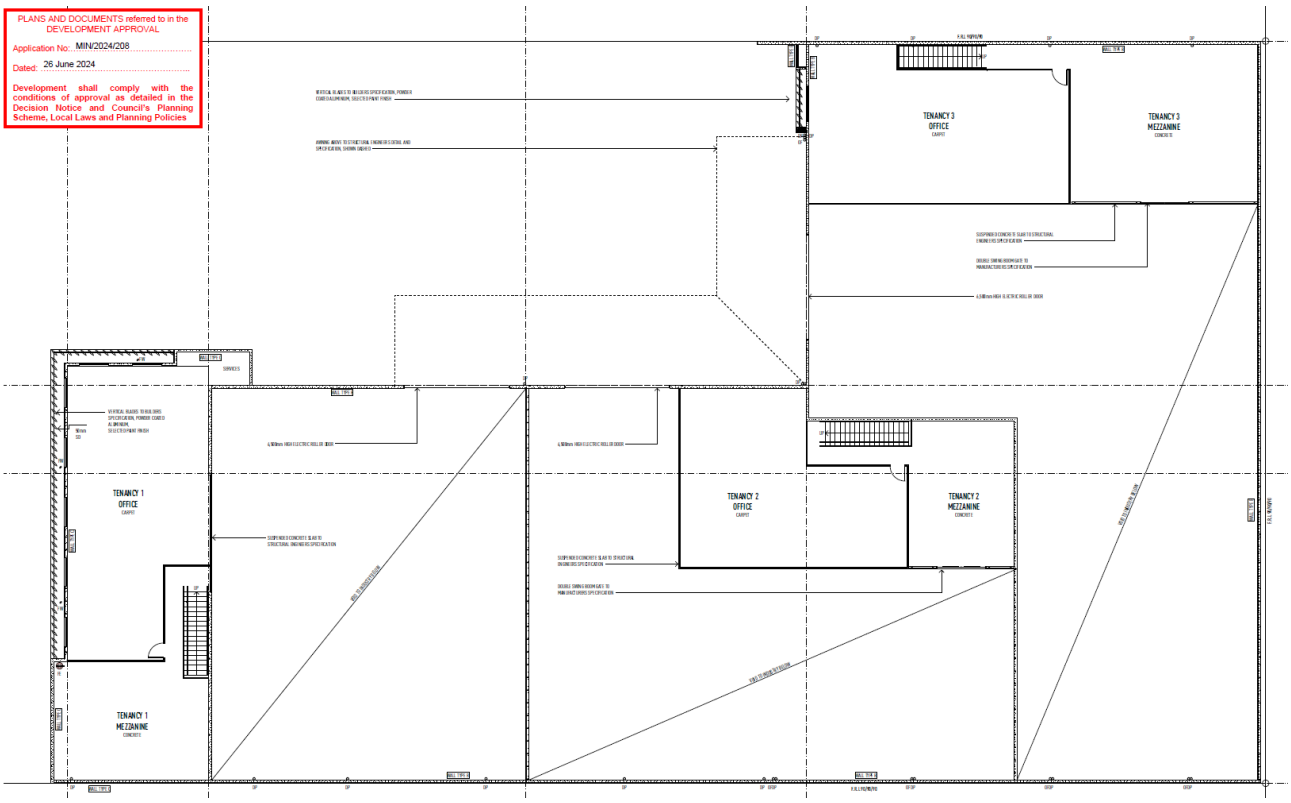


Figure 2: *Approved mezzanine layout – MIN/2024/208* (GDP File, 2026)

4.0 CHANGES REQUESTED UNDER S.78 OF THE *PLANNING ACT 2016*

This application proposes to amend the existing Warehouse approval by converting the triple tenancy Warehouse back into a single Warehouse tenancy. The changes are sought in response to the operational needs of the new tenant who will occupy the entire warehouse building as a single entity. The new tenant specialises in the storage and distribution of a comprehensive range of medical supplies.

It is proposed to modify the interior layout of the approved warehouse building. The warehouse will remain sectioned into three different areas, each with a different storage purpose, including:

- Area 1 – storage of medical consumables such as test kits, tubing, masks, canisters and sanitised items.
- Area 2 – storage of dental consumables and equipment such as examination lights, monitors, equipment and simulators.
- Area 3 – storage of medical equipment such as examination lights, monitors, equipment and simulators.

Each storage area must remain physically separated from the other storage areas within the building, though the site will operate as a single entity. Storage areas 1, 2 and 3 will include a warehouse processing area on the ground floor, which is sectioned off from the rest of the warehouse storage area. This allows for greater operational efficiency.

It is also proposed to rearrange the layout of the mezzanine levels to allow for custom designed ancillary offices, whilst also maintaining mezzanine storage areas as approved. This includes the enclosure of additional office are on the ground floor of Storage area 1. The development has been designed to enable flexible re-use of the building, so future users can remove ancillary office areas and convert them back to warehouse storage should future users require this.

As a result of the proposed changes, the GFA of the changed development is now slightly increased to 2,864.07m², while the TUA is now slightly reduced to 2,642.13m². The ancillary office for the warehouse as a whole remains below the 20% TUA threshold at 18.12% (up from about 14.9% as previously approved), though it is noted that the proportion of ancillary office is weighted more towards Storage areas 1 as this is the primary office area for the development.

Based on the approved TUA, the development is required to provide a total of 34 parking spaces, however the development will maintain 37 bays, in line with the existing approval. 34 spaces remain located externally to the main warehouse building, with three parking spaces located inside Storage areas 1, 2 and 3 (one per tenancy - reserved for staff). These parking bays are maintained to ensure that if the warehouse were ever converted back to three tenancies in the future, overall parking provision would be maintained.

A copy of the proposed development plans is provided within **Attachment B**. An extract of the proposed ground floor and mezzanine layout plans is shown in **Figures 3** and **4** below.

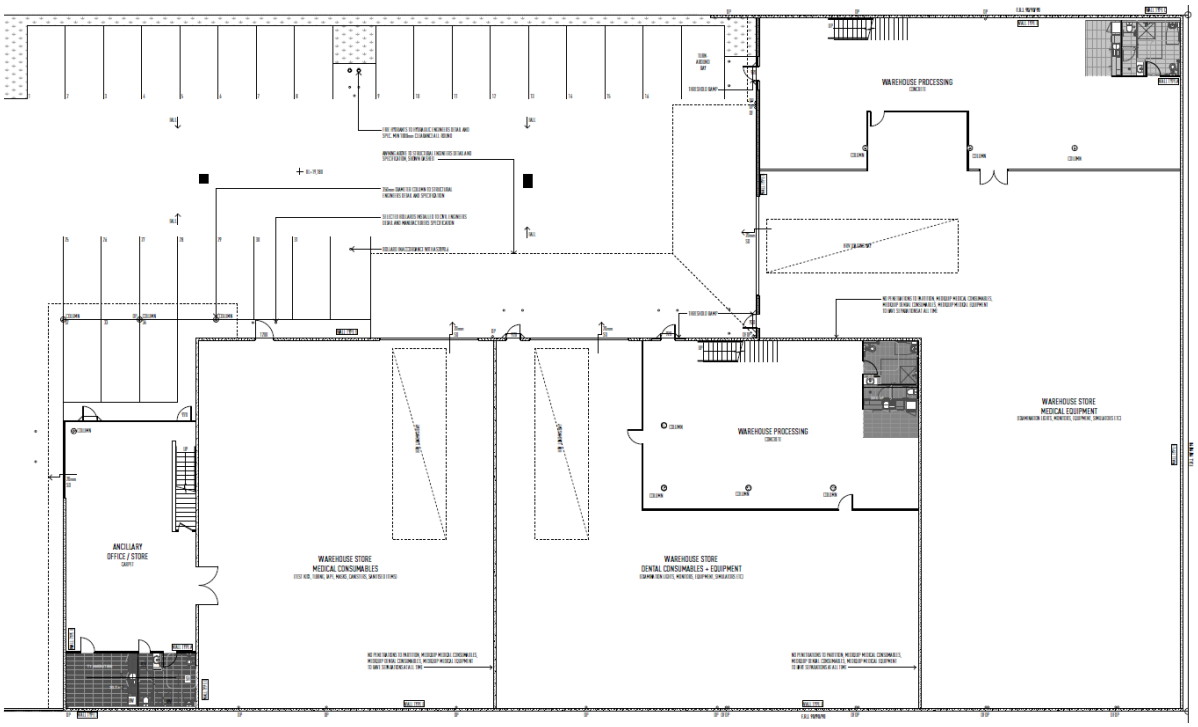


Figure 3: Amended ground floor layout (GDP File, 2026)

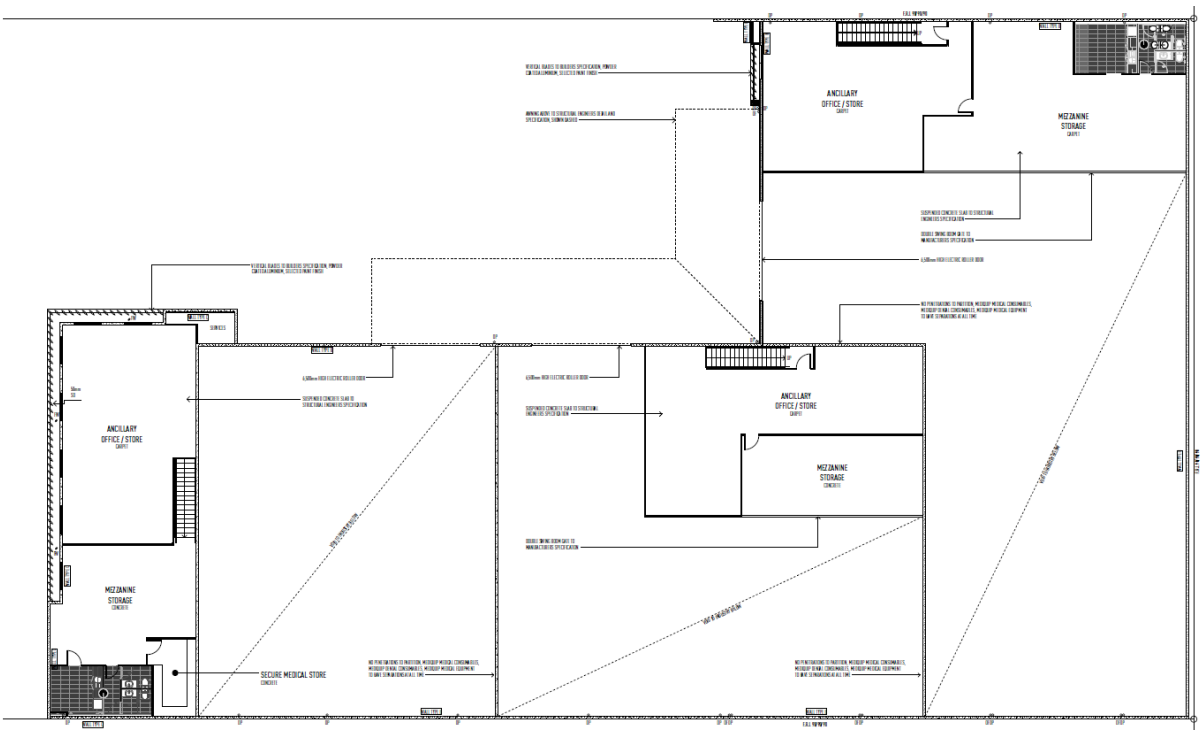


Figure 4: Amended mezzanine floor layout (GDP File, 2026)

With regard to site servicing, the development maintains the Heavy Rigid Vehicle (HRV) loading bay within Storage areas 1, 2 and 3. The original approval allowed for HRV servicing in lieu of Articulated Vehicle (AV) servicing given the size and shape of the site does not allow for full-on-site manoeuvring for an AV (noting that allowance for restricted manoeuvring for AVs will be maintained in accordance with the original approval). This arrangement will be maintained under the proposed minor change.

The development also maintains the following aspects relevant to the minor change:

- Bin storage will remain located within the south-west corner of the site.
- No change to traffic generation or site access.
- No change to stormwater characteristics across the site.
- No change to the approved landscape design.
- No change to external façade.

4.1 Conditions Requiring Amendment

Based on the changes detailed above, the Applicant proposes the following conditions be amended:

Table 3 Summary of Requested Condition Changes

Condition No.	Condition Aspect	Requested Change	Justification
2	Approved drawings	Amend condition	Amend condition to reflect updated plans, date, drawing number and version.
3	Scope of approval – Ancillary office	Amend condition to:	The development proposes to convert the Warehouse into a

		• allow ancillary office on both the ground floor and mezzanine levels. • limit the Warehouse to operate as a single business operation at all times (i.e. cannot operate as three separate tenancies); • delete the condition that the ancillary office cannot increase in size (instead allowances up to 20% TUA should be permitted as per the definition of 'ancillary office). Suggested wording is as follows: *This approval permits an ancillary office area on the ground floor and first floor mezzanine areas within the Warehouse. The ancillary offices are to be used in conjunction with, and subordinate to, the approved Warehouse use on the same lot. The scope of approval includes:* • *the Warehouse and associated ancillary office areas must operate as a single business operation at all times.* • *The ancillary office areas are not permitted to be used by any third parties not directly associated with the Warehouse use.* • *The ancillary office area is not permitted to be increased in size above 20% of the Total Use Area of the development.*	single tenancy, with a single business operating within it. The new layout will include both ground floor and mezzanine office areas as per operating needs of the business. The condition relating to size of the ancillary office should be amended to reflect the definition of ancillary office which is limited to 20% of the TUA.
12	Off street vehicle and car parking facilities	Amend condition	Amend condition to reflect a total car parking requirement of 37 vehicles.
14a	Loading areas	Amend condition	Remove reference to 'each warehouse tenancy'. Instead, the Applicant requests this condition is re-worded to the following: *All internal loading areas are to be clearly line marked.*
24.1	Sub-metering	Delete condition	As three individual tenancies are no longer proposed, there is no need

			to provide sub-metering. Instead, a single water/sewer connection is required.
Infrastructure Charges Notice (ICN)	Infrastructure Charges	Amended ICN	Amend ICN to reflect updated GFA calculation.

5.0 *PLANNING ACT 2016* LEGISLATIVE AND STATUTORY CONSIDERATIONS

5.1 *PLANNING ACT 2016* – MINOR CHANGE ASSESSMENT PROVISIONS

To assist the determination of this minor change application, detailed assessment of the requested changes has been undertaken against the assessment provisions as outlined within section 81 of the Act in which the responsible.

The outcome of this assessment is as follows:

s.81(3)(a) ***must assess against, or have regard to, the matters that applied when the development application was made; and***

Comment: The original development application was made under a preliminary approval that altered the effect of the Planning Scheme. This request does not alter the matters that applied when the development application was made and the proposal continues to comply with the variations approved under the preliminary approval.

s.81(3)(b) ***may assess against, or have regard to, the matters that applied when the change application was made.***

Comment: The preliminary approval under which the original development application was made is still in effect over the subject site. The proposed changes will maintain consistency with the existing preliminary approval.

5.2 *PLANNING ACT 2016* SCHEDULE 2 (DICTIONARY)

Chapter 1 Section 6 of the Act provides the Definitions and meanings of particular words used throughout the Act and refers specifically to the Dictionary in Schedule 2. Schedule 2 provides the definition of 'minor change':

- (a) for a development application; and
- (b) for a development approval.

For this particular application request, a minor change 'for a development approval' is relevant.

The definition assists in providing a guideline to the compliance within meaning of minor change and is presented in the below table.

Table 4 Minor Change	
(b) for a development approval-	**Comment/Compliance**
(i) would not result in substantially different development; and	**Complies** The proposal does not result in substantially different development, as indicated in **Table 5** below. The proposed amendments simply seek to convert a triple tenancy industrial Warehouse back into a single tenancy. As such, the proposal is seen as generally consistent with the original approval.
(ii) if a development application for a development including the change, were made when the change application is made would not cause – (A) the inclusion of prohibited development in the development; or (B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or (C) referral to extra referral agencies, other than to the chief executive officer; or (D) a referral agency to assess the application against, or have regard to, matters prescribed by a regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made; or (E) public notification if public notification was not required for the development application.	**(A) Complies** The proposed change would not result in prohibited development. **(B) Not Applicable** There were no referral agencies triggered for the original development application. **(C) Complies** No extra referral agencies will be triggered for referral. **(D) Complies** No additional assessment matters are required to be assessed by a referral agency. **(E) Not applicable** Public notification was not required for the original development application. This change application does not trigger the need for public notification (application remains Code Assessable).

Table 5 DA Rules Schedule 1 – Substantially different development	
A change may be considered to result in a substantially different development if the proposed change:	
Test	**Comment/Compliance**
(a) involves a new use; or	**Complies** Proposal does not involve a new use.
(b) results in the application applying to a new parcel of land; or	**Complies** The proposal does not result in the application applying to a new parcel of land.
(c) dramatically changes the built form in terms of scale, bulk and appearance; or	**Complies** The proposal does not involve a dramatic change in built form in terms of scale, bulk and appearance. The changes relate only to internal reconfigurations to create custom ancillary office spaces and warehouse processing areas to enable operational efficiency for the new operator.
(d) changes the ability of the proposed development to operate as intended; or	**Complies** The proposal does not change the ability of the land use to function or operate as intended by the original approval. Whilst now converted back to a single tenancy, the Warehouse can still carry out its role. Further, the development has been designed to enable flexible re-use of the building, so future users can remove ancillary office areas and convert them back to warehouse storage should future users require this.
(e) removes a component that is integral to the operation of the development; or	**Complies** The proposal does not remove any integral component to the proposed development or operation of the development, as the core warehousing use will not change as a result of this change application. Specifically, the building is being converted back into a single tenancy, and ensures all required parking, access and manoeuvring is fully maintained as originally approved. Further, the development has been designed to enable flexible re-use of the building, so future users can remove ancillary office areas and convert them

		back to warehouse storage should future users require this.
(f)	significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or	**Complies** The proposal will not dramatically increase traffic to the site, nor will it have any other significant impact on traffic flow or the wider transport network. The proposed changes actually result in a slightly reduced parking demand as the use is being combined into a single tenancy, instead of three tenancies.
(g)	introduces new impacts or increase the severity of known impacts; or	**Complies** The extent of the change will not introduce any new impacts, nor increase the severity of any known impacts.
(h)	removes an incentive or offset component that would have balanced a negative impact of the development; or	**Complies** The proposal does not remove any incentive or offset component in relation to the proposed development.
(i)	impacts on infrastructure provisions.	**Complies** The proposal does not involve a change that would impact on the provision of planned infrastructure.

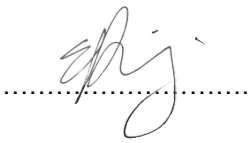
Given the above, we are of the position that the proposed changes generally comply with the relevant provisions under the Act.

6.0 CONCLUSION

Having consideration to the above compliance statement and attached information, it is considered that the proposed change to the conditions of approval are relatively minor in nature and are consistent with those that are generally envisaged under s.78 of the Act.

If you require any further information or have any queries, please contact the undersigned.

Yours faithfully,
GASSMAN DEVELOPMENT PERSPECTIVES PTY LTD



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ERIKA DI LUIGI
SENIOR TOWN PLANNER

Enclosed: *Attachment A – Forms*
Attachment B – Existing Approval Package MIN/2024/208
Attachment C – Existing Preliminary Approval Package MIN/2023/64
Attachment D – Amended Proposal Plans

ATTACHMENT B

EXISTING APPROVAL PACKAGE MIN/2024/208

gassman
development
perspectives

planning
environment
landscape
engineering
survey

Our reference: MIN/2024/208
Your reference: 6132

Amended Decision notice— change application approval including amended suite of development conditions for MCU/2022/525

This Amended Decision Notice replaces the previously issued Decision Notice on 13 June 2024. The previous Decision Notice contained an administrative error within condition 2. The reference to "including as amended in red by Council" has been removed. An amended suite of stamped approved plans will be included. No other changes to conditions or approved plans are approved.

Date of original decision notice:	13 June 2024
Date of amended decision notice:	26 June 2024

The Council of the City of Gold Coast received your change application made under section 78 of the *Planning Act 2016* on 26 April 2024 for the development approval dated 31 March 2023.

Applicant details

Applicant name:	Eastridge 117 Pty Ltd
Applicant contact details:	C/- Gassman Development Perspectives Pty Ltd PO BOX 392 BEENLEIGH QLD 4207

Application details

Application number:	MIN/2024/208
Approval sought:	A change (minor) to a Development permit for Material change of use for Warehouse.
Details of the change:	Conversion of one (1) warehouse tenancy into three (1). As a result, Conditions 2,3,14, and 18 are amended and new condition 24.1 is included.
Original Application number	MCU/2022/525
Date of original decision	31 March 2023

Location details

Street address:	28 Eastridge Street, Stapylton Qld 4207
Real property description:	Lot 117 SP316137

Decision

Date of decision:	10 June 2024
Decision details:	Under Delegated Authority, the Manager of Planning Assessment of the City Development Branch of Council has resolved to approve the change in full and amend the existing conditions of approval.

Affected Entity(s) for the application

Not applicable – no part of the application required referral to an affected entity.

Details of the approval

Development permit	Material change of use for Warehouse

Conditions

New and/or amended conditions of approval for a development permit for a Material change of use for a Warehouse are enclosed in this notice.

A full suite of development conditions for the development approval is also enclosed in this notice.

Further development permits

The following development permits are required to be obtained before the development can be carried out:

- Operational works – vehicle access
- Operational works – landscape works (private)
- Operational works – infrastructure
- Application to work on the City's infrastructure
- Permit for plumbing and drainage work
- Building works

Notwithstanding the above, other approvals/development permits may be required.

Properly made submissions

Not applicable—No part of the application required public notification.

Approved plans and drawings

Approved plans and drawings reflecting the approved change(s) are attached and are identified in the conditions imposed by Council in the amended suite of development conditions.

Appeal rights

Applicant	You have appeal rights in relation to this decision. An appeal may be made against a responsible entity's decision for a change application. An appeal must be started within 20 business days after this notice is given to you. An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the *Planning Act 2016*, to a development tribunal. An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee. An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal. An extract of Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* is attached to this notice, which sets out further information about the appeal rights.

For further information please contact Kyra Reid, Planner, on p: 07 5582 8866 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY

Adam Morris
Supervisor (North)
For the Chief Executive Officer
Council of the City of Gold Coast

enc:

New and/or amended conditions imposed by Council, as the Responsible Entity
Amended suite of development conditions for development approval MIN/2024/208

Attach:

Stamped approved plans and drawings for development approval
Amended infrastructure charge notice for development approval
Appeal rights extracts

New and/or amended conditions imposed by Council as the Responsible Entity

Condition 2 currently reads:

2 **Approved drawings**

Undertake and maintain the development generally in accordance with the following drawings including as amended in red by the Council:

Drawing Title	Author	Date	Drawing No.	Ver
SITE PLAN (AS AMENDED IN RED BY COUNCIL)	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/1.03	C
CAR PARK DIMENSION PLAN	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/1.02	C
LANDSCAPE INTENT	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/1.07	C
REFUSE / STORAGE DETAILS	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/2.1	C
REFUSE / STORAGE DETAILS	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/2.2	C
GROUND FLOOR PLAN	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/3.01	C
DIMENSION PLAN – GROUND FLOOR	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/3.02	C
FIRST FLOOR PLAN	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/3.03	C
DIMENSION PLAN – FIRST FLOOR	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/3.04	C
ROOF PLAN	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/3.05	C
ELEVATIONS	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/4.01	C
ELEVATIONS	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/4.02	C
SECTION A & B	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/5.01	C

SECTION C & D	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/5.02	C
SECTION E & F	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/5.03	C
COLOURS AND MATERIALS	TWO CLICKS DESIGN	17.02.2023	BP1358/WD/11.01	C

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

Condition 2 is amended to read:

2 **Approved drawings**

Undertake and maintain the development generally in accordance with the following drawings:

Drawing Title	Author	Date	Drawing No.	Ver
Site Plan	Two Clicks Design	3.04.24	BP1358/WD/1.01	A
Site Development Plan	Two Clicks Design	3.04.24	BP1358/WD/1.02	A
Refuse Details	Two Clicks Design	3.04.24	BP1358/WD/1.03	A
Landscape Intent Plan	Two Clicks Design	3.04.24	BP1358/WD/1.04	A
Ground Floor Plan	Two Clicks Design	22.04.24	BP1358/WD/2.01	B
First Floor Plan	Two Clicks Design	22.04.24	BP1358/WD/2.02	B
Roof Plan	Two Clicks Design	22.04.24	BP1358/WD/2.03	B
Elevation 1 & 2	Two Clicks Design	22.04.24	BP1358/WD/3.01	B
Elevation 3 & 4	Two Clicks Design	22.04.24	BP1358/WD/3.02	B
Section A & B	Two Clicks Design	22.04.24	BP1358/WD/5.01	B
Section C & Wall Types	Two Clicks Design	22.04.24	BP1358/WD/5.02	B
Colours and Materials	Two Clicks Design	22.04.24	BP1358/WD/10.01	B

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

Condition 3 currently reads:

3	**Scope of approval – Ancillary office** *(Specific condition)* This approval permits an ancillary office area consisting of ground and first level areas of the single tenancy to be used in conjunction with, and subordinate to, the approved Warehouse use on the same lot. The scope of approval includes: • The Warehouse tenancy and associated ground and first level ancillary office area must operate as a single business operation at all times. • The ground and first level ancillary office area of the tenancy are not permitted to be used by any third parties not directly associated with the Warehouse use on the site. • The ground and first level ancillary office area is not permitted to be increased in size.

Condition 3 is amended to read:

3	**Scope of approval – Ancillary office** *(Specific condition)* This approval permits an ancillary office area on the first floor mezzanine area of each of the three (3) approved Warehouse tenancies. The three (3) ancillary offices are to be used in conjunction with, and subordinate to, the approved Warehouse use on the same lot. The scope of approval includes: • Each Warehouse tenancy and associated first level ancillary office area must operate as a single business operation at all times. • The ancillary office area of the tenancy are not permitted to be used by any third parties not directly associated with the Warehouse use of the same tenancy. • The ancillary office area is not permitted to be increased in size.

Condition 14 currently reads:

14	**Loading areas** (*Specific condition*) a Loading areas within the Warehouse are to be clearly line marked. b Line marked loading areas are to be used for loading/ unloading of vehicles only.

Condition 14 is amended to read:

14	**Loading areas** (*Specific condition*) a Loading areas within each Warehouse tenancy are to be clearly line marked. b Line marked loading areas are to be used for loading/ unloading of vehicles only.

Condition 18 currently reads:

18 **Driveways and vehicular crossings**

Obtain an operational works approval for the design and construction of the driveway and vehicular crossing, prior to commencement of the use at no cost to Council

Drawing Title	Author	Date	Drawing No.	Ver
SITE PLAN (AS AMENDED IN RED BY COUNCIL)	TWO CLICKS DESIGN	21.02.2023	BP1358/WD/1.03	C

and include in particular:

i Construct and position to enable the maintenance of a public road and road verge, and not cause any obstruction to pedestrians or vehicular traffic.

	ii Not cause damage to vehicles or road infrastructure. iii Provide effective access between the road and the property. iv Provide hydraulic capacity to allow stormwater flow towards the closest stormwater infrastructure. Must be a minimum 1.0m separation from the wings of any gully pit. If this is not the case on site, then the vehicular crossing or the gully pit must be relocated and reconstructed to achieve the required separation.

Condition 18 is amended to read:

<table>
<tr><td>18</td><td>

Driveways and vehicular crossings

Obtain an operational works approval for the design and construction of the driveway and vehicular crossing, prior to commencement of the use at no cost to Council

Drawing Title	Author	Date	Drawing No.	Ver
Site Plan	Two Clicks Design	3.04.24	BP1358/WD/1.01	A

and include in particular:

i Construct and position to enable the maintenance of a public road and road verge, and not cause any obstruction to pedestrians or vehicular traffic.

ii Not cause damage to vehicles or road infrastructure.

iii Provide effective access between the road and the property.

iv Provide hydraulic capacity to allow stormwater flow towards the closest stormwater infrastructure.

Must be a minimum 1.0m separation from the wings of any gully pit. If this is not the case on site, then the vehicular crossing or the gully pit must be relocated and reconstructed to achieve the required separation.

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</table>

New condition 24.1 is to read:

24.1	**Sub-metering** Provide individual sub-metering for each lot / unit including common property generally in accordance with the Metering Technical Specifications and the Water and Sewerage Connections Policy.

Amended suite of development conditions for development approval MIN/2024/208

For ease of reference only, a consolidated set of the conditions, incorporating the above changes, of the Development permit dated 31 March 2023 for a Material change of use for a Warehouse is set out below:

General

1 **Timing**

a All conditions of this development approval must be complied with at no cost to Council at all times unless otherwise stated in another condition.

b Where the timing in a condition is prior to commencement of the use and a Building Format Plan is lodged for approval, the timing in the condition changes from being prior to commencement of the use to being prior to the earlier of the commencement of the use and approval of the plan of subdivision. This timing requirement prevails despite any inconsistency with the timing requirement in another condition.

2 **Approved drawings**

Undertake and maintain the development generally in accordance with the following drawings:

Drawing Title	Author	Date	Drawing No.	Ver
Site Plan	Two Clicks Design	3.04.24	BP1358/WD/1.01	A
Site Development Plan	Two Clicks Design	3.04.24	BP1358/WD/1.02	A
Refuse Details	Two Clicks Design	3.04.24	BP1358/WD/1.03	A
Landscape Intent Plan	Two Clicks Design	3.04.24	BP1358/WD/1.04	A
Ground Floor Plan	Two Clicks Design	22.04.24	BP1358/WD/2.01	B
First Floor Plan	Two Clicks Design	22.04.24	BP1358/WD/2.02	B
Roof Plan	Two Clicks Design	22.04.24	BP1358/WD/2.03	B
Elevation 1 & 2	Two Clicks Design	22.04.24	BP1358/WD/3.01	B
Elevation 3 & 4	Two Clicks Design	22.04.24	BP1358/WD/3.02	B
Section A & B	Two Clicks Design	22.04.24	BP1358/WD/5.01	B
Section C & Wall Types	Two Clicks Design	22.04.24	BP1358/WD/5.02	B
Colours and Materials	Two Clicks Design	22.04.24	BP1358/WD/10.01	B

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

3 **Scope of approval – Ancillary office** *(Specific condition)*

This approval permits an ancillary office area on the first floor mezzanine area of each of the

	three (3) approved Warehouse tenancies. The three (3) ancillary offices are to be used in conjunction with, and subordinate to, the approved Warehouse use on the same lot. The scope of approval includes: • Each Warehouse tenancy and associated first level ancillary office area must operate as a single business operation at all times. • The ancillary office area of the tenancy are not permitted to be used by any third parties not directly associated with the Warehouse use of the same tenancy. • The ancillary office area is not permitted to be increased in size.
Property	
4	**Requirement to register easements – Water Supply** a Register the following easements for the purpose stated below in accordance with the WSAA Water Supply Code of Australia – SEQ Edition and City of Gold Coast's Standard Water Meter Drawings. i "Water Supply" easement over all Council water meter assemblies. b The terms of the easement must include: i Standard terms document 707918364 must be referenced on Form 9 – easement document. ii Easement plans and associated documents (i.e.: Form 9 – easement document and general consent form 18) must be fully completed and signed by the owner of the burdened land (and any mortgagees, if necessary) and benefitting land before they are submitted to council for endorsement. c Registration of the easement must occur at the same time as registering the survey plan or prior to commencement of use whichever is the sooner. d Ensure water infrastructure is positioned appropriately within the easement as per Council's Standard Water Meter Drawings. e This condition attaches to the land the subject of the development approval and binds the owner(s) of the land and the owners' successors in title (even after the time when the easement is required to be registered). Therefore, if this condition is not complied with at the time required by this condition, the owner(s) of the land and the owners' successors in title continue to be obligated to register the easement in accordance with this condition and must do so within 40 business days of becoming aware of the non-compliance with this condition.
5	**Restrictions regarding Council easements and sewer and water supply infrastructure** a No building work or deep landscaping is permitted over or within any Council public utility easement. b Ensure all proposed buildings, structures and footings are a minimum distance of 1.2 horizontal metres from Council infrastructure. c Ensure all proposed buildings, deep landscaping, structures and footings are a minimum 1 metre clear of the property sewer connection. d Ensure a minimum 2.4 metres unobstructed vertical clearance from the finished surface level above Council sewerage infrastructure including the property inspection opening (IO).
Amenity	
6	**Screening of visually offensive components** Locate and screen the following components of the development so that they are not visible from any road to which the site has frontage, adjoining premises or otherwise on display from any public thoroughfare or vantage point: a Refuse storage areas b Service equipment c Mechanical ventilation

	d Refrigeration units e Storage areas for machinery, materials, vehicles or the like.
7	**Hours of operation** (S*pecific condition*) Activities associated with the operation of the use can occur 24 hours a day, seven days a week and include the following activities: a All activities internal to the Industry associated with the operation of the use b Loading and unloading activities c Ancillary office activities.
8	**Lighting to ensure pedestrian and community safety** *(specific condition)* Install and maintain lighting within the site boundary for all car parking areas, outdoor activity areas, and along all on-site pedestrian pathways, at no cost to Council. The design and construction of the lighting system must: a Meet minimum requirements of Australian Standard AS/NZS1158.3.1: 2005 Pedestrian area (Category P) lighting. b Meet the relevant requirements of the electricity supplier (e.g., Energex). c Be installed prior to the commencement of the use and maintained at all times. d Include vandal resistant structures such as high mounted lighting, anti-tamper screws, weather resistant bulkhead fitting, and robust material to withstand severe weather conditions.
9	**Nuisance** Undertake and operate the development in a manner that causes no detrimental effect upon surrounding premises by reason of noise nuisance, lighting nuisance or such other emissions. Specifically: a Position and direct all lighting so as not to exceed beyond the site boundary. b Future activities are not to generate noise emissions which would detract from the amenity of the nearest sensitive receivers. c Future activities are not to generate odour and air emissions which would detract from the amenity of the nearest sensitive receivers.
Environmental and Landscaping	
10	**Landscaping works** a Obtain an operational works approval to landscape the site and the adjoining road verge generally in accordance with the Statement of Landscape Intent listed below, prior to the commencement of the use at no cost to Council:

Drawing Title	Author	Date	Drawing No.	Ver
Landscape Intent Package	Gassman Development Perspectives	24.02.2023	6132 pages 1-10	C

and include in particular:

i Unless otherwise specified in these conditions, tree species must be a minimum bag size of 100L at the time of planting.

ii Palm species must be a minimum 3 metres in height at the time of planting.

iii Unless otherwise specified in these conditions, shrub species must be a minimum 200mm pot size at the time of planting.

iv Screening shrubs must be able to achieve a minimum height of 3 metres at maturity.

v Tree species planted with root zones adjacent to structures must have root control barriers and/or structure strengthening systems installed. Full demonstration of

	these systems is required. vi Pandanus species must be ex-ground, a minimum 3 metres in height and multi headed at the time of planting. vii Install large canopy tree plantings at 6 metre centres within the frontage garden beds. viii Install a row of screening shrubs at 1 metre centres within the frontage garden beds. ix Any installed frontage fencing for the development must be at least 50% transparent. x All road reserve turf must be repaired and replaced if damaged xi Existing street tree must be retained or replaced with 200L canopy shade trees in accordance with Standard drawing 05-103 within SC6.11 City Plan policy – Land development guidelines. b Construct and maintain the private landscaping identified above at no cost to Council at all times.
Transport	
11	**Security gate requirements** (*Specific condition*) All security gates must remain open to allow vehicular and pedestrian access for employees and visitors during the approved hours of operation of the development.
12	**Off street vehicle and car parking facilities** a Design and construct off street vehicle facilities at no cost to Council prior to the commencement of the use, generally in accordance with the M38 Industrial Estate Place Code and include in particular: i A total of 34 car parking spaces. ii All spaces are drained, sealed and line marked. iii Clearly identified signage and directional markings including: – Signage within the site directing entering motorists to visitor parking locations. – Delineation of parking spaces for people with disabilities. – Signage and line marking indicating 'visitor parking' and 'staff parking' for visitor and staff spaces. b Undertake and maintain the off street vehicle and parking facilities at no cost to Council at all times. c The off-street parking facilities must only be used for vehicle parking.
13	**Loading and unloading (excluding waste collection vehicles)** (*Specific condition*) Loading and unloading of service vehicles must be undertaken generally in accordance with the M38 Industrial Estate Place Code and include in particular: a Loading and unloading of any vehicle servicing the development must be conducted wholly within the site. b A vehicle, or vehicle waiting to be loaded or unloaded, must stand entirely within the site. c All vehicles must enter and exit the site in a forward gear, with the exception of Articulated Vehicles where restricted manoeuvring is permitted.
14	**Loading areas** (*Specific condition*) a Loading areas within each Warehouse tenancy are to be clearly line marked. b Line marked loading areas are to be used for loading/ unloading of vehicles only.
Engineering	
15	**Rectification of Council's infrastructure** a Rectify any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) prior to commencement of the

<table>
<tr><td></td><td>use at no cost to Council.
b Construct and maintain the rectified Council infrastructure at no cost to Council prior to commencement of the use.</td></tr>
<tr><td>16</td><td>Existing structures and services
a Prior to commencement of works, identify all structures and services (i.e. electrical pillars, water metres/hydrants, telecommunication infrastructure) within pedestrian infrastructure areas (i.e. footpaths, outdoor dining, bike racks) that impede pedestrian accessibility, and where required, obtain the necessary approvals from the relevant public utility authority to have these structures and services removed/relocated at no cost to Council.
b Ensure removal/relocation of these structures and services occurs prior to commencement of the use at no cost to Council.</td></tr>
<tr><td>17</td><td>Rectification of Council’s infrastructure
a Rectify any damage caused to Council infrastructure (including kerb, channelling, service pits, footpaths and water and sewer reticulation networks) prior to commencement of the use at no cost to Council.
b Construct and maintain the rectified Council infrastructure at no cost to Council prior to commencement of the use.</td></tr>
<tr><td>18</td><td>Driveways and vehicular crossings
Obtain an operational works approval for the design and construction of the driveway and vehicular crossing, prior to commencement of the use at no cost to Council
<table>
<tr><th>Drawing Title</th><th>Author</th><th>Date</th><th>Drawing No.</th><th>Ver</th></tr>
<tr><td>Site Plan</td><td>Two Clicks Design</td><td>3.04.24</td><td>BP1358/WD/1.01</td><td>A</td></tr>
</table>
and include in particular:
v Construct and position to enable the maintenance of a public road and road verge, and not cause any obstruction to pedestrians or vehicular traffic.
vi Not cause damage to vehicles or road infrastructure.
vii Provide effective access between the road and the property.
viii Provide hydraulic capacity to allow stormwater flow towards the closest stormwater infrastructure.
Must be a minimum 1.0m separation from the wings of any gully pit. If this is not the case on site, then the vehicular crossing or the gully pit must be relocated and reconstructed to achieve the required separation.</td></tr>
<tr><td>19</td><td>Electrical reticulation
Enter into a contractual agreement to design, construct and connect an electrical reticulation system at no cost to Council and include in particular:
a Provide underground electricity to proposed building.
b No additional poles are to be erected within public roads.
c Meet the requirements of the electricity supplier (e.g., Energex).</td></tr>
<tr><td>20</td><td>Telecommunications network
Enter into a contractual agreement to design, construct and connect a telecommunications services network at no cost to Council and include in particular:
a Provide underground telecommunications to the proposed building, lead-in conduits and equipment space/s in a suitable location within the building/s, to suit the carrier of choice.
b All new pit and pipe infrastructure required to be installed along public road(s), must be suitably sized to cater for future installation of fibre optic cables.
c Meet the telecommunications industry standards (e.g., Telstra/NBN Co standards).</td></tr>
</table>

Stormwater Drainage	
21	**Overland flow paths and hydraulic alterations** a Leave unaltered the overland flow paths on the site, such that the characteristics of existing overland flows on other properties remain uninhibited and unchanged. b The development must not: i Increase peak flow rates downstream from the site. ii Increase flood levels external to the site. iii Increase duration of inundation external to the site that could cause loss or damage.
22	**Erosion and sediment control** a Undertake works generally in accordance with the Healthy waters code of the City Plan and include in particular: i Ensure all reasonable and practicable measure are implemented to minimise short and long-term erosion and adverse effects of sediment transport. Also ensure the proposed control measures will achieve 80% hydraulic effectiveness as required by the SPP (refer to SPP Appendix 2 Table A). ii Sediment control structures e.g.: sediment fence must be placed at the base of all materials on site to mitigate sediment run-off. iii A perimeter bund and/or diversion drain must be constructed around the disturbed areas to prevent any outside clean stormwater from mixing with polluted / contaminated stormwater. iv All polluted / contaminated water from the site, including dewatering discharge, must be treated to achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DERM September 2009) prior to discharging from the site. v Inspections for erosion and sediment control measures are to occur in accordance with the compliance procedures in City Plan Policy SC6.11– Land development guidelines, section 4.5.17.1.2 – Compliance.
Sewer and Water Works	
23	**Sewer connection - reuse existing sewer connection** Connect the site to Council's sewer network via the existing 150mm connection serving the site, prior to commencement of the use at no cost to Council and include in particular: i Be in accordance with the WSAA Gravity Sewerage Code of Australia – SEQ Service Providers Edition and the Water and Sewerage Connections Policy. ii The size of the sewer property service connection must be in accordance with Section 5.5.4 of the WSAA Gravity Sewerage Code of Australia – SEQ Service Providers Edition. iii Where an inspection opening (IO) is to be located in a hardstand area, the inspection opening shall be brought to surface and provided with a trafficable screwtrap lid. iv Remove / seal / cap redundant sewer property services. *Note:* *An "Application Work on the City's infrastructure" form is required for item iv above.*
24	**Water connection** Obtain an operational works approval for the design and construction of a water connection for the proposal to Council's potable water supply network at the existing 150mm main in Eastridge Street, prior to commencement of the use at no cost to Council and include in particular: i Water connection to re-utilize the existing road crossing at the east boundary of the

site.

ii Be in accordance with the Water Supply Code of Australia – SEQ Service Providers Edition, and the Water and Sewerage Connections Policy.

iii Water meters must be in accordance with the Metering Technical Specifications and Council's standard water meter drawings.

iv The water meter assembly is to be screened from public view. All screening to be outside of the water supply easement and door/s provided to ensure access to the assembly in compliance with Council's standard water meter drawings.

v Remove redundant water meters / connections.

Note:

An "Application Work on the City's infrastructure" form is required for the above works.

24.1 **Sub-metering**

Provide individual sub-metering for each lot / unit including common property generally in accordance with the Metering Technical Specifications and the Water and Sewerage Connections Policy.

25 **Fire loading**

Ensure the fire loading does not exceed 30L/s for 4 hours duration.

Provide certification from a suitably qualified building certifier that fire loading does not exceed the fire loading above, prior to the commencement of the use, at no cost to Council. Refer to 'Certification of works' condition contained within this decision notice.

Construction Management

26 **Certification of works - Water and Waste**

Provide Council with a certificate prepared by qualified experts from the discipline listed below, confirming as follows:

Certified document	Certification date	Expert discipline	Requesting Council Section
Fire loading certification	Prior to a commencement of the use	Registered Professional Engineer of Queensland (RPEQ) or a suitably qualified Licensed Building Certifier	Water and Waste

27 **Availability of approved plans, drawings and reports**

Retain a copy of this decision notice and stamped approved plans, drawings and reports on site at all times during construction. Any contractors undertaking approved work (including tree removal or relocations) must be directly provided with a copy of these conditions and instructed as to the need to comply with them.

28 **Notice of works timetable**

Provide a Notice of works timetable for Commencement of work to Council's Development Compliance section prior to commencement of any works.

A copy of Council's Notice of works timetable is available on Council website.

Plumbing and Drainage Act 2018

29 **Plumbing and drainage works**

Obtain a permit for all plumbing and drainage work prior to any compliance assessable work

	commencing. *Note:* *A permit for plumbing and drainage works does not approve the discharge of trade waste to Council's sewerage system. The generator of trade waste must complete an application for approval to discharge trade waste to Council's Sewerage System (available on Council's website).*
Advice Notes	
A	**Land use definition** The Warehouse definition pursuant to 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.'This term includes a Car Wash Facility. It does not include a Service Industry, a Motor Vehicle Repair Station, a Salvage Yard, a Service Station, Home Activity or Home Occupation.'*
B	**Development infrastructure** Development infrastructure required to be provided in implementing this development approval is non-trunk development infrastructure unless otherwise stated in a condition of the approval.
C	**Council water and sewer mains to be protected during site works** The developer is responsible at all times for ensuring that Council's water and sewerage infrastructure is protected during construction activities on site. This may require physical protection measures to be put in place during works such as deliveries, moving heavy equipment into and out of the site, or when doing works in close proximity to water and sewer assets. Where Council water and sewer infrastructure is damaged during construction, Council will undertake immediate repairs and any costs associated with these repairs will be charged to the landowner, principal contractor or other relevant party. If further, more permanent repairs are required, such as replacement of water and sewer mains, the landowner, principal contractor or other relevant party will first be given an opportunity to complete these works (other approvals may be required), or Council will undertake these works and pass the costs on to the landowner, principal contractor or other relevant party.
D	**Connections and disconnections** Any connection / disconnection to the existing water and sewerage networks will be at the applicant's cost. Prior to the connection / disconnection taking place, the applicant must obtain written approval from Water and Waste. Refer to Water and Sewerage Connections Policy, available on Council's website http://www.cityofgoldcoast.com.au
E	**No open trenching of the road pavement for water connections across / in roadways** Conduits must be installed to service the proposed development via trenchless technology the road (open cutting of the road is not permitted) to connect to Council's potable water supply network. In certain circumstances approval of open trenching of the road may be allowed, subject to Council approval. Refer to Water and Sewerage Connections Policy, available on Council's website http://www.cityofgoldcoast.com.au

F	**Water meter sizing** All water meters 50 mm in diameter or larger must be installed aboveground and on lot and require an Operational works approval and an easement over the water meter arrangement. Unrestricted access to the water service (including meters) must be provided at all times. Refer to Water and Metering Technical Specifications, available on Council's website http://www.cityofgoldcoast.com.au
G	**Further development permits / compliance permits** Further development permits and/or compliance permits from Council are required to facilitate the development of the approved works identified in this decision notice. These include: **City Assets** - Operational works - vehicle access works **Landscape Assessment** - Operational works - landscape works (private) **Plumbing and Drainage** - Permit for plumbing and drainage work **Water and Waste** - Operational works - infrastructure - Application to work on the City's infrastructure A copy of this decision notice and accompanying stamped drawings / plans must be submitted with any subsequent application identified above. Subsequent development applications (i.e.: Operational works) will be assessed in accordance with the City Plan Version at the time of lodgement (excluding instances where Variation / Preliminary approval exists).
H	**Connections to, alteration or realignment of Council infrastructure** Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g. telecommunications, electricity and gas), the applicant must obtain the necessary approvals from the relevant public utility authority prior to works commencing. Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage infrastructure, reinstatement of maintenance hole covers, stormwater drainage infrastructure, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.
I	**Operational Works meeting prior to lodgement** Council's Water and Waste Development Services team encourage contact to discuss any water and sewer matters of significance prior to the submission of an application for Operational Works. Contact GCWDA@goldcoast.qld.gov.au to arrange a meeting.
J	**Design, Constructability and Minor change applications** The application has been approved based on the information provided by the consultant. Water and Waste are not liable for any design or constructability issues experienced on-site.

	All necessary steps must be taken prior to construction to validate the information in the designs, including locating services. Should any changes be required to the design to ensure it can be constructed in compliance with relevant engineering standards; a Minor Change application (Section 78 of the *Planning Act 2016*) must be submitted and approved by Council prior to lodging a request for a Pre-Start meeting.
K	**Compliance with conditions** Once this development approval takes effect, the conditions attach to the land and are applicable in perpetuity. It is a development offence to contravene a development approval, including any of its conditions.
L	**Indigenous cultural heritage legislation and duty of care requirement** The *Aboriginal Cultural Heritage Act 2003* ('**ACHA**') is administered by the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care: a Is not negated by the issuing of this development approval; b Applies on all land and water, including freehold land; c Lies with the person or entity conducting an activity; and d If breached, is subject to criminal offence penalties. Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DSDSATSIP's Cultural Heritage Coordination Unit on 1300 378 401 for further information on the responsibilities of developers under the ACHA.
M	**Infrastructure charges** Infrastructure charges are now levied under a Charges Resolution by way of an Infrastructure Charges Notice, which accompanies this decision notice.
N	**Applicant responsibilities** The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without liming this obligation, the applicant is responsible for: a Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commended and to carry out the activity for its duration. b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the *Environment Protection Act 1994* of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity'). c Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval). d Ensuring existing survey marks, including cadastral marks at property corners, i.e pegs or cadastral reference marks in the road reserve (permanent surveys marks, buried iron pins, and various marks in concrete or bitumen structure) are not interfered with. A Consulting Cadastral Surveyor must be contacted if survey marks are disturbed or destroyed during any works in relation to this or related approvals, to investigate and determine if any further action is required. More information on interference with survey marks is available under Section 42 of the *Survey and Mapping Infrastructure Act 2003.*

	e Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes. f Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the total value of the building and construction works exceeds $150,000 (excluding GST). Acceptable proof of payment is a Q.Leave –Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991. g Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans. h Obtaining any necessary local government/state approvals where works require the installation of temporary ground anchoring into adjacent Road Reserves. Where ground anchoring is proposed into an adjacent private property, approval from the relevant property owners(s) is required.
O	**Weeds, pest animals and ants** Biosecurity Queensland of the Department of Agriculture and Fisheries leads the Government's efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health. All landscape materials, including but not limited to, soils, mulch, grass, gravel, potted or ex-ground plants, pavers and timber used in landscape treatments must be free from weeds, pest animals and ants.
P	**Fire ant control** A significant portion of the Gold Coast is within Fire Ant Biosecurity zone 2 and must remain vigilant for the presence of fire ants. Under the *Biosecurity Act 2014* individuals and organisations whose activities involve the movement or storage of fire ant carriers have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants. Movement of a fire ant carrier from within the fire ant biosecurity zone may need a biosecurity instrument permit. More information is available on the Department of Agriculture and Fisheries website www.daf.qld.gov.au/plants/weeds-pest-animals-ants/invasive-ants/fire-ants.
Q	**Incorporation of Equitable Access at the Detailed Design Stage** All public spaces and facilities within the development must provide equitable access, including continuous accessible paths of travel, in compliance with the *Commonwealth Disability Discrimination Act (1992)* and the Disability (Access to Premises – Buildings) Standards 2010.

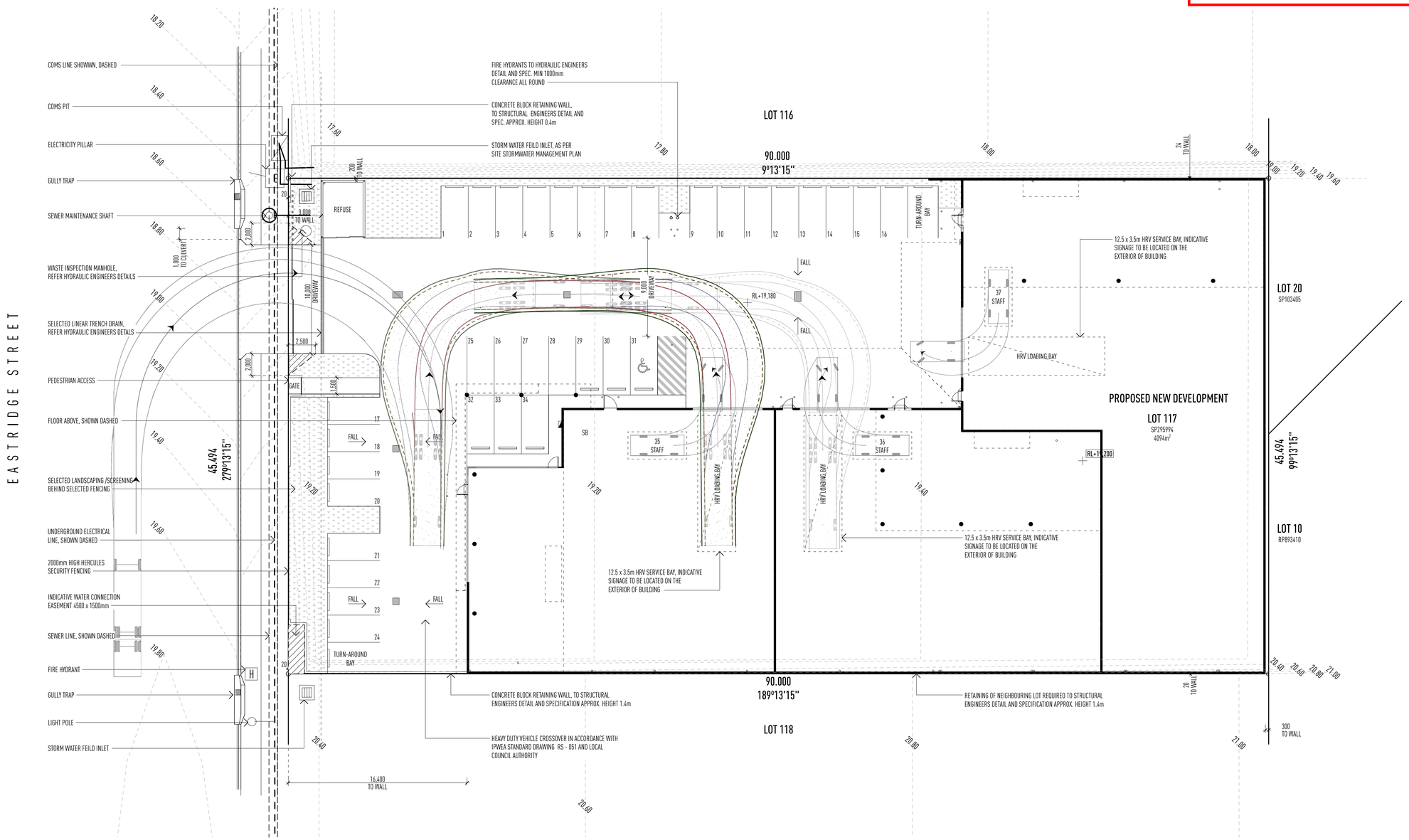
PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/208

Dated: 26 June 2024

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies

FOR APPROVAL



NOTE

REINSTATE SURROUNDS WHERE CONSTRUCTION HAS DISTURBED, REMOVE ALL DEBRIS, SURPLUS EXCAVATION / FILL FROM SITE. REGRASS AND GENERALLY LEAVE TIDY.

ENSURE THAT FINISHED GROUND AND PAVING SURFACES FALL AWAY FROM THE HOUSE AND DRAIN TO AVOID PONDING OF WATER, GRADED TO A SLOPE NOT LESS THAN 1:20 OVER THE FIRST 1000mm FROM THE BUILDING.

STORMWATER AND DRAINAGE TO BE IN ACCORDANCE WITH BCA PARTS 3.1.2. & 3.5.2. IN ADDITION TO AS/NZS. 3500 & DISCHARGED TO LOCAL AUTHORITIES REQUIREMENTS, REFER HYDRAULIC ENGINEERS DETAILS.

ENSURE 90mm DIAMETER AGRICULTURAL DRAINS ARE PROVIDED TO THE BASE OF ALL CUTS AND RETAINING WALLS AND ARE CONNECTED TO THE STORMWATER SYSTEM VIA SILT PITS AS REQUIRED.

THE HEIGHT IF OVERFLOW RELIEF GULLYS RELATIVE TO DRAINAGE FITTINGS AND GROUND LEVEL MUST BE A MINIMUM OF 150mm BELOW THE LOWEST SANITARY FIXTURE.

CONNECT DOWNPIPES TO LEGAL POINT OF DISCHARGE VIA 90mm DIAMETER UPVC STORMWATER PIPE LAID WITH A MINIMUM FALL OF 1:80 DISCHARGE IN ACCORDANCE WITH LOCAL AUTHORITY REQUIREMENTS.

FIRE EXTINGUISHERS TO BE IN ACCORDANCE WITH B.C.A E1.6 AND SELECTED , LOCATED AND DISTRIBUTED IN ACCORDANCE WITH AS.2444.

DRIVEWAY
1:5 MAX DRIVEWAY SLOPE TO LOCAL GOVERNMENT REQUIREMENTS AND STANDARDS

ALL EXTERNAL DRIVEWAY GRADES TO CIVIL ENGINEERS DETAIL AND SPEC.
ALL DRAINAGE TO HYDRAULIC ENGINEERS DETAIL AND SPEC

EXCAVATION NOTES

BANKS TO BE BATTERED IN ACCORDANCE WITH THE BCA, PART 3.1.1 RETAINING WALLS THAT EXCEED 1m IN HEIGHT WILL REQUIRE ADDITIONAL APPROVAL PRIOR TO THE RELEASE OF A FINAL CERTIFICATION FORM 21.

CONTOURS AND LEVELS MAY BE BASED ON PROPOSED SITE INFORMATION ONLY. CHECK AND VERIFY ALL CONTOUR AND SPOT LEVELS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

GRADE SITE AWAY FROM BUILDING A MINIMUM SLOPE OF 1:20 FOR A MINIMUM DISTANCE OF 1000mm TO THE PERIMETER, SO THAT THE WATER DRAINS TO THE ROAD OR UNDERGROUND DRAINAGE, NOT ONTO NEIGHBOURING PROPERTIES.

SITE PLAN

1:200 @ A1

ISSUE	DATE	DESCRIPTION
A	03.04.24	MINOR CHANGE APPLICATION PACKAGE

NORTH

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PROJECT
PROPOSED NEW DEVELOPMENT
AT
LOT 117 EASTRIDGE STREET, VANTAGE, YATALA, QLD

FOR
EASTRIDGE 117 PTY LTD

LEVEL 1 33 ELKHORN AVENUE
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2m 10m 20m

DRAWING	SITE PLAN	DRAWING No.	BP1358/WD/1.01	ISSUE A
DRAWN	CV / KF / RC			
DATE	APRIL '24			
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FOR APPROVAL

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/208

Dated: 26 June 2024

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BICYCLE STORAGE FACILITIES

VERTICAL STORAGE RACKS TO BE PROVIDED AND IN ACCORDANCE WITH AS2890.3 BICYCLE PARKING FACILITIES.

BICYCLE STORAGE LAYOUT IS TO BE IN ACCORDANCE WITH AS2890.3 SECTION 2 FIGURE 2.4 - VERTICAL STORAGE FACILITIES

21 BICYCLE PARKS HAVE BEEN ARRANGED TO MEET THE EXAMPLE SET OUT IN AS2890.3 SECTION 2 FIGURE 2.4

BICYCLE PARKING
1 : 150 GFA
BICYCLE SPACES REQUIRED: 19
BICYCLE SPACES PROVIDED: 21

WASTE GENERATION GENERAL

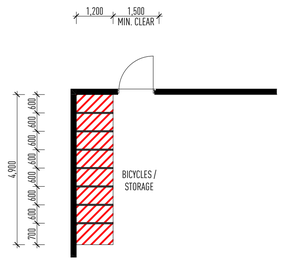
GENERAL				
INDUSTRY	50 LTRS/100m²	(2,308.5m²)	=1,154.25	LTRS/DAY
OFFICE	10 LTRS/100m²	(412.49m²)	=41.24	LTRS/DAY
TOTAL PER DAY			=1,195.49	LTRS/DAY
TOTAL PER 5 DAY WEEK			=5,977.45	LTRS
1x INDUSTRIAL BINS 3000L (2PICK UP PER WEEK)			=6000	LTRS
1x INDUSTRIAL BINS 1000L (1PICK UP PER WEEK)			=1000	LTRS

SIZE	CAPACITY (L)	LENGTH	WIDTH	HEIGHT
-	3000	2030mm	1450mm	1684mm
-	1000	1738mm	901mm	1318mm

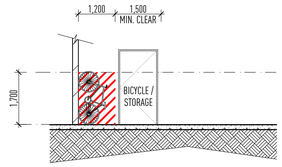
WASTE GENERATION RECYCLE

RECYCLE				
OFFICE	20 LTRS/100m²	(412.49m²)	=82.49	LTRS/DAY
TOTAL PER DAY			=82.49	LTRS/DAY
TOTAL PER WEEK			=412.49	LTRS
1 x WHEELIE BINS 360L (2 PICK UP PER WEEK)			=720	LTRS

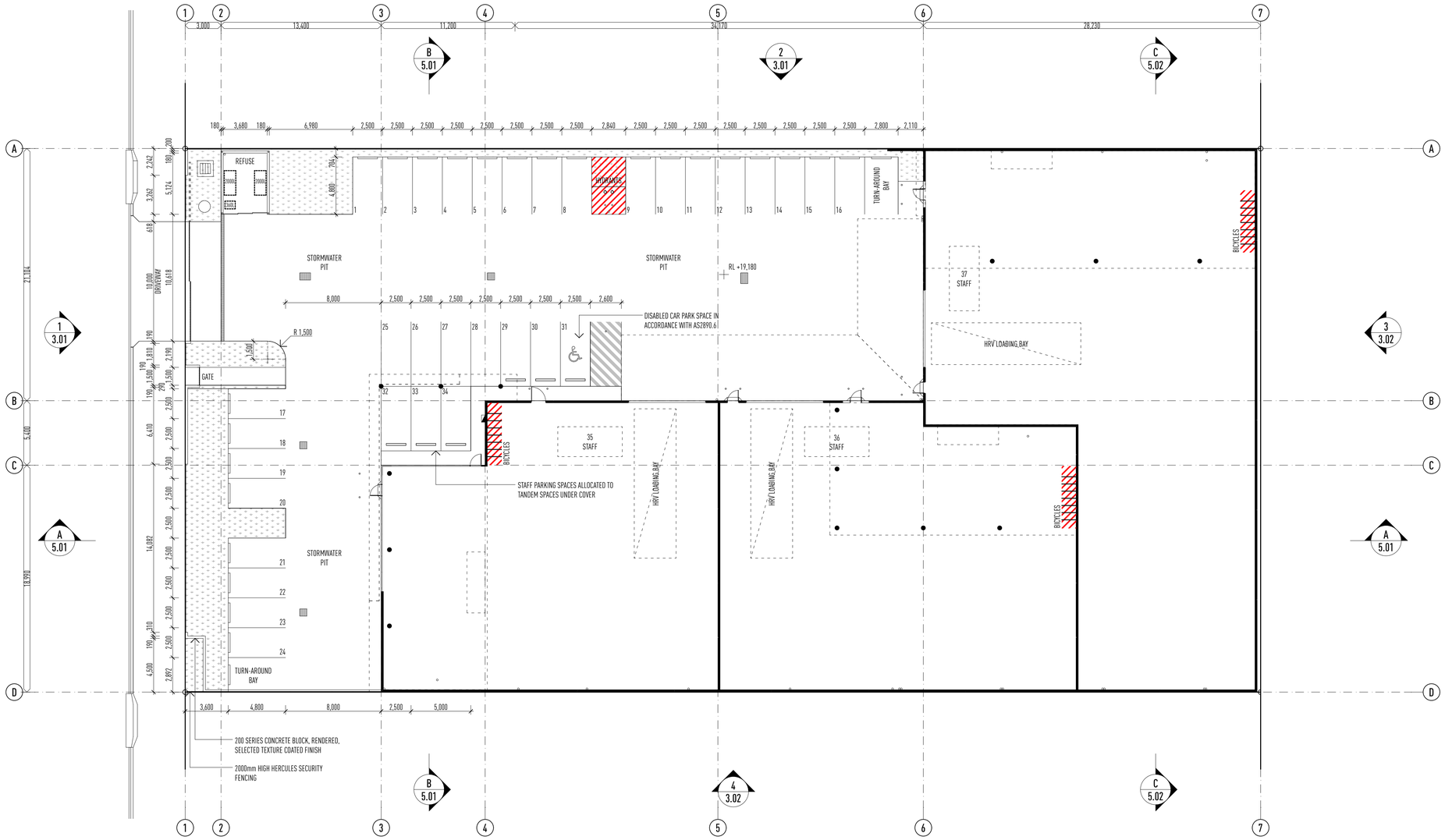
SIZE	CAPACITY (L)	LENGTH	WIDTH	HEIGHT
-	360	845	650	1100



TYPICAL BICYCLE STORAGE PLAN 1 : 100



BICYCLE STORAGE DETAIL 1 : 100



SITE DEVELOPMENT PLAN 1:200 @ A1

NOTE

NCC 2019 VOLUME 1 PART C: COMPARTMENTATION AND SEPARATION C2.2 GENERAL FLOOR AREA AND VOLUME LIMITATIONS

(a) THE SIZE OF ANY FIRE COMPARTMENT OR ATRIUM IN A CLASS 5, 6, 7, 8 OR 9 BUILDING MUST
NOT EXCEED THE RELEVANT MAXIMUM FLOOR AREA NOR THE RELEVANT MAXIMUM VOLUME SET OUT
IN TABLE C2.2 AND C2.5 EXCEPT AS PERMITTED IN C2.3

(b) A PART OF A BUILDING WHICH CONTAINS ONLY HEATING, VENTILATING OR LIFT EQUIPMENT,
WATER TANKS, OR SIMILAR SERVICE UNITS IS NOT COUNTED IN THE FLOOR AREA OR VOLUME OF
A FIRE COMPARTMENT OR ATRIUM IF IT IS SITUATED AT THE TOP OF THE BUILDING.

(c) IN A BUILDING CONTAINING AN ATRIUM, THE PART OF THE ATRIUM WEL BOUNDED BY THE PERIMETER
OF THE OPENINGS IN THE FLOORS AND EXTENDING FROM THE LEVEL OF THE FIRST FLOOR ABOVE THE
ATRIUM FLOOR TO THE ROOF COVERING IS NOT COUNTED IN THE VOLUME OF THE ATRIUM FOR THIS CLAUSE.

NCC 2019 VOLUME 1 PART E2: SMOKE HAZARD MANAGEMENT EP4.3 EMERGENCY WARNING AND INTERCOM SYSTEM

TO WARN OCCUPANTS OF AN EMERGENCY AND ASSIST EVACUATION OF A BUILDING, AN EMERGENCY
WARNING AND INTERCOM SYSTEM MUST BE PROVIDED, TO THE DEGREE NECESSARY, APPROPRIATE TO-

(a) THE FLOOR AREA OF THE BUILDING; AND
(b) THE FUNCTION OR USE OF THE BUILDING; AND
(c) THE HEIGHT OF THE BUILDING.

NCC 2019 VOLUME 1 PART E2: SMOKE HAZARD MANAGEMENT E2.2 GENERAL REQUIREMENTS

(a) A BUILDING MUST COMPLY WITH (b), (c), (d) AND -
(i) TABLE E2.2a AS APPLICABLE TO CLASS 2 TO 9 BUILDINGS SUCH THAT EACH SEPERATE PART
COMPLIES WITH THE RELEVANT PROVISIONS FOR THE CLASSIFICATION; AND
(ii) TABLE E2.2b AS APPLICABLE TO CLASS 6 AND 9b BUILDINGS SUCH THAT EACH SEPERATE
PART COMPLIES WITH THE RELEVANT PROVISIONS FOR THE CLASSIFICATION.

(d) A SMOKE DETECTION SYSTEM MUST BE INSTALLED IN ACCORDANCE WITH CLAUSE 6 OF
SPECIFICATION E2.2a TO OPERATE AS1668.1 SYSTEMS THAT ARE PROVIDED FOR ZONE PRESSURISATION
AND AUTOMATIC AIR PRESSURISATION OF FIRE ISOLATED EXITS.

E2.2 GENERAL REQUIREMENTS - EXTRACT FROM TABLE E2.2a

BUILDINGS NOT MORE THAN 25m IN EFFECTIVE HEIGHT

CLASS 5, 6, 7b, 8 AND 9B BUILDINGS
IN A-

(b) CLASS 6, 7b, 8 OR 9b BUILDING (OTHER THAN A SCHOOL) OR PART OF A BUILDING HAVING A RISE IN STOREYS OF MORE THAN 2; OR

THE BUILDING MUST BE PROVIDED WITH-

(d) IN EACH FIRE ISOLATED STAIRWAY, INCLUDING ANY ASSOCIATED FIRE ISOLATED PASSAGEWAY OR FIRE ISOLATED RAMP, AN
AUTOMATIC AIR PRESSURISATION SYSTEM FOR FIRE ISOLATED EXITS IN ACCORDANCE WITH AS 1668.1; OR

(e) A ZONE PRESSURISATION SYSTEM BETWEEN VERTICALLY SEPERATED FIRE COMPARTMENTS IN ACCORDANCE WITH AS1668.1, IF THE
BUILDING HAS MORE THAN ONE FIRE COMPARTMENT; OR

(f) AN AUTOMATIC SMOKE DETECTION AND ALARM SYSTEM COMPLYING WITH SPECIFICATION E2.2a; OR

(g) A SPRINLER SYSTEM (OTHER THAN FPAA101D OR FPAA101H SYSTEM) COMPLYING WITH SPECIFICATION E1.5

NCC 2019 VOLUME 1 PART E2: SMOKE HAZARD MANAGEMENT CLAUSE 4. SMOKE DETECTION SYSTEM

(a) IN ALL CLASSES 2 - 9 BUILDINGS-
(i) A SMOKE DETECTION SYSTEM MUST -
(A) SUBJECT TO (b) AND (c), COMPLY WITH AS1670.1, AND
(B) ACTIVATE A BUILDING OCCUPANT WARNING SYSTEM IN ACCORDANCE WITH CLAUSE 7

CLAUSE 7. BUILDING OCCUPANT WARNING SYSTEM

SUBJECT TO E4.9, A BUILDING OCCUPANT WARNING SYSTEM PROVIDED AS PART OF A SMOKE HAZARD
MANAGEMENT SYSTEM MUST COMPLY WITH CLAUSE 3.22 OF AS1670.1 TO SOUND THROUGH ALL OCCUPIED
AREAS ECEPT

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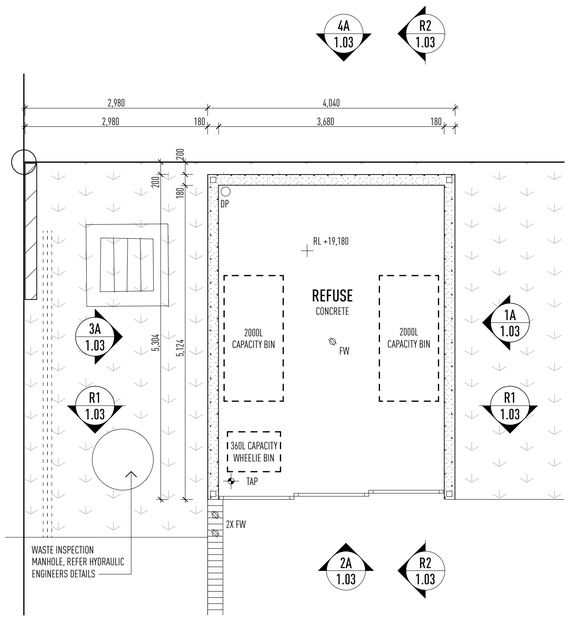

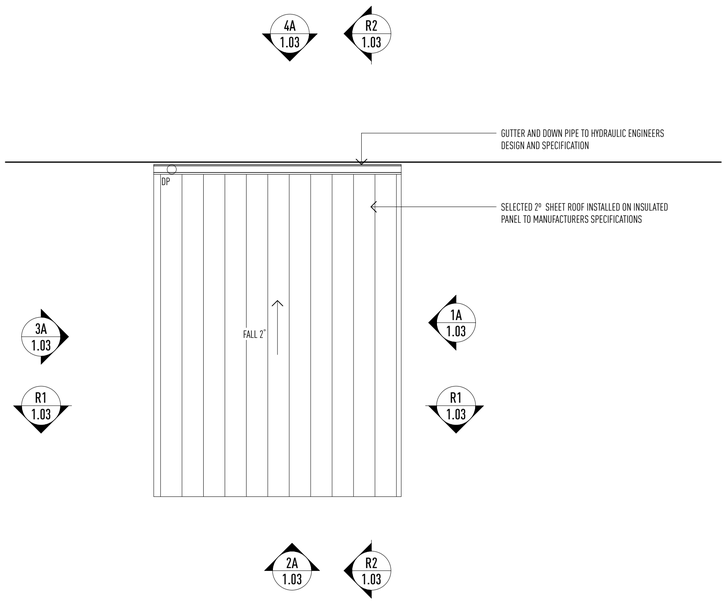

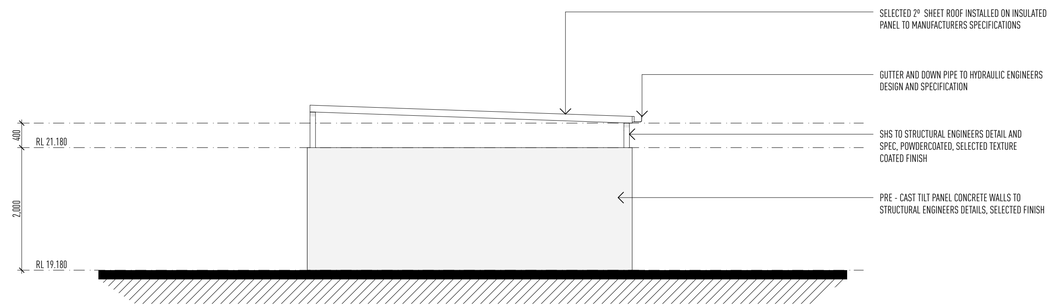

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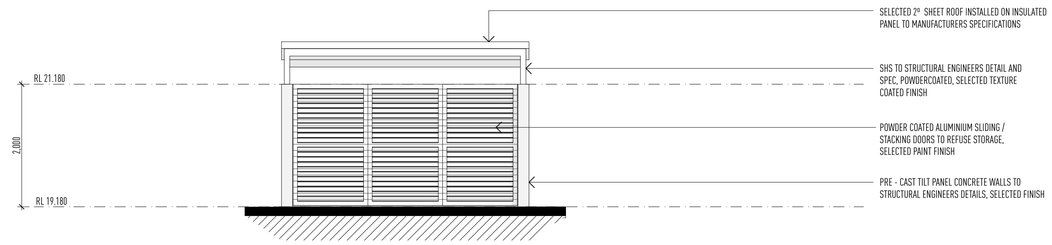

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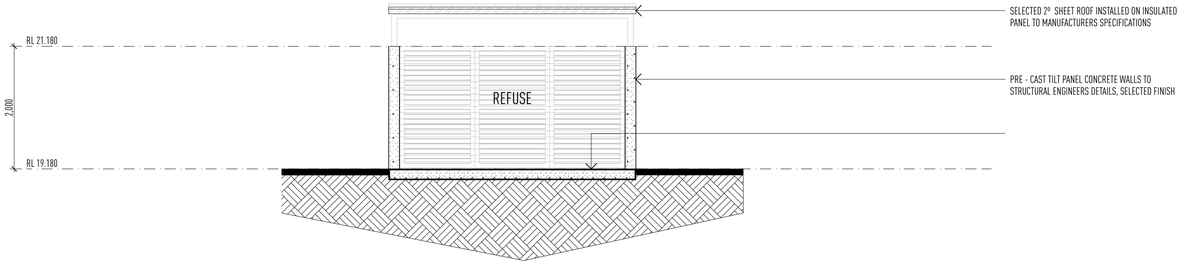

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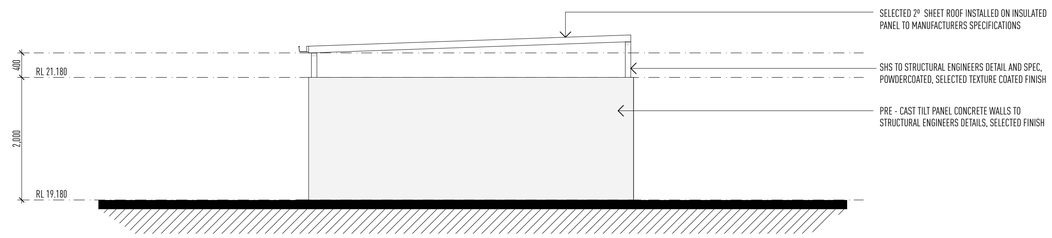

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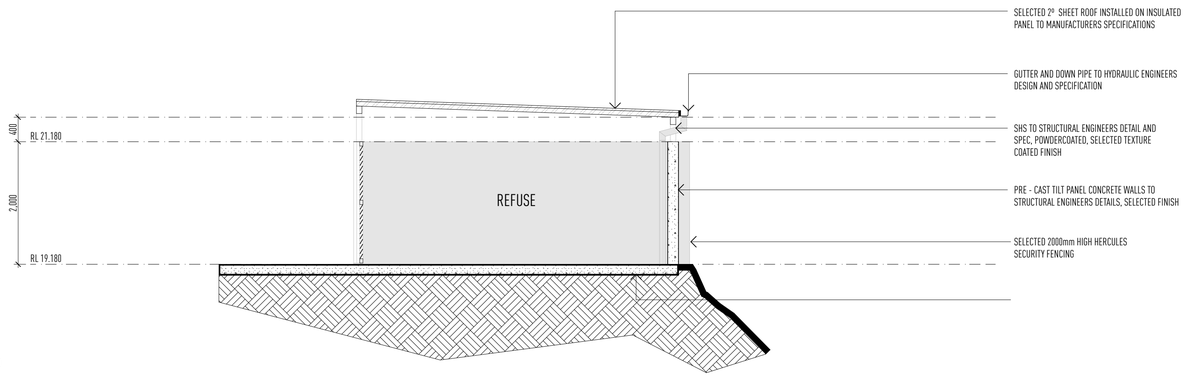

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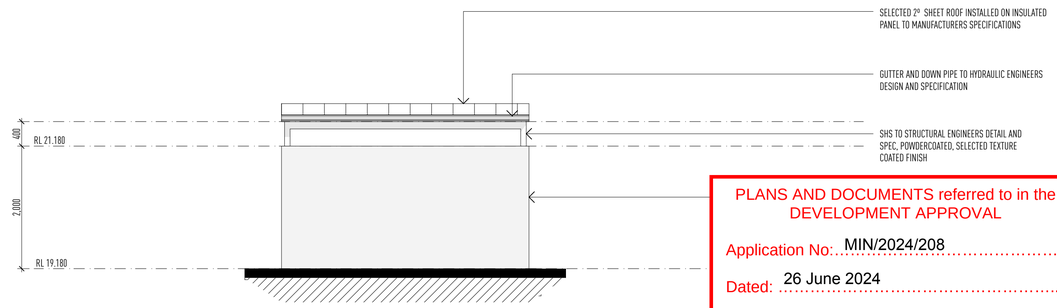

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PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

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Dated: 26 June 2024

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FOR
EASTRIDGE 117 PTY LTD

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LEGEND - LANDSCAPE PLAN

- TURF
- HEDGES
- TREES

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LANDSCAPE INTENT PLANS

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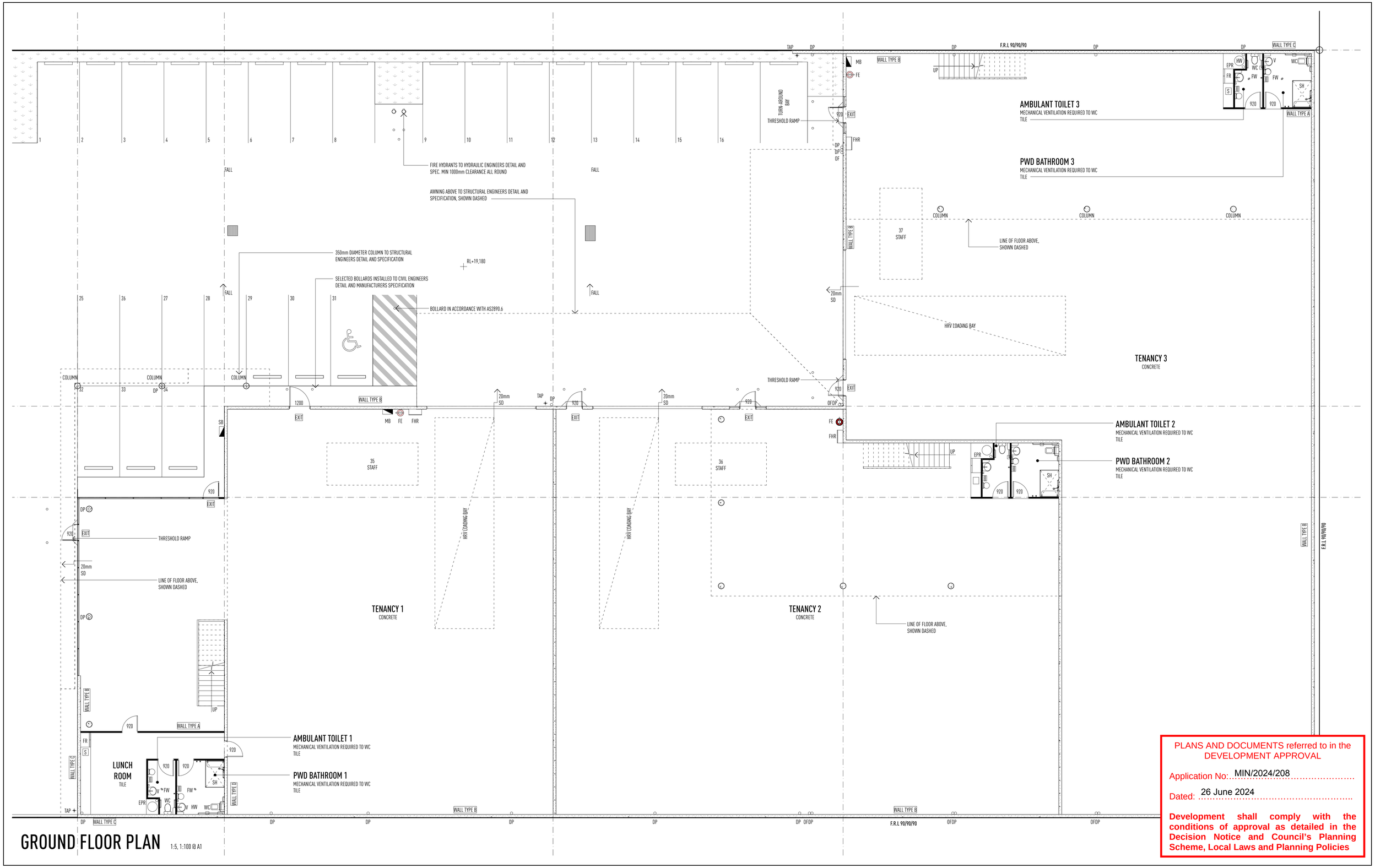

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GROUND FLOOR PLAN

1:5, 1:100 @ A1

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DRAWING GROUND FLOOR PLAN		DRAWING No. BP1358/WD/2.01	ISSUE A
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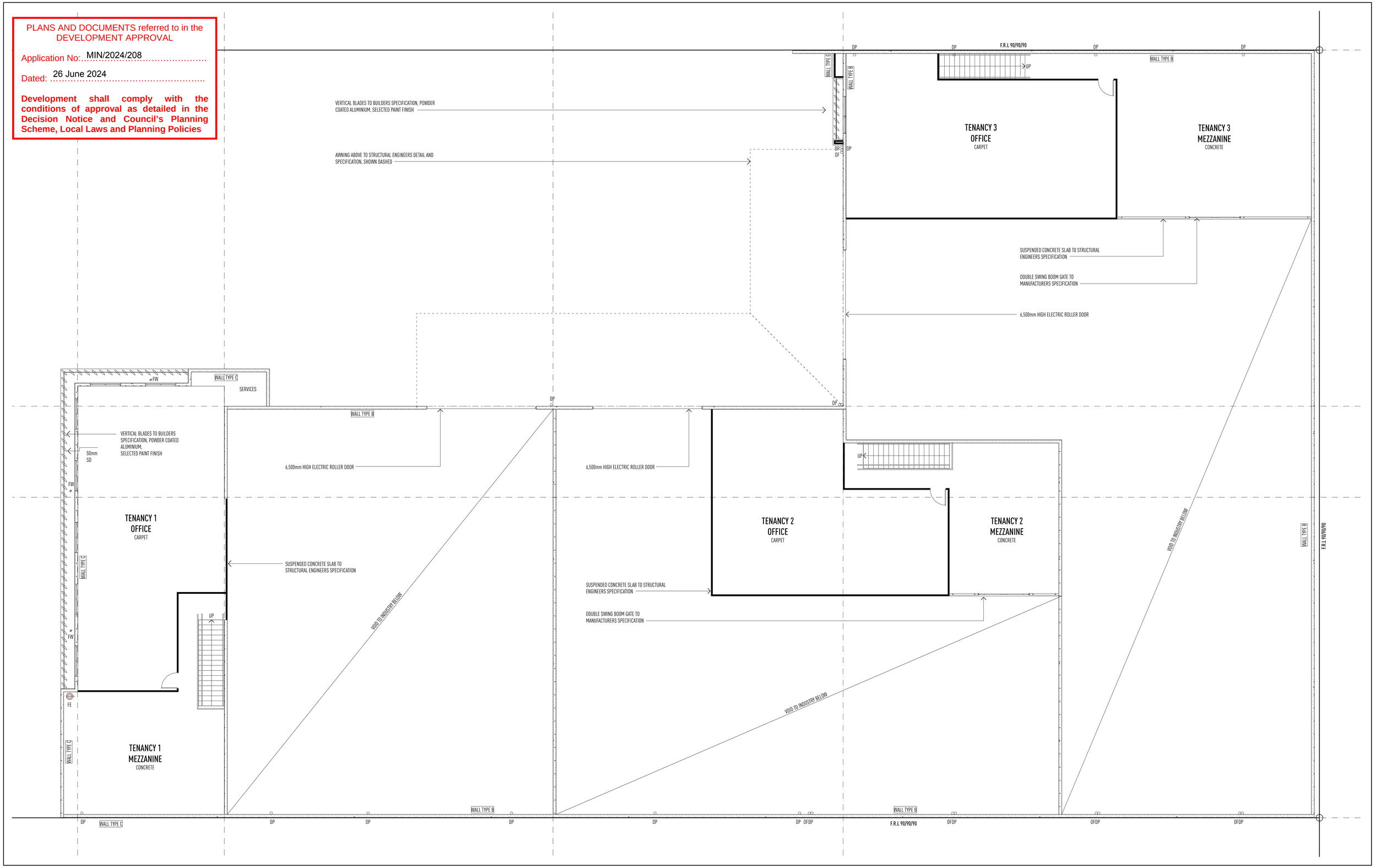

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DRAWING	DRAWING No.	ISSUE
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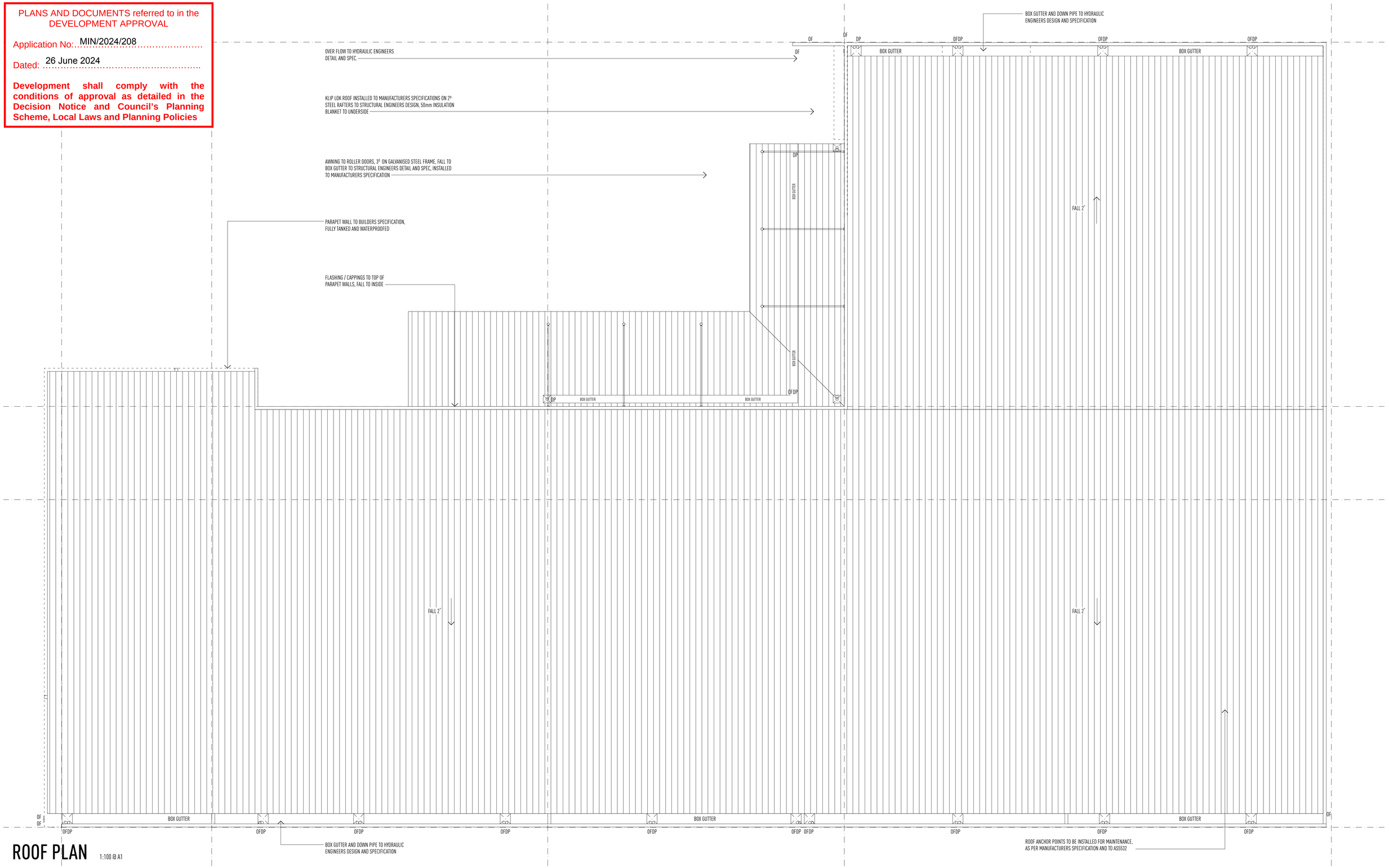

ROOF PLAN

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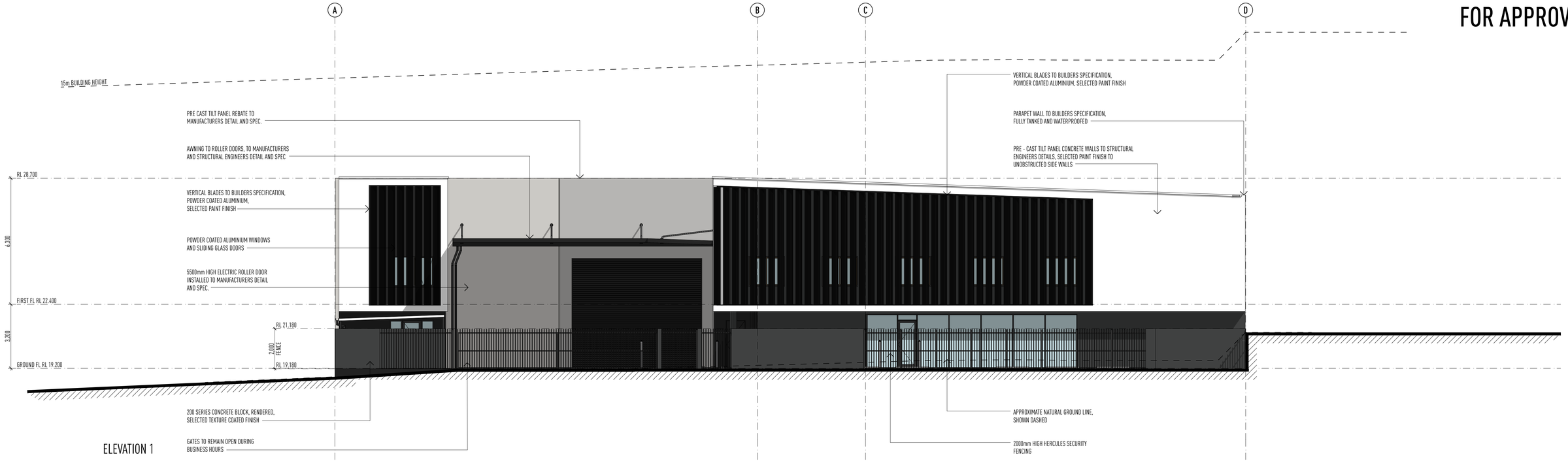
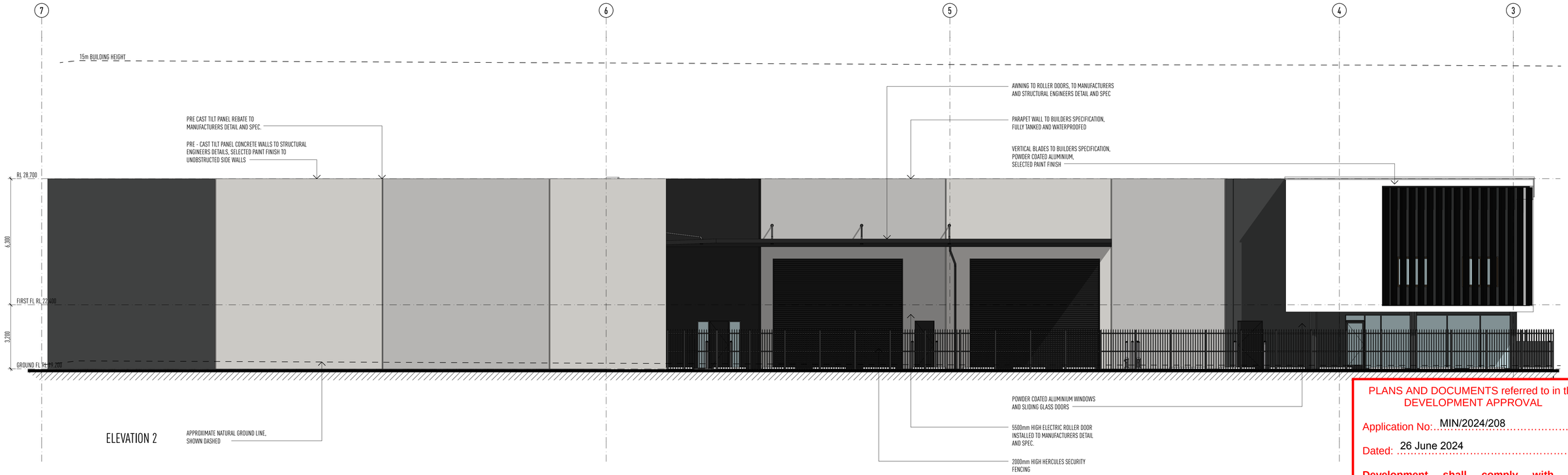


ELEVATION 1



ELEVATION 2

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LOT 117 EASTRIDGE STREET, VANTAGE, YATALA, QLD

FOR
EASTRIDGE 117 PTY LTD

LEVEL 1 33 ELKHORN AVENUE
SURFERS PARADISE, Q. 4217 AUSTRALIA
PO BOX 42
ISLE OF CAPRI, Q. 4217 AUSTRALIA

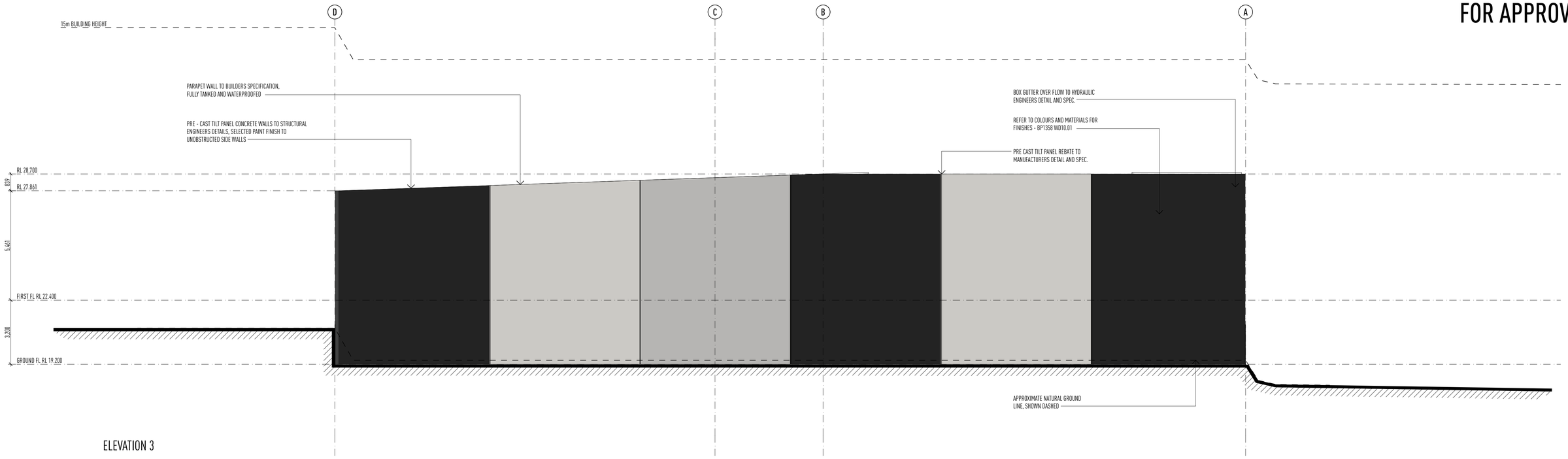
TEL 07 5527 5300
EMAIL INFO@JPD.COM.AU
WEB WWW.JPD.COM.AU

2m 5m 10m

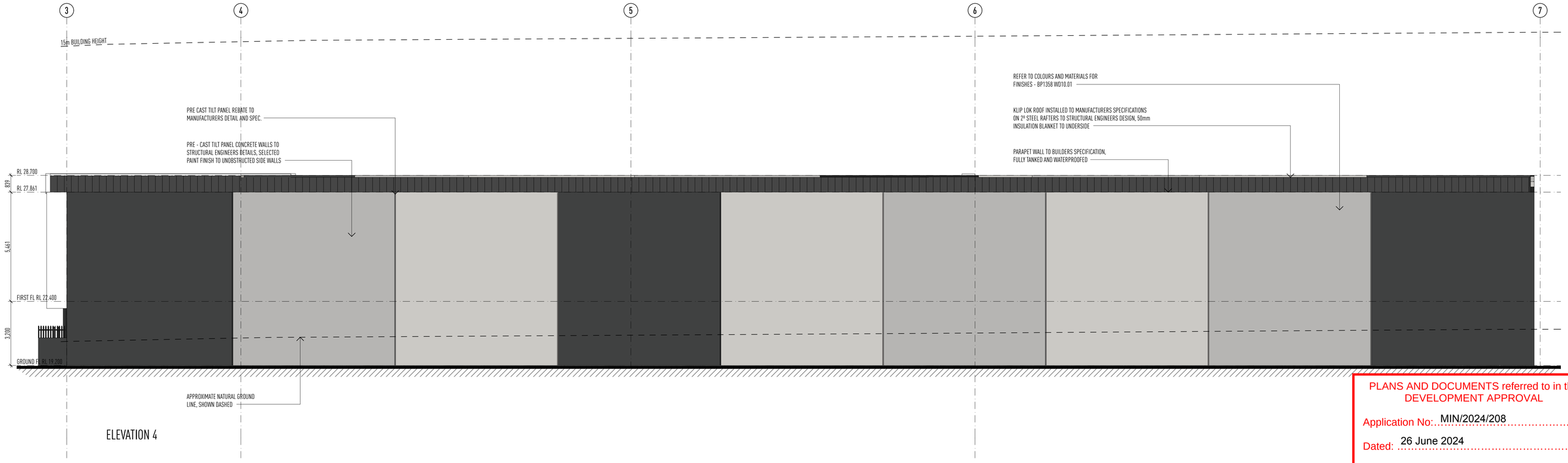
DRAWING ELEVATION 1 & 2		DRAWING No. BP1358/WD/3.01	ISSUE A
DRAWN	CV / KF / RC		
DATE	APRIL '24		
SCALE	1:100 @ A1		

two clicks design

FOR APPROVAL



ELEVATION 3



ELEVATION 4

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/208

Dated: 26 June 2024

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies

ELEVATION 3 & 4 1:100 @ A1

ISSUE	DATE	DESCRIPTION
A	03.04.24	MINOR CHANGE APPLICATION PACKAGE
B	22.04.24	CHANGES TO AREA DIAGRAMS

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PROJECT
PROPOSED NEW DEVELOPMENT
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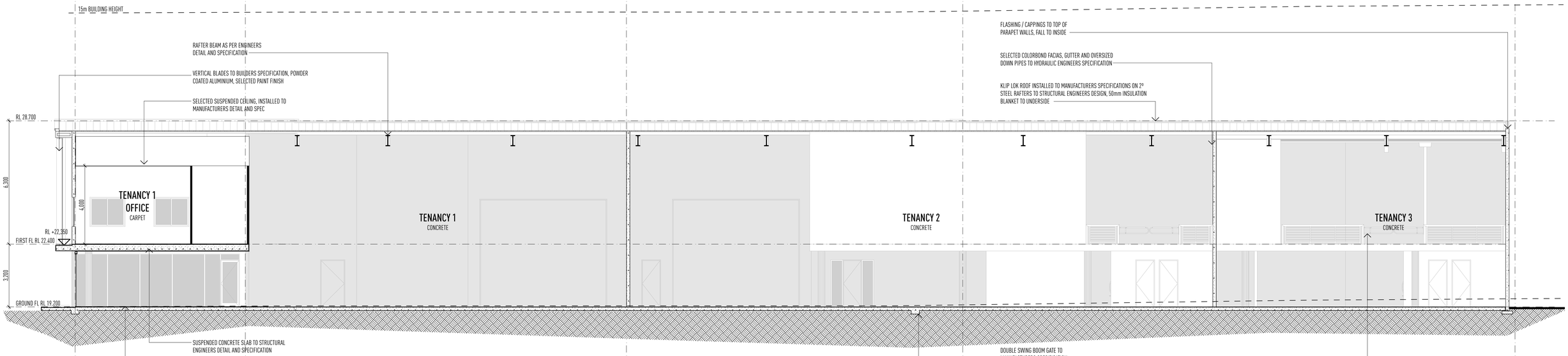
DRAWING	DRAWING No.	ISSUE
ELEVATION 3 & 4	BP1358/WD/3.02	A

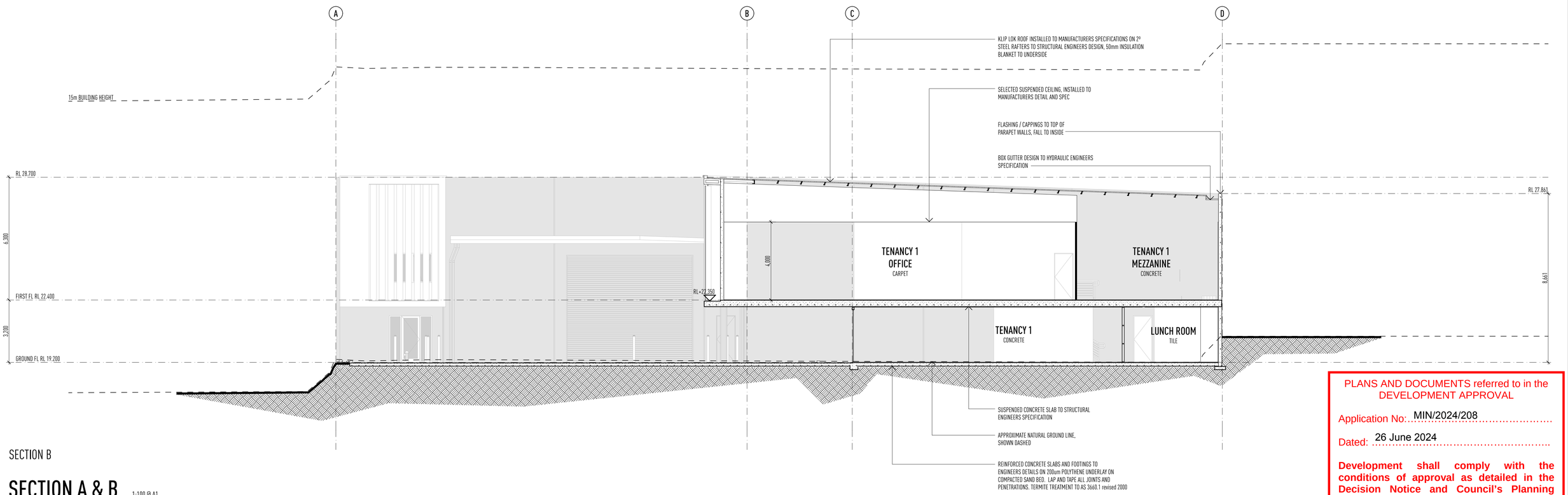
DRAWN	CV / KF / RC
DATE	APRIL '24
SCALE	1:100 @ A1

two clicks design

FOR APPROVAL



SECTION A



SECTION B

SECTION A & B

1:100 @ A1

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/208

Dated: 26 June 2024

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DRAWING
SECTION A & B

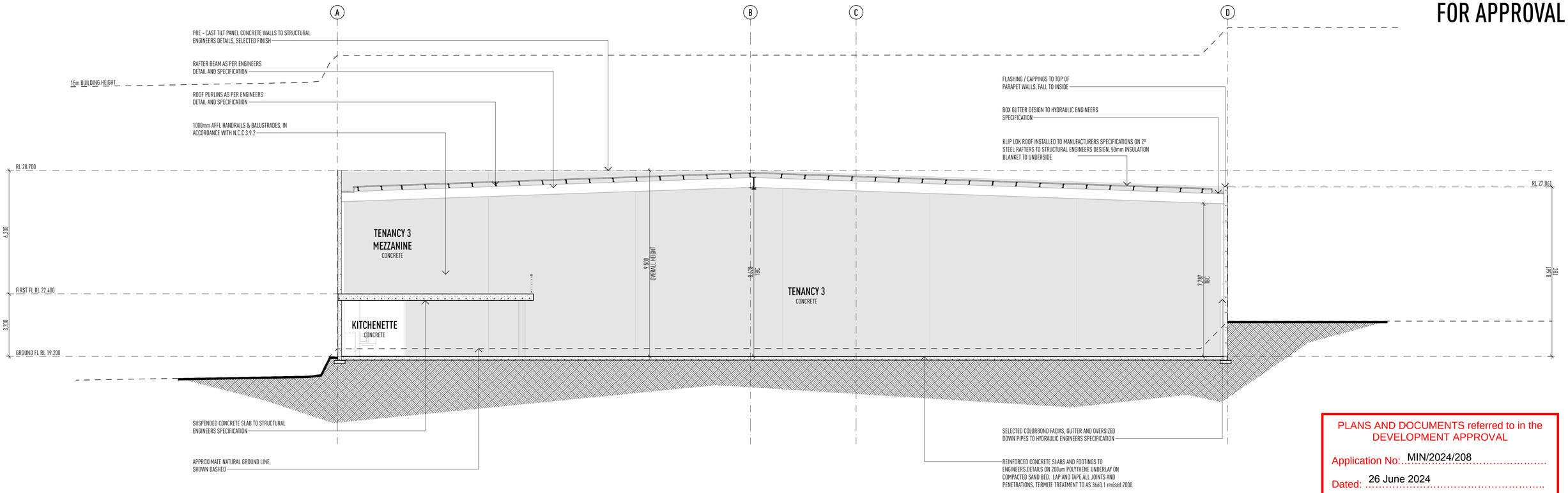
DRAWING No.
BP1358/WD/5.01

ISSUE
A

DRAWN	CV / KF / RC
DATE	APRIL '24
SCALE	1:100 @ A1

two clicks design

FOR APPROVAL



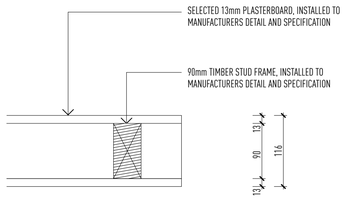
SECTION C

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/208

Dated: 26 June 2024

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies



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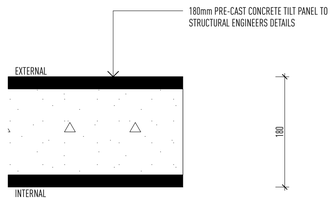

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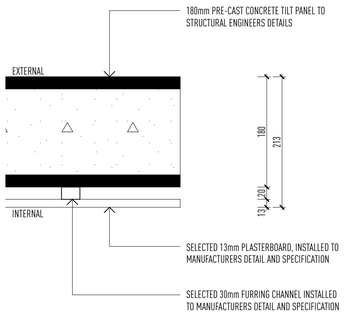

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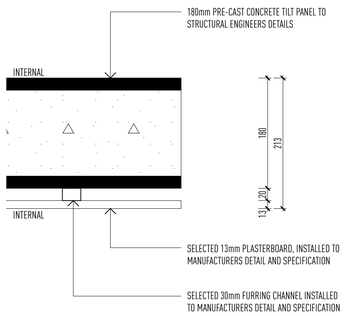

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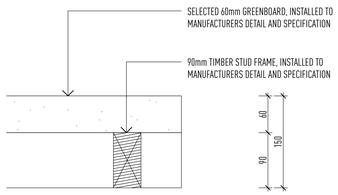

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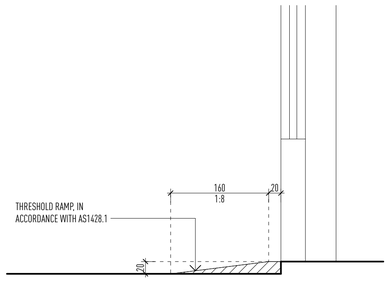

THRESHOLD RAMP 1 : 5

SECTION C & WALL TYPES 1:100, 1:5 @ A1

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DRAWING
SECTION C & WALL TYPES

DRAWING No.
BP1358/**WD**/5.02

ISSUE
A

DRAWN	CV / KF / RC
DATE	APRIL '24
SCALE	1:100, 1:5 @ A1

two clicks design

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2024/208

Dated: 26 June 2024

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies

1	2	3	4	5	6	7	8
Dulux C29 Colorbond® Monument®	Dulux GR12 Silkwort	Dulux GR23 Timeless Grey					
WALLS RENDER 1 DULUX PAINT OR SIMILAR COLOURBOND MONUMENT	WALLS RENDER 1 DULUX PAINT OR SIMILAR SILKWORT	WALLS RENDER 1 DULUX PAINT OR SIMILAR TIMELESS GREY	WALLS RENDER 2 RESENE PAINT OR SIMILAR DOUBLE ALABASTER	WINDOW AND DOOR FRAMES, GATE POWDER COATED - BLACK	ROOF KLIP LOCK ROOF SHEETING POWDER COAT COLOURBOND MONUMENT OR SIMILAR	DRIVEWAY SELECTED CONCRETE FINISH - GREY	ALUMINIUM BATTEN SCREENS, ROLLER DOORS SELECTED ALUMINIUM BATTENS POWDER COAT BLACK

COLOURS AND MATERIALS 1:0.974 @ A1

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DRAWING
COLOURS AND MATERIALS

DRAWING No.
BP1358/WD/10.01

ISSUE
A

DRAWN	CV / KF / RC
DATE	APRIL '24
SCALE	1:0.974 @ A1

two clicks design

ATTACHMENT C

EXISTING PRELIMINARY APPROVAL PACKAGE MIN/2023/64

gassman
development
perspectives
1985

planning
environment
landscape
engineering
survey

Our reference: MIN/2023/64
Your reference: 5941

Decision notice— change application approval including amended suite of development conditions for MIN/2020/659
(Given under section 83(1) of the *Planning Act 2016*.)

The Council of the City of Gold Coast received your change application made under section 78 of the *Planning Act 2016* on 24 February 2023 for the development approval dated 8 December 2020.

Date of decision notice: 23 May 2023

Applicant details

Applicant name:	Frasers Property Australia Pty Ltd
Applicant's contact details:	C/- Gassman Development Perspectives PO Box 392 Beenleigh QLD 4207

Application details

Application number:	MIN/2023/64
Approval sought:	Minor change to a change to a development permit for Preliminary Approval for making a Material Change of Use to override the Planning Scheme for industry uses.
Details of the change:	• Amendments to the Land Use Classification and Staging Plan reflecting changes to amended lot configurations and internal road layout. • Administrative amendment: removal of reference to 'Stage 4' which has been previously removed from the staged development. • Administrative amendment: Amended acoustic report correcting reference made to Lot 109 and 110 as being included within Precinct A.
Original Application number	MCU201100650
Details of original decision	Preliminary Approval for making a Material Change of Use to override the Planning Scheme for industry uses.
Date of original decision	04 March 2013
Date of most recent change application	8 December 2020

Location details

Street address:	1 Homestead Drive, Stapylton Qld 4207
Real property description:	Lot 101 SP316137, Lot 102 SP316137, Lot 111 SP316137, Lot 103 SP316137, Lot 122 SP316137, Lot 104 SP316137, Lot 105 SP316137, Lot 106 SP316137, Lot 121 SP316137, Lot 107 SP316137, Lot 108 SP316137, Lot 109 SP316137, Lot 110 SP316137, Lot 120 SP316137, Lot 504 SP329485, Lot 112 SP316137, Lot 113 SP316137, Lot 114 SP316137, Lot 115 SP316137, Lot 116 SP316137, Lot 117 SP316137, Lot 118 SP316137, Lot 119 SP316137, Lot 503 SP329485, Lot 4 RP6843

Decision

Date of decision:	16 May 2023
Decision details:	Under Delegated Authority, the Executive Coordinator Planning Assessment of the City Development Branch of Council has resolved to approve the change in full and amend the existing conditions of approval.

Affected Entity(s) for the application

Not applicable – no part of the application required referral to an affected entity.

Details of the approval

Preliminary approval overriding the Planning Scheme in accordance with section 242 of the *Sustainable Planning Act 2009*	Minor change to Preliminary Approval for making a Material Change of Use to override the Planning Scheme for industry uses.

Conditions

Amended conditions of approval for preliminary approval, which overrides the Planning Scheme for a material change of use for Industrial uses are enclosed in this notice.

A full suite of development conditions for the development approval is also enclosed in this notice.

Further development permits

The following development permits are required to be obtained before the development can be carried out:

- Development permit;
- Operational works;
- Application to work on the City's Infrastructure.

Notwithstanding the above, other approvals/development permits may be required.

Properly made submissions

Not applicable—No part of the application required public notification.

Approved plans and drawings

Approved plans and drawings reflecting the approved change(s) are attached and are identified in the conditions imposed by Council in the amended suite of development conditions.

Appeal rights

Applicant	You have appeal rights in relation to this decision. An appeal may be made against a responsible entity's decision for a change application. An appeal must be started within 20 business days after this notice is given to you. An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the *Planning Act 2016*, to a development tribunal.

	An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee. An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal. An extract of Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* is attached to this notice, which sets out further information about the appeal rights.

For further information please contact Natasha Sidabutar, Planner, on p: 07 5582 8866 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY

Emily Walsh
A/Supervising Planner (North)
For the Chief Executive Officer
Council of the City of Gold Coast

enc:

New and/or amended conditions imposed by Council, as the Responsible Entity
Amended suite of development conditions for development approval MIN/2023/64

Attach:

Stamped approved plans and drawings for development approval MIN/2023/64
Appeal rights extracts

New and/or amended conditions imposed by Council as the Responsible Entity

Condition 1 currently reads:

1 Approved plans/drawings/documents

Undertake and maintain the development generally in accordance with the following plans/drawings/documents:

Title	Author	Date	Reference No.	Ver.
M38 Industrial Estate Place Code	Gassman Development Perspectives	June 2020	-	-
M38 Industrial Estate Land Use Classification and Staging Plan	Gassman Development Perspectives	18.06.2020	5941 P LU 01	B

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

Condition 1 is changed to read:

1 Approved plans/drawings/documents

Undertake and maintain the development generally in accordance with the following plans/drawings/documents:

Title	Author	Date	Reference No.	Ver.
M38 Industrial Estate Place Code	Gassman Development Perspectives	June 2020	-	-
M38 Industrial Estate Land Use Classification and Staging Plan	Gassman Development Perspectives	23.01.2023	5941 P LU 01	C

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

Condition 2 currently reads:

2 Staged construction of development

a Subject to the changes required by Condition 1 within section B of this Decision Notice, the stages as shown on the following plan are approved (subject to the relevant Operational Works approvals):
  i Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision B, dated 18/06/2020 and prepared by Gassman Development Perspectives.

b The construction of the development must be in sequence of the stages shown on the approved staging plan.

c Deleted.

d Any subsequent proposed amendments to the approved staging plan (including sequence of development) must be approved in writing by the Chief Executive Officer.

Condition 2 is changed to read:

2 Staged construction of development

a Subject to the changes required by Condition 1 within section B of this Decision Notice, the stages as shown on the following plan are approved (subject to the relevant Operational Works approvals):
  i Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision C, dated 23.01.2023 and prepared by Gassman Development Perspectives.

b The construction of the development must be in sequence of the stages shown on the approved staging plan.

c Deleted.

d Any subsequent proposed amendments to the approved staging plan (including sequence of development) must be approved in writing by the Chief Executive Officer.

Condition 9 currently reads:

9 Staged development

In accordance with Condition1 of this Decision Notice the stages as shown on Approved Plan titled Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision B, dated 18/06/2020 and prepared by Gassman Development Perspectives, are approved for the purposes of construction (subject to the relevant Operational Work approvals) and compliance assessment of subdivision plans, subject to the following requirements:

a The future Operational Works application can cover more than one stage. However, the engineering plans must be split into the individual stages shown on the approved staging plan.

b The construction of any approved operational works (including provision of "as constructed" information) and compliance assessment of subdivision plans must be in the sequence (i.e. order) of the stages shown on the approved staging plan. To be clear, the subdivision plan for stage 1 must be approved by Council before (or at the same time as) the stage 2 subdivision plan, and so on.

c Subdivision plans must correspond to the stages as shown on the approved staging plan.

d Any subsequent proposed amendments to the stage boundaries or the sequence of development must be first approved by Council as a change to the reconfiguration of a lot development approval and any operational work development approval.

Condition 9 is changed to read:

9 Staged development

In accordance with Condition1 of this Decision Notice the stages as shown on Approved Plan titled Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision C, dated 23/01/2023 and prepared by Gassman Development Perspectives, are approved for the purposes of construction (subject to the relevant Operational Work approvals) and compliance assessment of subdivision plans, subject to the following requirements:

a The future Operational Works application can cover more than one stage. However, the engineering plans must be split into the individual stages shown on the approved staging plan.

b The construction of any approved operational works (including provision of "as constructed" information) and compliance assessment of subdivision plans must be in the sequence (i.e., order) of the stages shown on the approved staging plan. To be clear, the subdivision plan for stage 1 must be approved by Council before (or at the same time as) the stage 2 subdivision plan, and so on.

c Subdivision plans must correspond to the stages as shown on the approved staging plan.

d Any subsequent proposed amendments to the stage boundaries or the sequence of development must be first approved by Council as a change to the reconfiguration of a lot development approval and any operational work development approval.

Condition 10 currently reads:

10 External Roadworks

Prior to the issue of any development approval associated with the relevant stage, functional road layout plans (including land dedications) must be submitted for the following:

a the upgrade of Christensen Road and Christensen Road South;

b the intersection of Christensen Road South and proposed new road;

c the intersection of Christensen Road and proposed new road;

d the intersection of Christensen Road and the Eastern Service Road;

e the re-prioritisation of the intersection of Christensen Road and Christensen Road South.

The functional road layout plans must be supported by a Traffic Impact Assessment Report, and must be completed at no cost to Council and to the satisfaction of the Chief Executive Officer.

Advice Note: Any identified roadworks supported by Council will be conditioned for construction as part of future development applications.

Condition 10 is changed to read:

11 External Roadworks

Prior to the issue of any development approval associated with the relevant stage, functional road layout plans (including land dedications) must be submitted for the following:

a the upgrade of Christensen Road and Christensen Road South;
b the intersection of Christensen Road and proposed new road;
c the intersection of Christensen Road and the Eastern Service Road;
d the re-prioritisation of the intersection of Christensen Road and Christensen Road South.

The functional road layout plans must be supported by a Traffic Impact Assessment Report and must be completed at no cost to Council and to the satisfaction of the Chief Executive Officer.

Advice Note: Any identified roadworks supported by Council will be conditioned for construction as part of future development applications.

Condition 15 currently reads:

15 Detailed landscape plan to be submitted for approval relating to landscape buffers within Stage 1, 2 and 4.

a A landscape buffer ten (10) metres wide for the length of the western property boundary of Precinct A, six (6) metres wide for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage and twenty (20) metres wide for the length of the eastern boundary of Precinct C, the applicant must submit to Council for approval a detailed landscape plan, by making a development application for operational work (landscape work).

b Approval of proposed landscaping plan must be obtained prior to the commencement of works relating to relating to the corresponding stages, being stages 1, 2 and 4, of this development. The approved landscape work must be completed prior to the commencement of use of any part of the corresponding stage, being stages 1, 2 or 4 of this development.

c Without limiting the requirements of the planning scheme's Landscape Work Specific Development Code, the detailed landscape plan must:

i Be prepared by a qualified landscape architect or similar landscape design professional;

ii Be in general accordance with the Statement of Landscape Intent, being:

Drawing Title	Author	Date	Drawing No.	Ver
Landscape Intent	Gassman Development Perspectives	21 February 2020	1-5	C

iii Reflect the approved layout (including any amendments to that layout required by these conditions) and the conditions of this approval; and

iv Comply with Planning Scheme Policy 13 – Landscape Strategy Part 2 – Landscape Works Documentation Manual.

d The required landscaping plan for the northern boundary must demonstrate

i A landscaped buffer six (6) metres wide for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage; and

ii That the buffers contain dense tree planting to soften and screen the development.

e The required landscaping plan for the western boundary must demonstrate

i A buffer ten (10) metres wide for the length of the western property boundary of Precinct A;

ii A solid fence with a maximum height of 2.4 metres designed and located in accordance with acoustic report prepared by Acoustic Works dated 18 December 2019 (reference: 2019338 R01B), located wholly within the subject site, for the length of the western property boundary of Precinct A. The fence must be of a durable fencing material with a minimum life span of 20 years. The fencing material and colour must be nominated;

iii Dense tree planting, at grade, with a minimum width of three (3) metres along the western boundary for the entire length of Precinct A;

iv Where a minimum batter of 1V:3H can be achieved, landscaping must be provided within the entire ten (10) metre width;
v Maximum batter grade of 1V:1.1H within the remaining seven (7) metres.

f The required landscaping plan for the eastern boundary must demonstrate
i A landscape buffer with a minimum width of twenty (20) metres for the entire length of the eastern property boundary, within Precinct C;
ii That the buffer contains dense tree planting to soften and screen the development;
iii An undisturbed corridor with a width of ten (10) metres from the boundary, where all existing vegetation is retained and no earthworks are permitted to encroach;
iv Earthworks, where required, must not encroach the ten (10) metre undisturbed corridor;
v All batters proposed within the buffer area have a maximum grade of 1V:2H where the batter is within fill and 1V:3H where the batter is within cut. The cut batter may have a maximum grade of 1V:2H, provided it is over-excavated, micro-benched and incorporates a minimum 400mm soil depth, as per correspondence from Douglas Partners, Project 90520.00. L.002.docx, Dated 24 January 2019 titled Batter Treatment.

Condition 15 is changed to read:

15 Detailed landscape plan to be submitted for approval relating to landscape buffers within Stage 1, 2 and 3.

a A landscape buffer ten (10) metres wide for the length of the western property boundary of Precinct A, six (6) metres wide for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage and twenty (20) metres wide for the length of the eastern boundary of Precinct C, the applicant must submit to Council for approval a detailed landscape plan, by making a development application for operational work (landscape work).

b Approval of proposed landscaping plan must be obtained prior to the commencement of works relating to relating to the corresponding stages, being stages 1, 2 and 3, of this development. The approved landscape work must be completed prior to the commencement of use of any part of the corresponding stage, being stages 1, 2 or 3 of this development.

c Without limiting the requirements of the planning scheme's Landscape Work Specific Development Code, the detailed landscape plan must:
i Be prepared by a qualified landscape architect or similar landscape design professional;
ii Be in general accordance with the Statement of Landscape Intent, being:

Drawing Title	Author	Date	Drawing No.	Ver
Landscape Intent	Gassman Development Perspectives	21 February 2020	1-5	C

iii Reflect the approved layout (including any amendments to that layout required by these conditions) and the conditions of this approval; and
iv Comply with Planning Scheme Policy 13 – Landscape Strategy Part 2 – Landscape Works Documentation Manual.

d The required landscaping plan for the northern boundary must demonstrate
i A landscaped buffer six (6) metres wide for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage; and
ii That the buffers contain dense tree planting to soften and screen the development.

e The required landscaping plan for the western boundary must demonstrate
i A buffer ten (10) metres wide for the length of the western property boundary of Precinct A;
ii A solid fence with a maximum height of 2.4 metres designed and located in accordance with acoustic report prepared by Acoustic Works dated 19 January 2023 (reference: 2019338 R01C), located wholly within the subject site, for the length of the western

property boundary of Precinct A. The fence must be of a durable fencing material with a minimum life span of 20 years. The fencing material and colour must be nominated;

iii Dense tree planting, at grade, with a minimum width of three (3) metres along the western boundary for the entire length of Precinct A;

iv Where a minimum batter of 1V:3H can be achieved, landscaping must be provided within the entire ten (10) metre width;

v Maximum batter grade of 1V:1.1H within the remaining seven (7) metres.

f The required landscaping plan for the eastern boundary must demonstrate

i A landscape buffer with a minimum width of twenty (20) metres for the entire length of the eastern property boundary, within Precinct C;

ii That the buffer contains dense tree planting to soften and screen the development;

iii An undisturbed corridor with a width of ten (10) metres from the boundary, where all existing vegetation is retained and no earthworks are permitted to encroach;

iv Earthworks, where required, must not encroach the ten (10) metre undisturbed corridor;

v All batters proposed within the buffer area have a maximum grade of 1V:2H where the batter is within fill and 1V:3H where the batter is within cut. The cut batter may have a maximum grade of 1V:2H, provided it is over-excavated, micro-benched and incorporates a minimum 400mm soil depth, as per correspondence from Douglas Partners, Project 90520.00. L.002.docx, Dated 24 January 2019 titled Batter Treatment.

Condition 24 currently reads:

24 Transfer of open space

a The applicant must transfer to Council the areas of public open space listed below, as identified on the plans indicated (subject to any amendments required by these conditions):

Purpose	Description on Plan	Plan Reference
Conservation Area	Area D – Open Space/Reserve	Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision B, dated 18/06/2020 and prepared by Gassman Development Perspectives.

b The land identified in paragraph (a) must be transferred in fee simple as 'Public Open Space' to Council of the City of Gold Coast as Trustee.

c Council will hold the land in trust for community infrastructure and may use the land, or permit the land to be used, for purposes that do not compromise the purpose for which the land is dedicated.

d The applicant must lodge the transfer documents with Council at the same time as lodgement of the subdivision plans for Stage 4 or, if no subdivision plans are required, prior to the commencement of any use within Stage 4 of this development.

e Where subdivision plans are required, the applicant must provide Council with evidence of the transfer of the land identified in paragraph (a) within 30 days of the registration of the subdivision plan that shows the entirety of the land identified in paragraph (a).

f The transfer of the land to Council must be at no cost to Council.

Condition 24 is changed to read:

24 Transfer of open space

a The applicant must transfer to Council the areas of public open space listed below, as identified on the plans indicated (subject to any amendments required by these conditions):

Purpose	Description on Plan	Plan Reference
Conservation Area	Area D – Open Space/Reserve	Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision C, dated 23/01/2023 and prepared by Gassman Development Perspectives.

b The land identified in paragraph (a) must be transferred in fee simple as 'Public Open Space' to Council of the City of Gold Coast as Trustee.

c Council will hold the land in trust for community infrastructure and may use the land, or permit the land to be used, for purposes that do not compromise the purpose for which the land is dedicated.

d The applicant must lodge the transfer documents with Council at the same time as lodgement of the subdivision plans for Stage 3 or, if no subdivision plans are required, prior to the commencement of any use within Stage 3 of this development.

e Where subdivision plans are required, the applicant must provide Council with evidence of the transfer of the land identified in paragraph (a) within 30 days of the registration of the subdivision plan that shows the entirety of the land identified in paragraph (a).

f The transfer of the land to Council must be at no cost to Council.

Condition 25 currently reads:

25 Preparation of open space management plan (OSMP) to be submitted for approval addressing all areas of land to be transferred to Council as public open space

a An Open Space Management Plan ('OSMP') must be prepared, addressing all areas of land to be transferred to Council, specifically the area of land south of Christensen Road to be dedicated to Council as public open space.

b The OSMP must be submitted and approved by the Chief Executive Officer prior to the approval of any development permit for operational works (change to ground level, bulk earthworks, tree works, landscaping, whichever comes first) within Stage 4 of this development. The OSMP is not an approved report until a Council approved letter has been issued in respect of it.

c The OSMP must be prepared by a suitably qualified professional and must be:

ii In accordance with Council's Open Space Management Guideline: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007, Version 1); and

iii Generally in accordance with:

A The approved reconfiguration layout (including any amendments required by these conditions).

B Relevant conditions of approval.

d The submitted OSMP must demonstrate compliance with the Open Space requirements in Section 6 of the Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings and must address the following site-specific issue:

ii Detail a rehabilitated sixty (60) metre buffer from the high bank of Sandy Creek.

Condition 25 is changed to read:

25 Preparation of open space management plan (OSMP) to be submitted for approval addressing all areas of land to be transferred to Council as public open space

a An Open Space Management Plan ('OSMP') must be prepared, addressing all areas of land to be transferred to Council, specifically the area of land south of Christensen Road to be dedicated to Council as public open space.

b The OSMP must be submitted and approved by the Chief Executive Officer prior to the approval of any development permit for operational works (change to ground level, bulk earthworks, tree works, landscaping, whichever comes first) within Stage 3 of this development. The OSMP is not an approved report until a Council approved letter has been issued in respect of it.

c The OSMP must be prepared by a suitably qualified professional and must be:

i In accordance with Council's Open Space Management Guideline: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007, Version 1); and

ii Generally in accordance with:

A The approved reconfiguration layout (including any amendments required by these conditions).

B Relevant conditions of approval.

d The submitted OSMP must demonstrate compliance with the Open Space requirements in Section 6 of the Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings and must address the following site-specific issue:

i Detail a rehabilitated sixty (60) metre buffer from the high bank of Sandy Creek.

Condition 26 currently reads:

26 Compliance assessment of OSMP

The OSMP is a document requiring compliance assessment under the Sustainable Planning Act 2009. A request for compliance assessment must be made in accordance with the Sustainable Planning Act 2009 for a compliance certificate approving the document, in accordance with the following:

Matters or things against which the document must be assessed	• The planning scheme's Landscape Works Specific Development Code; • The planning scheme's Vegetation Management Specific Development Code; • The planning scheme's Bushfire Management Areas Constraint Code; • The planning scheme's Canals and Waterways Constraint Code; • The planning scheme's Cultural Heritage (Indigenous) Constraint Code; • The planning scheme's Natural Wetland Areas and Natural Waterways Constraint Code; • The planning scheme's Nature Conservation Constraint Code; • Policy 10 – Guidelines for Preparing Management Plans and Plans of Development; • Planning Scheme Policy 11 – Land Development Guidelines; • Planning Scheme Policy 17 – Site Analysis; and • Council's Open Space Management Guideline: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007, Version 1).
Compliance assessor	Gold Coast City Council
When the request for compliance assessment must be made	Prior to the approval of any development applications for operational work (inclusive of change to ground level, works for infrastructure, vegetation clearing or landscape work) for Stage 4.

The OSMP is not an approved report until a compliance certificate has been issued in respect of it.

Condition 26 is changed to read:

26 Compliance assessment of OSMP

The OSMP is a document requiring compliance assessment under the Sustainable Planning Act 2009. A request for compliance assessment must be made in accordance with the Sustainable

Planning Act 2009 for a compliance certificate approving the document, in accordance with the following:

Matters or things against which the document must be assessed	• The planning scheme's Landscape Works Specific Development Code; • The planning scheme's Vegetation Management Specific Development Code; • The planning scheme's Bushfire Management Areas Constraint Code; • The planning scheme's Canals and Waterways Constraint Code; • The planning scheme's Cultural Heritage (Indigenous) Constraint Code; • The planning scheme's Natural Wetland Areas and Natural Waterways Constraint Code; • The planning scheme's Nature Conservation Constraint Code; • Policy 10 – Guidelines for Preparing Management Plans and Plans of Development; • Planning Scheme Policy 11 – Land Development Guidelines; • Planning Scheme Policy 17 – Site Analysis; and • Council's Open Space Management Guideline: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007, Version 1).
Compliance assessor	Gold Coast City Council
When the request for compliance assessment must be made	Prior to the approval of any development applications for operational work (inclusive of change to ground level, works for infrastructure, vegetation clearing or landscape work) for Stage 3.

The OSMP is not an approved report until a compliance certificate has been issued in respect of it.

Condition 27 currently reads:

27 Compliance certificate with future operational work development applications

A copy of compliance certificate for the OSMP must be provided with any future operational work development applications for Stage 4.

Condition 27 is changed to read:

27 Compliance certificate with future operational work development applications

A copy of compliance certificate for the OSMP must be provided with any future operational work development applications for Stage 3.

Condition 30 currently reads:

30 Acoustic report

a The development must be designed and constructed in accordance with all recommendations outlined in acoustic report prepared by Acoustic Works dated 18 December 2019 (reference: 2019338).

b Any alteration to the design or construction of the development that prevents the recommendations of the approved acoustic report being implemented will require an amended acoustic report to be submitted and approved by Council prior to Building Approval.

c Hours of operation within Precinct A are restricted to between 7:00am and 8:00pm Monday to Friday.

Condition 30 is changed to read:

30 Acoustic report

a The development must be designed and constructed in accordance with all recommendations outlined in acoustic report prepared by Acoustic Works dated 19 January 2023 (reference: 2019338 R01C).

b Any alteration to the design or construction of the development that prevents the recommendations of the approved acoustic report being implemented will require an amended acoustic report to be submitted and approved by Council prior to Building Approval.

c Hours of operation within Precinct A are restricted to between 7:00am and 8:00pm Monday to Friday.

Condition 31 currently reads:

31 Acoustic barrier

A continuous line of buildings adjacent to the full extent of the western property boundary adjoining the residential development as per the recommendations within approved acoustic report prepared by Acoustic Works dated 18 December 2019 (reference: 2019338) is to be provided ensuring the following treatment is incorporated:

a Buildings to be a minimum 5m high;

b No gaps to be present between buildings;

c Buildings to be constructed of solid concrete or masonry with a minimum thickness of 100mm;

d No openings (other than emergency doors) are to be located on the western façade facing the residential properties. Any doors are to be a minimum 45mm thick solid core door with a minimum density of 25kg/m² with acoustic gasket seals around the top and sides and a seal the base;

e Insulation blanket is to be installed in the roof of the buildings with a minimum thickness of 75mm;

f Any penetrations through the western building façade should be acoustically treated to ensure the acoustic rating is maintained; and

g Any alteration to the design or construction of the development that prevents the above recommendations being implemented will require an amended acoustic report to be submitted and approved by Council prior to Building Approval.

Condition 31 is changed to read:

31 Acoustic barrier

A continuous line of buildings adjacent to the full extent of the western property boundary adjoining the residential development as per the recommendations within approved acoustic report prepared by Acoustic Works dated 19 January 2023 (reference: 2019338 R01C) is to be provided ensuring the following treatment is incorporated:

a Buildings to be a minimum 5m high;

b No gaps to be present between buildings;

c Buildings to be constructed of solid concrete or masonry with a minimum thickness of 100mm;

d No openings (other than emergency doors) are to be located on the western façade facing the residential properties. Any doors are to be a minimum 45mm thick solid core door with a

minimum density of 25kg/m² with acoustic gasket seals around the top and sides and a seal the base;

e Insulation blanket is to be installed in the roof of the buildings with a minimum thickness of 75mm;

f Any penetrations through the western building façade should be acoustically treated to ensure the acoustic rating is maintained; and

g Any alteration to the design or construction of the development that prevents the above recommendations being implemented will require an amended acoustic report to be submitted and approved by Council prior to Building Approval.

Condition 33 currently reads:

33 Certificate of Compliance

Prior to occupation of any premise within Precinct A of the development, a Certificate of Compliance from a suitably qualified acoustic professional is to be provided so as to confirm that buildings have been constructed in accordance with the recommendations within approved acoustic report prepared by Acoustic Works dated 18 December 2019 (reference: 2019338).

Condition 33 is changed to read:

33 Certificate of Compliance

Prior to occupation of any premise within Precinct A of the development, a Certificate of Compliance from a suitably qualified acoustic professional is to be provided so as to confirm that buildings have been constructed in accordance with the recommendations within approved acoustic report prepared by Acoustic Works dated 19 January 2023 (reference: 2019338 R01C).

Condition 53 currently reads:

53 General wastewater servicing arrangement

Unless otherwise determined by Gold Cast Water, the wastewater servicing arrangements shall be generally in accordance with the following:

a Connect Stage 1 to Council's existing live 100mm diameter sewer rising main located within the southern verge of Stapylton Jacobs Well Road via an interim trunk sewer pump station to be contained within the Stage 1 road reserve extent (refer to drawing no. 5941 ENG EXTSEW SK003 Rev B prepared by Gassman Development Perspectives dated 12-11-2020);

b The balance of Stage 2, Stage 3 and Stage 4 shall gravitate into Council's future trunk wastewater network located on the Christensen Road frontage of the subject site.

Condition 53 is changed to read:

53 General wastewater servicing arrangement

Unless otherwise determined by Gold Cast Water, the wastewater servicing arrangements shall be generally in accordance with the following:

a Connect Stage 1 to Council's existing live 100mm diameter sewer rising main located within the southern verge of Stapylton Jacobs Well Road via an interim trunk sewer pump station to be contained within the Stage 1 road reserve extent (refer to drawing no. 5941 ENG EXTSEW SK003 Rev B prepared by Gassman Development Perspectives dated 12-11-2020);

b The balance of Stage 2, and Stage 3 shall gravitate into Council's future trunk wastewater network located on the Christensen Road frontage of the subject site.

Condition 54 currently reads:

54 Connection point

The applicant must submit to Gold Coast Water and obtain approval prior to making any development application for a Development Permit or Building Work:

a Pump Station BE45 catchment (part of Stage 1):

i Demonstrate development can be connected by gravity to BE45,

b Proposed new pump station near Stapylton-Jacobs Well Road (balance of Stage 1 and part of Stage 2 that's drains to this new pump station):

i Demonstrate that downstream wastewater infrastructure has sufficient capacity to accommodate the new wastewater pump station;

ii Demonstrate an ability to deliver the new wastewater pump station in time to service the proposed development.

c Long Term Strategy (balance of Stage 2, Stage 3 and Stage 4):

i Demonstrate that balance of Stage 2 and Stage 3 gravitate to Stage 4; and

ii Demonstrate that downstream wastewater infrastructure has sufficient capacity to accommodate the development.

Note: The development is out of sequence in respect of wastewater services. The wastewater network scenario may change as a result of the future planning of the Beenleigh, Stapylton and Pimpama Wastewater Treatment plants. The applicant is advised to liaise with Gold Coast Water.

Condition 54 is changed to read:

54 Connection point

The applicant must submit to Gold Coast Water and obtain approval prior to making any development application for a Development Permit or Building Work:

a Pump Station BE45 catchment (part of Stage 1):

i Demonstrate development can be connected by gravity to BE45,

b Proposed new pump station near Stapylton-Jacobs Well Road (balance of Stage 1 and part of Stage 2 that's drains to this new pump station):

i Demonstrate that downstream wastewater infrastructure has sufficient capacity to accommodate the new wastewater pump station;

ii Demonstrate an ability to deliver the new wastewater pump station in time to service the proposed development.

c Long Term Strategy (balance of Stage 2, and Stage 3):

i Demonstrate that balance of Stage 2 gravitates to Stage 3; and

ii Demonstrate that downstream wastewater infrastructure has sufficient capacity to accommodate the development.

Note: The development is out of sequence in respect of wastewater services. The wastewater network scenario may change as a result of the future planning of the Beenleigh, Stapylton and Pimpama Wastewater Treatment plants. The applicant is advised to liaise with Gold Coast Water.

Property Notification A currently reads:

A Noise/Acoustic

There are development approval conditions applicable in relation to acoustic issues on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast's Decision Notice MIN/2019/762. A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline

Property Notification A is changes reads:

A Noise/Acoustic

There are development approval conditions applicable in relation to acoustic issues on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast's Decision Notice MIN/2023/64. A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline

Amended suite of development conditions for development approval MIN/2023/64

For ease of reference only, a consolidated set of the conditions, incorporating the above changes, of the of the Preliminary Approval dated 30 June 2020 for making a Material Change of Use to override the Planning Scheme for Industry uses is set out below:

NATURE OF DECISION

A Under Delegated Authority the Manager of the City Development Branch decides as follows in respect of the applicant's representations:

B Under Delegated Authority the Manager of the City Development Branch gives a new decision notice approving the issue of preliminary approval for material change of use to override the Planning Scheme for Industry Uses, subject to the following conditions:

1 The issue of a preliminary approval for a material change of use for Industry land uses;

2 The following variations to the effect of the planning scheme:

a Type of assessment

The following tables of development vary the effect of Section A/B/C/D/E/F/G of the Yatala Enterprise Area Local Area Plan Table of Development for determining the type of assessment for the approved material change of use and operational work relating to the approved material change of use:

A: Material Change of Use

Exempt	Self Assessable	Code Assessable	Impact Assessable
Precinct A (Low Impact and Service Industry)			
Agriculture Animal Husbandry Conservation (natural area management) Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Park Public Utility	Café Car Park Convenience Shop Low Impact Industry Milk Depot Service Industry Take-Away Food Premises Temporary Use Warehouse	Bulk Garden Supplies Caretakers Residence Estate Sales Office ~~Family Accommodation~~ Food Industry Industry Manufacturer's Shop Outdoor Storage Area Rural Industry Telecommunications Facilities n.e.i.	Motor Vehicle Repairs n.e.i Salvage Yard Service Station Transport Terminal

Precinct B (General Impact Business and Industry)			
Agriculture Animal Husbandry Conservation (natural area management) Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Park Public Utility	Café Car Park Convenience Shop Industry Low Impact Industry Manufacturer's Shop Milk Depot Outdoor Storage Area Service Industry Take-Away Food Premises Temporary Use Warehouse	Bulk Garden Supplies Caretakers Residence Food Industry Rural Industry Telecommunications Facilities n.e.i. Transport Terminal	Motor Vehicle Repairs n.e.i Salvage Yard Service Station

Precinct C (Limited General Impact Business and Industry)			
Agriculture Animal Husbandry Conservation (natural area management) Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use ~~Park~~ Public Utility	Car Park Industry Low Impact Industry Manufacturer's Shop Outdoor Storage Area Service Industry Temporary Use Warehouse	Bulk Garden Supplies ~~Caretakers Residence~~ Rural Industry Telecommunications Facilities n.e.i Transport Terminal	~~Café~~ ~~Convenience Shop~~ ~~Food Industry~~ ~~Milk Depot~~ Motor Vehicle Repairs n.e.i Salvage Yard ~~Service Station~~ ~~Take-Away Food Premises~~
Precinct D (Open Space/Reserve)			
Conservation (natural area management) Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Park Public Utility	Temporary Use	Telecommunications Facility n.e.i	Agriculture

B: OPERATIONAL WORKS - CHANGE TO GROUND LEVEL

Exempt	Self Assessable	Code Assessable	Impact Assessable
Operational Work that involves extraction, excavation or fill that:			
		Exceeds a volume of 100 cubic metres of fill or excavation, or is closer than 20 metres from the allotment boundary and is within or adjoins an allotment containing places, sites, or landscapes of indigenous cultural heritage significance listed on the Queensland Heritage Register – Cultural Records (Landscapes Queensland and Queensland Estate) Act 1987; OR is located on land which is the subject of a native title claim; OR Is located on land that is known to the owner and/or the developer to be of indigenous cultural heritage value	

C: OPERATIONAL WORKS - ADVERTISING DEVICE

Exempt	Self Assessable	Code Assessable	Impact Assessable
	Advertising Device that is: a) not illuminated, nor animated, and where the total area of signage per street frontage does not exceed the following for each precinct: Precinct A:20 m² b) not on land with frontage to an arterial road or any State controlled road	Advertising Devices n.e.i.	

D: OPERATIONAL WORKS - INFRASTRUCTURE AND LANDSCAPE WORK

Exempt	Self Assessable	Code Assessable	Impact Assessable
Minor Landscape Work		Landscape Work n.e.i. Works for Infrastructure	

E: OPERATIONAL WORKS - VEGETATION CLEARING

Exempt	Self Assessable	Code Assessable	Impact Assessable
Precinct A and B and C (Low Impact and Service Industry, General Impact Business and Industry and Limited General Impact Business and Industry)			
	Results in the removal of, or damage to, vegetation that is equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level, and complies with the Acceptable Solutions of Specific Development Code 36 – Vegetation Management; OR Results in the removal of, or damage to, vegetation that is equal to, or in excess of, four metres in height, and complies with the Acceptable Solutions of Specific Development Code 36 – Vegetation Management.	Results in the removal of, or damage to, vegetation that is equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level, and provides an alternative solution to the Acceptable Solutions of Specific Development Code 36 – Vegetation Management; OR Results in the removal of, or damage to, vegetation that is equal to, or in excess of, four metres in height, and provides an alternative solution to the Acceptable Solutions of Specific Development Code 36 – Vegetation Management; or Results in the removal of, or damage to the existing wedge-tailed eagles nest (Aquila audax) in the north eastern corner of Precinct C, which is not in accordance with the vegetation removal requirements detailed in the approved relocation plan required by the conditions of this Development Permit.	

F: RECONFIGURATION OF A LOT

Exempt	Self Assessable	Code Assessable	Impact Assessable
Precinct A and B (Low Impact and Service Industry and General Impact Business and Industry)			
		Results in no lots with an area less than 2,000m²; OR Entails only a Community Title Subdivision (including Standard Format Plan and/or Volumetric Lots), or a Volumetric Lot within a building, or a leasehold subdivision of an existing approved development	
Precinct C (Limited General Impact business and Industry)			
		Results in no lots with an area less than 10,000m².	
Precinct D (Open Space/Reserve)			
		Results in no lots with an area less than 20 hectares; OR Entails only a Community Title Subdivision (including Standard Format Plans and/or Volumetric Lots), or a Volumetric Lot within a building, or a leasehold subdivision of an existing or approved development.	

b Codes varying the effect of the planning scheme

Subject to the amendments listed in this Decision Notice, the following code varies the effect of the planning scheme code/s listed for the approved material change of use:

New Code	Existing code varied by new code
Generations Industrial Park Place Code	Yatala Enterprise Area Local Area Plan

c The Preliminary Approval pursuant to section 242 of SPA 2009 does not seek to override any further Specific Development Codes or Constraint Codes of the Gold Coast Planning Scheme 2003, version 1.2.

C The conditions that attach to this preliminary approval are as follows:

APPROVED PLANS/DRAWINGS/DOCUMENTS

1 Approved plans/drawings/documents

Undertake and maintain the development generally in accordance with the following plans/drawings/documents:

Title	Author	Date	Reference No.	Ver.
M38 Industrial Estate Place Code	Gassman Development Perspectives	June 2020	-	-
M38 Industrial Estate Land Use Classification and Staging Plan	Gassman Development Perspectives	23/01/2023	5941 P LU 01	C

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

2 Staged construction of development

a Subject to the changes required by Condition 1 within section B of this Decision Notice, the stages as shown on the following plan are approved (subject to the relevant Operational Works approvals):

i Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision C, dated 23/01/2023 and prepared by Gassman Development Perspectives.

b The construction of the development must be in sequence of the stages shown on the approved staging plan.

c Deleted.

d Any subsequent proposed amendments to the approved staging plan (including sequence of development) must be approved in writing by the Chief Executive Officer.

3 Decision notice and approved plans/drawings to be submitted with subsequent application

A copy of this decision notice and accompanying stamped approved plans/drawings must be submitted with any building development application or operational works application relating to or arising from this development approval.

4 Any deviations require further approval

Any proposed deviation from the approved plans/drawings as a result of on-site or in-situ conditions must not be made unless amended plans/drawings are submitted and approved by Council. The development must be carried out in accordance with the approved amended plans/drawings.

ADVERTISING

5 Advertising device

No advertising device is to be placed on the premises without the necessary development permit for operational work (advertising device) and/or approval under Council's Local Law No.16 (Licensing) 2008 and Subordinate Local Law No. 16.8 (Advertisement) 2008. The Applicant should contact Council's Health, Regulatory and Lifeguard Services Branch on (07) 5581 6668 to discuss approval requirements.

AMENITY

6 No nuisance from lighting

All lighting devices must be positioned on the premises and shielded to the satisfaction of the Chief Executive Officer so as not to cause glare or other nuisance to surrounding development and motorists

7 Restricted paint colours

Buildings and structures must not be painted in highly reflective, bright or obtrusive colours.

8 Location of equipment and ventilation/air-condition units

All service equipment, mechanical ventilation and air-condition units associated with the use of the premises must be installed and located to the satisfaction of the Chief Executive Officer so as not to cause nuisance or disturbance to persons outside the curtilage of the premises.

CITY TRANSPORT

9 Staged development

In accordance with Condition1 of this Decision Notice the stages as shown on Approved Plan titled Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision C, dated 23/01/2023 and prepared by Gassman Development Perspectives, are approved for the purposes of construction (subject to the relevant Operational Work approvals) and compliance assessment of subdivision plans, subject to the following requirements:

a The future Operational Works application can cover more than one stage. However, the engineering plans must be split into the individual stages shown on the approved staging plan.

b The construction of any approved operational works (including provision of "as constructed" information) and compliance assessment of subdivision plans must be in the sequence (i.e., order) of the stages shown on the approved staging plan. To be clear, the subdivision plan for stage 1 must be approved by Council before (or at the same time as) the stage 2 subdivision plan, and so on.

c Subdivision plans must correspond to the stages as shown on the approved staging plan.

d Any subsequent proposed amendments to the stage boundaries or the sequence of development must be first approved by Council as a change to the reconfiguration of a lot development approval and any operational work development approval.

10 External Roadworks

Prior to the issue of any development approval associated with the relevant stage, functional road layout plans (including land dedications) must be submitted for the following:

a the upgrade of Christensen Road and Christensen Road South;

b the intersection of Christensen Road and proposed new road;

c the intersection of Christensen Road and the Eastern Service Road;

d the re-prioritisation of the intersection of Christensen Road and Christensen Road South.

The functional road layout plans must be supported by a Traffic Impact Assessment Report and must be completed at no cost to Council and to the satisfaction of the Chief Executive Officer.

Advice Note: Any identified roadworks supported by Council will be conditioned for construction as part of future development applications.

11 Land dedication for road widening

Land must be dedicated to Council for road widening purposes. All land to be dedicated to Council must be completed at no cost to Council and to the satisfaction of the Chief Executive Officer, the timing of which will be determined as part of each subsequent application.

ACID SULFATE SOILS AND GROUNDWATER

12 Approved acid sulfate soil management plan must be complied with

a All works must be undertaken with due regard to the possibility of encountering acid sulfate soils.

b The applicant must comply with the approved acid sulfate soil management plan, being Acid Sulfate Soil investigation, Lot 1 on RP 6882 and Lot 240 on W31320 Stapylton Jacobs Well Road and Christensen Road, Stapylton, prepared by ADG consulting and dated August 2011, in the carrying out of works and in the testing, treatment and management of acid sulfate soils.

VEGETATION MANAGEMENT

13 Staged tree clearing

Tree clearing onsite must be staged in accordance with the approved staging development plan as required by Condition no.1 of this Decision Notice.

14 Vegetation works OPW application required

This approval does not approve vegetation clearing or damage. Prior to commencement of such works, a development application for operational work (vegetation works) must be made to and approved by Council for any works proposing clearing or damage to any Protected Vegetation. The application must be accompanied by a copy of each of the following plans (and, where a plan has already been approved, that plan must be accompanied by the corresponding approval documentation (i.e., decision notice or letter of approval)):

a The approved MCU layout plan.

b The approved bushfire management plan/site specific Bushfire Hazard letter.

c Plans clearly identifying which vegetation is proposed to be removed and which vegetation is proposed to be retained.

d A letter from an EPA-approved spotter-catcher together with any necessary fauna management plan or a QPWS-endorsed fauna translocation management plan.

e A sediment and erosion control and construction management plan.

For this condition 'Protected Vegetation' is defined as vegetation that is:

i equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level irrespective of the domain or LAP; or

ii equal to, or in excess of, four metres in height in the Rural, Park Living or Emerging Communities Domains, Burleigh Ridge LAP, Coomera LAP (Precincts 7, 9 and 10), Coomera Town Centre (Precincts 8, 10 and 11), Currumbin Hill LAP, Eagleby LAP (Precinct 6), East Coomera/Yawalpah Conservation LAP, Guragunbah LAP, Hope Island LAP (Precinct 3), Mudgeeraba Village LAP, Nerang LAP (Precincts 9 and 10), South Stradbroke LAP, Uplands Dr and Woodlands Way LAP, West Burleigh Township LAP or Yatala Enterprise Area LAP.

LANDSCAPING

15 Detailed landscape plan to be submitted for approval relating to landscape buffers within Stage 1, 2 and 3.

a A landscape buffer ten (10) metres wide for the length of the western property boundary of Precinct A, six (6) metres wide for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage and twenty (20) metres wide for the length of the eastern boundary of Precinct C, the applicant must submit to Council for approval a detailed landscape plan, by making a development application for operational work (landscape work).

b Approval of proposed landscaping plan must be obtained prior to the commencement of works relating to relating to the corresponding stages, being stages 1, 2 and 3, of this development. The approved landscape work must be completed prior to the commencement of use of any part of the corresponding stage, being stages 1, 2 or 3 of this development.

c Without limiting the requirements of the planning scheme's Landscape Work Specific Development Code, the detailed landscape plan must:

i Be prepared by a qualified landscape architect or similar landscape design professional;

ii Be in general accordance with the Statement of Landscape Intent, being:

Drawing Title	Author	Date	Drawing No.	Ver
Landscape Intent	Gassman Development Perspectives	21 February 2020	1-5	C

iii Reflect the approved layout (including any amendments to that layout required by these conditions) and the conditions of this approval; and

iv Comply with Planning Scheme Policy 13 – Landscape Strategy Part 2 – Landscape Works Documentation Manual.

d The required landscaping plan for the northern boundary must demonstrate

i A landscaped buffer six (6) metres wide for the entire length of the subject site adjoining

the Stapylton Jacobs Well Road frontage; and

ii That the buffers contain dense tree planting to soften and screen the development.

e The required landscaping plan for the western boundary must demonstrate

i A buffer ten (10) metres wide for the length of the western property boundary of Precinct A;

ii A solid fence with a maximum height of 2.4 metres designed and located in accordance with acoustic report prepared by Acoustic Works dated 19 January 2023 (reference: 2019338 R01C), located wholly within the subject site, for the length of the western property boundary of Precinct A. The fence must be of a durable fencing material with a minimum life span of 20 years. The fencing material and colour must be nominated;

iii Dense tree planting, at grade, with a minimum width of three (3) metres along the western boundary for the entire length of Precinct A;

iv Where a minimum batter of 1V:3H can be achieved, landscaping must be provided within the entire ten (10) metre width;

v Maximum batter grade of 1V:1.1H within the remaining seven (7) metres.

f The required landscaping plan for the eastern boundary must demonstrate

i A landscape buffer with a minimum width of twenty (20) metres for the entire length of the eastern property boundary, within Precinct C;

ii That the buffer contains dense tree planting to soften and screen the development;

iii An undisturbed corridor with a width of ten (10) metres from the boundary, where all existing vegetation is retained and no earthworks are permitted to encroach;

iv Earthworks, where required, must not encroach the ten (10) metre undisturbed corridor;

v All batters proposed within the buffer area have a maximum grade of 1V:2H where the batter is within fill and 1V:3H where the batter is within cut. The cut batter may have a maximum grade of 1V:2H, provided it is over-excavated, micro-benched and incorporates a minimum 400mm soil depth, as per correspondence from Douglas Partners, Project 90520.00. L.002.docx, Dated 24 January 2019 titled Batter Treatment.

COVENANT AREA – PROHIBITED ACTIVITIES, MANAGEMENT AND COVENANT

16 Cancelled

17 Cancelled

18 Cancelled

19 Cancelled

20 Cancelled

21 Cancelled

22 Cancelled

23 Cancelled

OPEN SPACE

24 Transfer of open space

a The applicant must transfer to Council the areas of public open space listed below, as identified on the plans indicated (subject to any amendments required by these conditions):

Purpose	Description on Plan	Plan Reference
Conservation Area	Area D – Open Space/Reserve	Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision C, dated 23/01/2023and prepared by Gassman Development Perspectives.

b The land identified in paragraph (a) must be transferred in fee simple as ‘Public Open Space’ to Council of the City of Gold Coast as Trustee.

c Council will hold the land in trust for community infrastructure and may use the land, or permit the land to be used, for purposes that do not compromise the purpose for which the land is dedicated.

d The applicant must lodge the transfer documents with Council at the same time as lodgement of the subdivision plans for Stage 3 or, if no subdivision plans are required, prior to the commencement of any use within Stage 3 of this development.

e Where subdivision plans are required, the applicant must provide Council with evidence of the transfer of the land identified in paragraph (a) within 30 days of the registration of the subdivision plan that shows the entirety of the land identified in paragraph (a).

f The transfer of the land to Council must be at no cost to Council.

OPEN SPACE MANAGEMENT PLAN

25 Preparation of open space management plan (OSMP) to be submitted for approval addressing all areas of land to be transferred to Council as public open space

c An Open Space Management Plan ('OSMP') must be prepared, addressing all areas of land to be transferred to Council, specifically the area of land south of Christensen Road to be dedicated to Council as public open space.

d The OSMP must be submitted and approved by the Chief Executive Officer prior to the approval of any development permit for operational works (change to ground level, bulk earthworks, tree works, landscaping, whichever comes first) within Stage 3 of this development. The OSMP is not an approved report until a Council approved letter has been issued in respect of it.

e The OSMP must be prepared by a suitably qualified professional and must be:

i In accordance with Council's Open Space Management Guideline: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007, Version 1); and

ii Generally in accordance with:

A The approved reconfiguration layout (including any amendments required by these conditions).

B Relevant conditions of approval.

d The submitted OSMP must demonstrate compliance with the Open Space requirements in Section 6 of the Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings and must address the following site-specific issue:

i Detail a rehabilitated sixty (60) metre buffer from the high bank of Sandy Creek.

26 Compliance assessment of OSMP

The OSMP is a document requiring compliance assessment under the Sustainable Planning Act 2009. A request for compliance assessment must be made in accordance with the Sustainable Planning Act 2009 for a compliance certificate approving the document, in accordance with the following:

Matters or things against which the document must be assessed	• The planning scheme's Landscape Works Specific Development Code; • The planning scheme's Vegetation Management Specific Development Code; • The planning scheme's Bushfire Management Areas Constraint Code; • The planning scheme's Canals and Waterways Constraint Code; • The planning scheme's Cultural Heritage (Indigenous) Constraint Code; • The planning scheme's Natural Wetland Areas and Natural Waterways Constraint Code; • The planning scheme's Nature Conservation Constraint Code; • Policy 10 – Guidelines for Preparing Management Plans and Plans of Development; • Planning Scheme Policy 11 – Land Development Guidelines; • Planning Scheme Policy 17 – Site Analysis; and • Council's Open Space Management Guideline: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007, Version 1).
Compliance assessor	Gold Coast City Council
When the request for compliance assessment must be made	Prior to the approval of any development applications for operational work (inclusive of change to ground level, works for infrastructure, vegetation clearing or landscape work) for Stage 3.

The OSMP is not an approved report until a compliance certificate has been issued in respect of it.

27 Compliance certificate with future operational work development applications

A copy of compliance certificate for the OSMP must be provided with any future operational work development applications for Stage 3.

28 Compliance with OSMP prior to acceptance of open space 'On Maintenance'

a All works specified in the OSMP and any conditions imposed on the compliance certificate must be carried out in accordance with the approved plan at no cost to Council and to the satisfaction of the Chief Executive Officer, prior to Council accepting the open space 'On Maintenance' in accordance with Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings.

b The applicant must provide certification from a qualified professional that all works in the approved OSMP and associated design drawings have been implemented on-site in accordance with the OSMP and the conditions of approval as stated on the compliance certificate approving the OSMP. This certification must be provided to the Council prior to accepting the works 'On Maintenance'.

29 Revegetation to use Local Provenance Stock

a All revegetation for the purposes of ecological rehabilitation and restoration must be undertaken using only local provenance plant stock in accordance with Appendix 1A of Open Space Management Guideline: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007, Version 1).

b Unless otherwise approved to the satisfaction of the Chief Executive Officer, local provenance plant stock is to be sourced from seed or vegetative material located no further than 10 kilometres from the subject site.

ACOUSTICS

30 Acoustic report

a The development must be designed and constructed in accordance with all recommendations outlined in acoustic report prepared by Acoustic Works dated 19 January 2023 (reference: 2019338 R01C).

b Any alteration to the design or construction of the development that prevents the recommendations of the approved acoustic report being implemented will require an amended acoustic report to be submitted and approved by Council prior to Building Approval.

c Hours of operation within Precinct A are restricted to between 7:00am and 8:00pm Monday to Friday.

31 Acoustic barrier

A continuous line of buildings adjacent to the full extent of the western property boundary adjoining the residential development as per the recommendations within approved acoustic report prepared by Acoustic Works dated 19 January 2023 (reference: 2019338 R01C) is to be provided ensuring the following treatment is incorporated:

a Buildings to be a minimum 5m high;

b No gaps to be present between buildings;

c Buildings to be constructed of solid concrete or masonry with a minimum thickness of 100mm;

d No openings (other than emergency doors) are to be located on the western façade facing the residential properties. Any doors are to be a minimum 45mm thick solid core door with a minimum density of 25kg/m² with acoustic gasket seals around the top and sides and a seal the base;

e Insulation blanket is to be installed in the roof of the buildings with a minimum thickness of 75mm;

f Any penetrations through the western building façade should be acoustically treated to ensure the acoustic rating is maintained; and

g Any alteration to the design or construction of the development that prevents the above recommendations being implemented will require an amended acoustic report to be submitted and approved by Council prior to Building Approval.

32 Landscape buffer

A minimum ten (10) metre wide buffer is to be provided along the length of the western property boundary of Precinct A in accordance with the submitted Statement of Landscape Intent, revision C, dated 21 February 2020, prepared by Gassman Development Perspectives.

33 Certificate of Compliance

Prior to occupation of any premise within Precinct A of the development, a Certificate of Compliance from a suitably qualified acoustic professional is to be provided so as to confirm that buildings have been constructed in accordance with the recommendations within approved acoustic report prepared by Acoustic Works dated 19 January 2023 (reference: 2019338 R01C).

34 An acoustic report required for future MCU (Code and Impact Assessable) development applications within Precinct A

An acoustic report must be submitted and approved by Council for all future Material Change of Use (Code and Impact Assessable) development applications within Precinct A.

a The report must detail:

i The expected impact of noise from mechanical plant and equipment from buildings within Precinct A on nearby noise sensitive dwellings;

ii An assessment conducted in accordance with AS1055.1-3: 1997 Acoustics – Description and Measurement of Environmental Noise and the Environmental Protection Act 1994 and Subordinate Regulations and Policies; and

iii The required control measures to ensure compliance with the relevant noise level criteria.

b The development must be designed and constructed in accordance with any recommendations of the approved acoustic report and any other conditions imposed in the approval of the report.

35 Hours of operation within Precinct A

Hours of operation within Precinct A are restricted to between 7:00am and 8:00pm Monday to Friday or to the satisfaction of the Chief Executive Officer.

36 Delivery and Collection Activities within Precinct A

Delivery and collection activities within Precinct A are restricted to between 7:00am and 8:00pm Monday to Friday or to the satisfaction of the Chief Executive Officer.

HYDRAULICS AND STORMWATER MANAGEMENT

37 No worsening of hydraulic conditions

The development must be designed and constructed so as to result in:

a No increase in peak flow rates downstream from the site;

b No increase in flood levels external to the site; and

c No increase in duration of inundation external to the site that could cause loss or damage.

38 Alteration of overland flow paths

Overland flow paths on the site must not be altered in a way that inhibits or alters the characteristics of existing overland flows on other properties or that creates an increase in flood damage on other properties.

39 Certification of earthworks compliance with hydraulic report

Immediately after completion of the bulk earthworks, the applicant must submit to Council a certification from a Registered Professional Engineer Queensland (RPEQ) specialising in hydraulics stating that the bulk earthworks comply with Section 4 of the approved report, being 'Generations Industrial Park – Stormwater Management Plan', dated 20 June 2012 and prepared by Hyder Consulting Pty Ltd and no loss of flood plain storage has occurred as a result of the earthworks. The certification must be accompanied by calculations and as constructed data that:

a Includes existing and proposed triangulated surface meshes which can be produced by computer terrain modelling software packages such as Civil-Cad, 12D or KEAYS; and

b Has been compared with the pre-development surface levels to ensure that no loss of floodplain storage has occurred.

40 Use of land for flood storage purposes only

The part of Lot 4 on RP6843 that is identified as Excavation below RL8.6m AHD in Figure 4.6 (Compensatory Excavation for Flood Storage Volume Balance) of the stormwater management report, being 'Generations Industrial Park – Stormwater Management Plan', dated 20 June 2012 and prepared by Hyder Consulting Pty Ltd must be used solely for the purposes of flood storage/conveyance and not be used for any purposes that involve the construction of any building, structures or earthworks. This obligation applies independently of any registered covenant.

41 Flood storage covenant

Prior to the earlier of compliance assessment of the subdivision plan or the commencement of the use of the premises, an instrument of covenant must be registered on the title/s of the lot/s. The following requirements must be complied with in the preparation and lodgement of the instrument of covenant:

a The applicant is responsible for the preparation of the instrument of covenant and any necessary subdivision plan to enable registration of the covenant and for lodgement of the covenant for registration.

b The instrument must be in a form capable of registration pursuant to section 97A(3)(a) of the Land Title Act 1994.

c The part of Lot 4 on RP6843 that is identified as Excavation below RL8.6m AHD in Figure 4.6 (Compensatory Excavation for Flood Storage Volume Balance) of the stormwater management report, being 'Generations Industrial Park – Stormwater Management Plan', dated 20 June 2012 and prepared by Hyder Consulting Pty Ltd must be shown and identified as a 'Flood Covenant Area' on the face of the subdivision plan in addition to any covenant descriptor (e.g. Covenant 'A').

d The applicant must provide a draft of the covenant to Council for written approval.

e The parties to the covenant are to be the registered owner of the lot (as covenantor) and the Council (as covenantee).

f The instrument must include a purpose statement that articulates:

i That the covenantor acknowledges that the Flood Covenant Area contributes to the existing flood storage capacity of the floodplain and watercourse system, as well as maintaining existing flood conveyance capacity of the watercourse system; and

ii That to ensure the flood storage/flood conveyance function of the Flood Covenant Area is not adversely affected, it is critical the Flood Covenant Area be used solely for the purposes of flood storage/conveyance and not be used for any purposes that involve the construction of any building, structures or earthworks.

g The instrument must expressly set out in full as obligations of the covenantor that:

i The Flood Covenant Area must be used for the purpose of flood storage/conveyance; and

ii The Flood Covenant Area must not be used for any purposes involving buildings, structures or earthworks that result in a loss of flood plain storage or conveyance capacity (cross sectional area) of the watercourse.

h If the instrument is requisitioned or refused registration by the Registrar of Titles, the applicant shall amend the document to include a covenant/s which, as nearly as practicable, addresses the objective sought to be achieved by this condition. A draft of the amended document is to be provided to Council for written approval.

42 Amendment of and compliance with stormwater management plan

a The submitted stormwater management plan, being 'Generations Industrial Park – Stormwater Management Plan', dated 20 June 2012 and prepared by Hyder Consulting Pty Ltd, is approved, subject to the following amendments:

i GPTs must be selected in accordance with Section 13.12.2.2 of the Council's Land Development Guidelines (GCCC, 2007).

ii Pollutant removal efficiency of GPTs must not be higher than the Council's acceptable value 50% TSS, 20% TP and no removal of TN. The applicant must provide additional bioretention basin/swale if requires, to achieve the Council's pollutant load reduction target (80% TSS, 60% TP, 45% TN and 90% GP).

b All works must be carried out and completed and all maintenance and monitoring implemented by the applicant in accordance with the amended stormwater management plan, prior to a request for compliance assessment of the subdivision plan or, if no subdivision plan is required, prior to the commencement of the use of the premises.

43 Certification that stormwater management treatment train implemented

a The applicant must provide to Council certification from a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater that the stormwater management treatment train in the approved (as amended) stormwater management plan and associated design drawings has been installed on-site and is functioning as designed.

b Certification must be provided prior to the earlier of compliance assessment of the subdivision plan or the commencement of the use of the premises.

44 SQIDs maintenance management plan

In accordance with Vol 3 (Section 13) of the Land Development Guidelines, the applicant must submit to Council for approval, before Council will accept the works 'On Maintenance', a SQID Maintenance Management Plan (MMP) that is:

a prepared by a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater; and

b developed in accordance with Council's Water Sensitive Urban Design Guidelines (2007), and with reference to the Water by Design document "Maintaining Vegetated Stormwater Assets" Version 1 February 2012.

The MMP should be a concise document suitable for use by field staff in carrying out day-to-day maintenance activities. The MMP must include, but not necessarily be limited to, the following key information:

i Design intent and description of the device(s)

ii The location and specific dimensions of the device(s)

iii Approved / designed water quality objectives

iv Water quality monitoring procedures

v Monitoring frequency

vi Specifications and procedures for device(s) maintenance

vii Plant and equipment access details for maintenance activities

viii Maintenance activity schedule defining frequency, area (m2) per maintenance zone, hours, staff, plant and equipment, approximate costs per rotation, and per annum

ix Performance indicators / intervention levels / triggers for reactive maintenance

x Any necessary preventative maintenance measures

xi Acceptable solutions for specific items, i.e., acceptable plant species substitutions based on availability, hydraulic conductivity, water quality objectives, etc

xii Defined maintenance zones, i.e., shallow water zone – 350m2, ephemeral planting zone – 600m², etc (for wetlands in particular)

xiii Approximate lifecycle maintenance costs

Prior to acceptance for 'Off Maintenance' the applicant must submit a report to Council providing details of water quality performance monitoring including any recommendations or corrective action taken throughout the maintenance / defects liability period ('On Maintenance').

Information Note:

The term Stormwater Quality Improvement Devices (SQID) is used to describe all built WSUD features, e.g., grassed swales, gross pollutant traps and various basins (detention, retention and sedimentation, etc).

EROSION AND SEDIMENT CONTROL

45 Erosion and sediment control

a Sediment, erosion and dust control measures must be implemented generally in accordance with the approved report, being "Generations Industrial Park – Stormwater Management Plan" dated 20 June 2012 prepared by Hyder Consulting Pty Ltd and the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008). Additional sediment, erosion and dust control measures must be implemented as directed by Council officers upon site inspection.

b Immediately after backfilling behind all kerbing:

i A turf strip 1 metre wide must be placed behind all kerbing; and

ii A turf strip must be placed at 90 degrees to the kerb every 10 metres to prevent scouring along the turf edge, in accordance with Figure 2.5 (Application of Grassed Filter Strips down a slope) of the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008).

c Immediately after completion of the construction of an open drain:

i The open drain must be turfed, unless approved otherwise in a Council approved stormwater management plan; and

ii A turf strip must be placed at 90 degrees to the invert every 10 metres to prevent scouring along the turf edge. Reinforced turf must be used where invert grades exceed 5%.

d Sediment control structures (e.g., sediment fence) must be placed at the base of all materials imported on-site to trap any sediment runoff.

e The following inspection program must be carried out until the site is fully rehabilitated:

i Regular inspections to ensure that adequate erosion control measures are in place and in good condition both during and after construction; and

ii Inspections after each storm event to assess the adequacy of the erosion control measures. The applicant must make good any damage or non-performing erosion control devices and clean up any sediment that has left the site or is on the roads within and external to the site.

f To minimise unvegetated areas:

i Construction activities must be staged;

ii Filled areas must be seeded immediately on completion; and

iii No area should remain exposed (unvegetated) for more than 2 weeks unless construction work is being undertaken on that area.

g All water from the site, including dewatering discharge, must be directed through a sediment pond prior to leaving the site. The sediment ponds or other approved devices are to be maintained in good condition until the site is fully rehabilitated.

h Prior to discharging of any water from the site during construction, including dewatering discharge, the applicant must achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DERM, September 2009).

i Water quality must be monitored in accordance with Section 7.5 of the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008) and compared with water quality objectives. A monitoring report must be prepared and retained at the site office and made available to Council's inspectors upon request. The applicant must notify Council's Contributed Asset Section and Department of Environmental and Resource Management of any non-compliance to water quality objectives and the corrective actions taken by the applicant within 48 hours of the non-compliance.

j Water quality samples must be collected monthly during the first rainfall event of greater than 25mm in 24 hours. The sampling frequency shall be increased to fortnightly in case of any non-compliance to the construction phase water quality objectives until the above water quality objectives are achieved through additional corrective measures.

46 Construction of sediment basin

a The sediment basin(s) proposed for construction phase must be designed in accordance with Appendix B of the Best Practice Erosion and Sediment Control (IECA Australasia, November 2008).

b Each sediment basin must have the capacity to treat flows to current best practice standards and as a minimum must be designed to contain all the stormwater runoff from the 85th percentile 5 day rainfall depth and in addition be designed to store 2 months sediment from the receiving catchment, as determined using the Revised Universal Soil Loss Equation.

c Sediment basins must be dewatered as soon as practicable after each rainfall event.

d Sediment basins and associated structures such as inlets, outlets and spillways are designed and constructed to be structurally sound for 10 year ARI rainfall event under normal circumstances.

e A high-flow bypass system must be included (if necessary) to prevent any potential re-suspension of accumulated sediment from the basin during major storm events.

f Accumulated sediment from basins and other controls must be removed and disposed of appropriately without causing water contamination.

47 Inspections and reporting

a All erosion and sediment control measures must be inspected on a weekly basis and following runoff events until the site is fully rehabilitated.

b All drainage control structures such as Diversion Banks, Diversion Channels and Temporary Culvert Protections must be inspected daily to ensure they have not been damaged by machinery and are serviceable in readiness for the next rainfall event.

c Where inspection indicates a non-conformance, a Non-Conformance Report must be generated. This report must include but not limited to the following:

i Details of the nature and cause of non-conformance; and

ii Details of the required corrective actions.

iii Corrective actions must be carried out within 24 hours where practicable or as agreed with the Construction Superintendent.

d A monthly summery of Erosion and Sediment Control (ESC) performances must be compiled and retained at the site office and made available to Council's inspectors upon request. This report must include but not limited to the following:

i ESC Inspection Checklists;

ii Description of any incidents of non-conformance;

iii Results of corrective action; and

iv Revisions to the ESCP.

48 Detailed design and certification of erosion and sediment control measures

a The development application for operational work (change to ground level and/or works for infrastructure) must be accompanied by site specific detailed design of erosion & sediment control measures, including (but not limited to) details of:

i Catchment boundary and overland flow path;

ii Estimated soil loss from each catchment;

iii Length, width and depth of each sediment basin;

iv Spillway details and levels;

v Energy dissipation/scour protection;

vi High flow bypass (if requires);

vii Value of each parameter used in the calculation of soil loss and volume of sediment basins;

viii Cross section, capacity and spacing of each catch/diversion drain;

ix Spacing of silt fences;

x Frequency and location of water quality monitoring;

xi Maintenance requirements and frequencies;

xii Maintenance access; and

xiii Contingency measures in case of failure to achieve the water quality objectives.

b The applicant must also submit a certification from a qualified professional confirming that the above detailed drawings are prepared in accordance with the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008) and best industry practices.

GEOTECHNICAL

49 Geotechnical report to be complied with

All future earthworks over the subject site must be designed following the advice and recommendations of the geotechnical report, being 'Broad Geotechnical Assessment, Proposed Industrial Development, Lot 1 on RP6882 and Lot 240 on W31320, Stapylton Jacobs Well Road and Christensen Road, Stapylton', prepared by Morrison Geotechnic Pty Ltd, Job No. GE11/002 and dated February 2011.

50 Retaining structures design

a Retaining structures and associated footings must be designed in accordance with AS 4678 – 2002 Earth-retaining structures.

b Retaining structures and associated footings must comply with the Planning Scheme Policy 11 - Land Development Guidelines, Standard Specifications and Drawings including in particular, but not limited to:

i Section 3.2.7 (Cut/fill batters and earth retaining structures); and

ii Section 7.7 (Building near or over Council water, sewer and/or stormwater services).

c Retaining structures over the subject site must not exceed 5.0 metres in height.

d Retaining structures must be made of durable materials not subject to rot and insect attack and have a minimum design life of 60 years.

51 Cut and fill batters design

a Cut/fill batters must be constructed in accordance with section 3.2.7 of Planning Scheme Policy 11 - Land Development Guidelines, Standard Specifications and Drawings.

b All platforms resulting from cutting/filling must have a minimum slope of 1 in 150 and comply with Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings for drainage of allotments to the street.

c Benching is required where any proposed freestanding batter height exceeds 2.5 metres. The minimum width of benching must be 1 metre with a minimum slope of 1 in 100 towards the lower face. The absolute maximum height of any freestanding cut/fill batter with benching is 5 metres, unless otherwise approved in writing by the Chief Executive Officer.

WASTEWATER

52 Reduced infiltration gravity wastewater reticulation

The development must be connected to reduced infiltration gravity wastewater reticulation by gravity solution, at the applicant's cost.

53 General wastewater servicing arrangement

Unless otherwise determined by Gold Cast Water, the wastewater servicing arrangements shall be generally in accordance with the following:

a Connect Stage 1 to Council's existing live 100mm diameter sewer rising main located within the southern verge of Stapylton Jacobs Well Road via an interim trunk sewer pump station to be contained within the Stage 1 road reserve extent (refer to drawing no. 5941 ENG EXTSEW SK003 Rev B prepared by Gassman Development Perspectives dated 12-11-2020);

b The balance of Stage 2 and Stage 3 shall gravitate into Council's future trunk wastewater network located on the Christensen Road frontage of the subject site.

54 Connection point

The applicant must submit to Gold Coast Water and obtain approval prior to making any development application for a Development Permit or Building Work:

a Pump Station BE45 catchment (part of Stage 1):

i Demonstrate development can be connected by gravity to BE45,

b Proposed new pump station near Stapylton-Jacobs Well Road (balance of Stage 1 and part of Stage 2 that's drains to this new pump station):

i Demonstrate that downstream wastewater infrastructure has sufficient capacity to accommodate the new wastewater pump station;

ii Demonstrate an ability to deliver the new wastewater pump station in time to service the proposed development.

c Long Term Strategy (balance of Stage 2, and Stage 3):

i Demonstrate that balance of Stage 2 gravitates to Stage 3; and

ii Demonstrate that downstream wastewater infrastructure has sufficient capacity to accommodate the development.

Note: The development is out of sequence in respect of wastewater services. The wastewater network scenario may change as a result of the future planning of the Beenleigh, Stapylton and Pimpama Wastewater Treatment plants. The applicant is advised to liaise with Gold Coast Water. Cancelled

55 Wastewater pump stations

Wastewater pump stations, rising main and emergency storage must be designed and constructed in accordance with Council's Policy 11 – Land Development Guidelines standards, at no cost to Council and are to:

a Provide legal access to the pump station,

b Provide a separate electrical power,

c Provide a separate water service and meter.

56 Location and transfer of wastewater pump station land

The site of any wastewater pump station and associated access driveways, that will be owned and maintained by Council, must be transferred, in freehold and at the applicant's cost, at the earlier of making an application for Building Work, request for a compliance assessment for a Development Permit or prior to the commencement of the use.

57 Completion of external wastewater connections

All external wastewater connections (including the completion of all infrastructure downstream of the development site to the point of connection and approved augmentation works) must be completed in accordance with engineering plans approved by Council prior to the earlier of making an application for Building Work, request for a compliance assessment for a Development Permit or commencement of the use of the premises.

58 Connections – arrangements with Gold Coast Water

All live connections are to be performed by Gold Coast Water at the applicant's cost. The applicant must liaise with Gold Coast Water's Field Services and Construction Branch (phone 5581 7564) to make arrangements for the connection and to obtain a quotation for the work.

59 No building work over/within Council's wastewater infrastructure easements and minimum distance from Gold Coast Water infrastructure

a No structure or building work is permitted over/within any public utility easements (Gold Coast Water/Council).

b All proposed buildings and structures must be located a minimum distance of 2 metres from Gold Coast Water infrastructure (i.e., Water or wastewater infrastructure that become contributed assets) and comply with Gold Coast City Council Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings.

WATER SUPPLY RETICULATION

60 Cancelled

61 Design, construction and standard of water supply reticulation

The design, construction and standard of the required water supply reticulation infrastructure to be carried out by the applicant (including all water supply reticulation infrastructure to be dedicated to Council) must be in accordance with Gold Coast City Council Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings.

62 Connection point

a The existing 225mm main in Stapylton Jacobs Well Road, De Bortoli Street and Christensen Road must be used as the potable water supply connection point, unless otherwise approved by Gold Coast Water.

b Deleted.

c Deleted.

d Deleted.

63 Water reticulation schematic plan and network analysis

a The applicant must submit to Gold Coast Water and obtain approval of a potable water reticulation schematic plan and network analysis of the overall development prior to the earlier

of the making of any development applications for Operational Work (works for infrastructure) or for Plumbing and Drainage Work.

b In preparing the plan/analysis, the applicant must liaise with Gold Coast Water to ensure appropriate allowance is made for connectivity with external mains and external demands.

64 Cancelled

65 Supply standard

The applicant must provide water supply to the standard specified in Section 4 and 7 of Gold Coast City Council's Land Development Guidelines.

66 Fire loading

Fire loading must not exceed 30L/s for commercial and industrial uses, unless otherwise approved by Gold Coast Water.

67 Cancelled

REFERRAL AGENCY CONDITIONS

68 Cancelled

FAUNA MANAGEMENT

69 Relocation of active Wedge-tailed eagles nest within Precinct C

Prior to any clearing within Precinct C, a relocation program shall be developed by the applicant, lodged with Council and approved by Council for the relocation of the active wedge-tailed eagles nest (Aquila audax). The program shall detail the specific requirements for the relocation of the nest. All works shall occur in accordance with the requirements of the relocation program and in liaison with Councils Environmental Planning section.

Please note, a relocation pole of similar height and dimension to the existing nesting tree will be required.

ADVISORY NOTES TO APPLICANT

A Referral agencies

The referral agencies (and their addresses) for the application are listed below.

Any referral agency conditions are identified in the conditions of approval.

Referral agency	Address	Jurisdiction
Department of Natural Resources and Mines (Previously Department of Environment and Resource Management)	Permit and Licence Management GPO BOX 2454 BRISBANE QLD 4001	Concurrence and Advice Agency – For the purposes of the Vegetation Management Act and for the purposes of the Environmental Protection Act
Department of Transport and Main Roads	South Coast Region Land Management PO BOX 442 NERANG QLD 4211	Concurrence Agency – for the purposes of the Transport Infrastructure Act
Department of State Development Infrastructure and Planning	PO BOX 15009 CITY EAST QLD 4002	Concurrence Agency – for the purposes of the Act

B Properly made submissions

There were properly made submissions about the application. The name and address of the principal submitter for each properly made submission is attached to the decision notice.

C Rights of appeal

The applicant has a right of appeal to the Planning and Environment Court regarding this decision, pursuant to section 461 of the Sustainable Planning Act 2009. A copy of that section is attached to the decision notice.

For particular material changes of use, an appeal can also be made to a Building and Development Committee. Please refer to the prerequisites in sections 519 and 522 of the Sustainable Planning Act 2009, attached to this decision notice, to determine whether you have appeal rights to a Building and Development Committee.

Submitters who made properly made submissions have a right of appeal to the Planning and Environment Court regarding this decision, pursuant to section 462 of the Sustainable Planning Act 2009. A copy of that section is attached to the decision notice.

D Applicant responsibilities

The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws.

Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for:

a Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration;

b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the Environmental Protection Act 1994 of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity');

c Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval);

d Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes;

e Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works exceeds $80,000. Acceptable proof of payment is a Q. Leave – Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational Works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; and

f Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.

E Indigenous cultural heritage legislation and duty of care requirement

The Aboriginal Cultural Heritage Act 2003 ('AHCA') is administered by the Department of Environment and Resource Management (DERM). The AHCA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:

a Is not negated by the issuing of this development approval;

b Applies on all land and water, including freehold land;

c Lies with the person or entity conducting an activity; and

d If breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care.

Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the AHCA.

The applicant should contact DERM's Cultural Heritage Coordination Unit on (07) 3238 3838 for further information on the responsibilities of developers under the AHCA.

F Greenhouse gas emissions

As part of Council's commitment to reducing greenhouse gas emissions Council is encouraging the expansion of the natural gas reticulation network. In particular, the use of natural gas hot water systems will result in significantly less greenhouse gas emissions than equivalent electric storage hot water systems.

The applicant should contact the local natural gas reticulator (APA Group) to arrange an assessment of the suitability of the proposed development for connection to the existing gas reticulation network. Please contact Ramon O'Keefe on 0438708798 or email: ramon.o'keefe@apa.com.au.

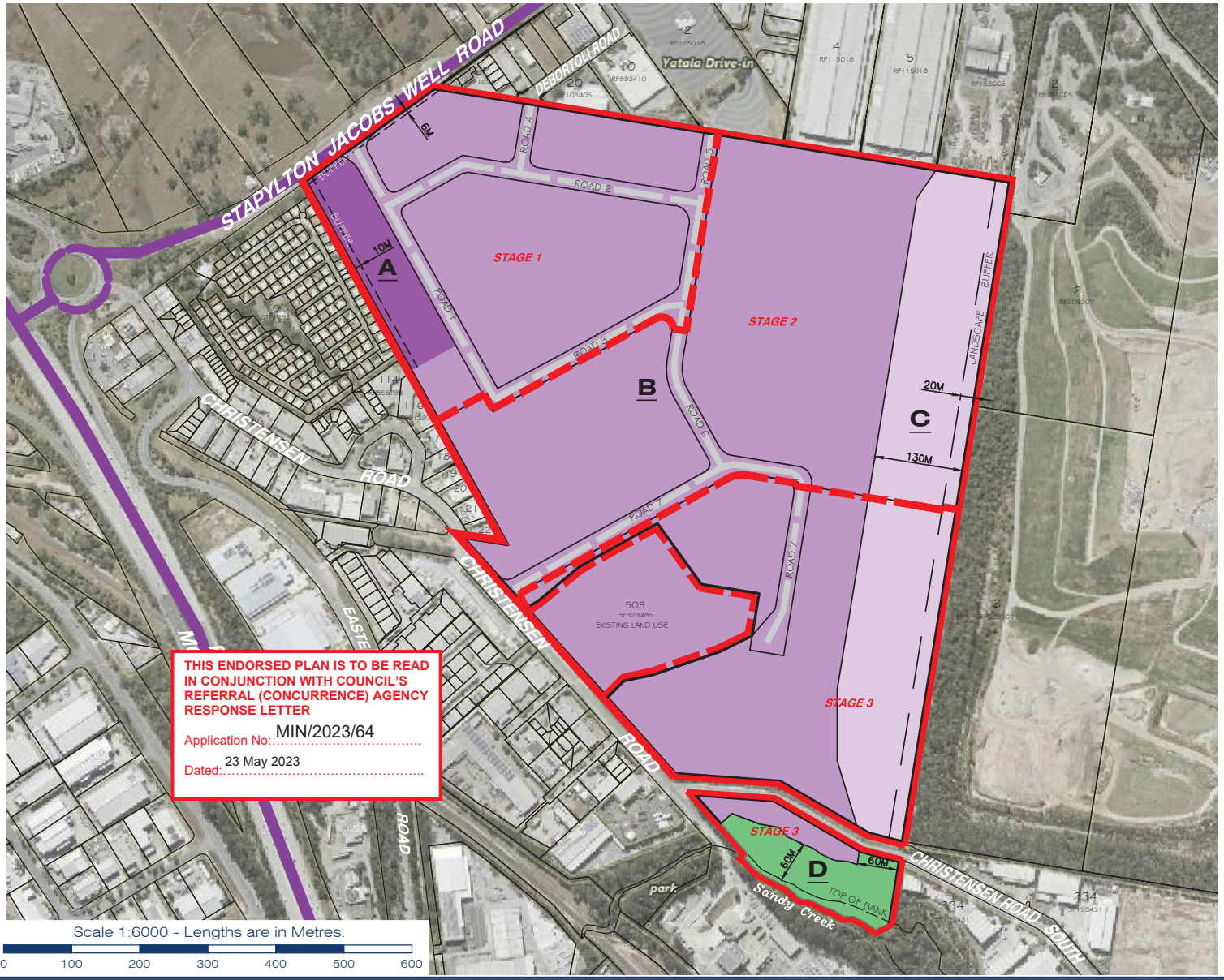
G Infrastructure charges

Infrastructure charges have not been calculated or imposed for this Material Change of Use, as it is a Preliminary Approval under Section 242 of the Sustainable Planning Act 2009. Infrastructure charges will be assessed and charged at the time of subsequent development permit/s for Material Change of Use or Building Work.

PROPERTY NOTIFICATION

A Noise/Acoustic

There are development approval conditions applicable in relation to acoustic issues on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast's Decision Notice MIN/2023/64. A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline



N

LEGEND

Site Area: 73.67Ha

- Limit of Application
- Stage Boundary
- Major State controlled Roads
- Possible future industrial collector road

	A	LOW IMPACT AND SERVICE INDUSTRY	2.41Ha
	B	GENERAL IMPACT BUSINESS & INDUSTRY	57.17Ha
	C	LIMITED GENERAL IMPACT BUSINESS & INDUSTRY	12.19Ha
	D	OPEN SPACE / RESERVE	1.91Ha

STAGE	AREA
STAGE 1	19.45Ha
STAGE 2	29.76Ha
STAGE 3	24.45Ha

NOTE:

1. The landscaped buffer areas shall be established and maintained for the life of the development. No building works are to occur within the landscape buffer areas unless otherwise approved by the Chief Executive Officer;

gassman development perspectives
est 1985
planning | environment | landscape | engineering | survey
T: 3807 3333 | F: 3287 5461 | www.gassman.com.au
Gold Coast & Logan | 76 Business Street, Yatala QLD | PO Box 392, Beenleigh 4207

Scale at A3: 1:6000

Date: 23-01-23

Design: .

Drawn: SJH

Checked: EDL

Issue	Date	Description	DRN	CHK
C	23/01/2023	Amendments	SJH	EDL
B	18/06/2020	Minor Amendments	SJH	GS
A	15/10/2019	MERGE STAGE 2&3	SJH	GS
-	16/09/2019	ORIGINAL ISSUE	SJH	GS

Project: VantageYatala

Client: FRASERS PROPERTY

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This plan has been prepared for the exclusive use of the client as stated on this plan for the purpose of application to the relevant local authority for material change of use and/ or reconfiguration of the land as described and should not be used by any other person or corporation and for any other purpose.

All dimensions are approximate only and subject to survey.

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Drawing Title:

Land Use Classification and Staging Plan

Drawing No: 5941 P LU 01

Revision No: C

Our reference: **MIN/2020/659**

Your reference: 5941

Decision notice— change application approval including amended suite of development conditions for MIN/2019/762

(Given under section 83(1) of the *Planning Act 2016*.

The Council of the City of Gold Coast received your change application made under section 78 of the *Planning Act 2016* on 20 November 2020 for the development approval dated 30 June 2020.

Date of decision notice: 8 December 2020

Applicant details

Applicant name:	Frasers Property Australia Pty Ltd
Applicant contact details:	C/- Gassman Development Perspectives PO Box 392 Beenleigh QLD 4207

Application details

Application number:	MIN/2020/659
Approval sought:	Minor change to development permit for Preliminary Approval for making a Material Change of Use to override the Planning Scheme for industry uses.
Details of the change:	Change Condition 53 to reflect amendments to general wastewater servicing arrangement; and Cancellation of Condition 55 as it is no longer relevant to the approval.
Original Application number	MCU201100650
Details of original decision	Preliminary Approval for making a Material Change of Use to override the Planning Scheme for industry uses.
Date of original decision	04 March 2013
Most recent change application number	MIN/2019/762
Date of most recent change application	30 June 2020

Location details

Street address:	82 Christensen Road South, 60 Stapylton Jacobs Well Road & 31 Yellowwood Road, Stapylton QLD 4207
Real property description:	Lot 500 SP295994, Lot 501 SP295994 & Lot 4 RP6843

Decision

Date of decision:	3 December 2020

Decision details:	Under Delegated Authority, the Executive Coordinator Planning Assessment of the City Development Branch of Council has resolved to approve the change in full and amend the existing conditions of approval.

Affected Entity(s) for the application

Not applicable – no part of the application required referral to an affected entity.

Details of the approval

Preliminary approval overriding the Planning Scheme in accordance with section 242 of the *Sustainable Planning Act 2009*	Minor change to Preliminary Approval for making a Material Change of Use to override the Planning Scheme for industry uses.

Conditions

Amended conditions of approval for preliminary approval, which overrides the Planning Scheme for a material change of use for Industrial uses are enclosed in this notice.

A full suite of development conditions for the development approval is also enclosed in this notice.

Further development permits

The following development permits are required to be obtained before the development can be carried out:

- Development permit;
- Operational works; and
- Application to work on the City's Infrastructure.

Notwithstanding the above, other approvals/development permits may be required.

Properly made submissions

Not applicable—No part of the application required public notification.

Currency period for the approval

This approval will lapse on 03 May 2023 in accordance with MCU201601390 dated 1 November 2016.

Approved plans and drawings

The approved change(s) does not affect the approved plans and drawings. The original approved plans and drawings are attached and are identified in the conditions imposed by Council in the amended suite of development conditions.

Appeal rights

Applicant	You have appeal rights in relation to this decision. An appeal may be made against a responsible entity's decision for a change application. An appeal must be started within 20 business days after this notice is given to you. An appeal may be made to the Planning and Environment Court or, for certain matters which are identified in section 1(2) of Schedule 1 of the *Planning Act 2016*, to a development tribunal.

	An appeal is started by lodging a notice of appeal with the registrar of the Planning and Environment Court or a development tribunal, as applicable. The notice of appeal must be in the approved form, succinctly state the grounds of the appeal and be accompanied by the required fee. An appellant to the Planning and Environment Court must give a copy of the notice of appeal, within 10 business days after the appeal is started, to the persons identified in section 230(3) of the *Planning Act 2016*. A person who is appealing to the Planning and Environment Court must comply with the rules of the court that apply to the appeal. An extract of Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016* is attached to this notice, which sets out further information about the appeal rights.

For further information please contact Alex Ponomareva, Planner, on p: 07 5582 8866 or via email mail@goldcoast.qld.gov.au who will be pleased to assist.

AUTHORISED BY

Karley Lawler
Supervising Planner (North)
For the Chief Executive Officer
Council of the City of Gold Coast

enc:

Amended conditions imposed by Council, as the Responsible Entity
Amended suite of development conditions for development approval MIN/2020/659

Attach:

Appeal rights extracts

Amended conditions imposed by Council as the Responsible Entity

Condition 53 currently reads:

53 General wastewater servicing arrangement

Unless otherwise determined by Gold Cast Water, the wastewater servicing arrangements shall be generally in accordance with the following:

a Connect part of Stage 1 that naturally drains to Pump Station BE45, to BE45, via De Bortoli Street;

b Connect the remaining part of Stage 1 and part of Stage 2 that naturally drains to the proposed new pump station (refer to drawing no.C028-AA003837-04 dated 15/6/2012 prepared by Hyder Consulting) located near Stapylton-Jacobs Well Road;

c The balance of Stage 2, Stage 3 and Stage 4 shall gravitate into Council's future wastewater network;

d The balance of Stage 2 and Stage 3 shall gravitate into Stage 4 (no pump station is permitted); and

e A temporary pump station sited in Stage 4 may be permitted where the wastewater network in Christensen Road remains unavailable (the wastewater network in Christensen Road serving lot 334 on SP193431 is serviced by a private pump station and therefore not currently available).

Is changed to read as follows:

53 General wastewater servicing arrangement

Unless otherwise determined by Gold Cast Water, the wastewater servicing arrangements shall be generally in accordance with the following:

a Connect Stage 1 to Council's existing live 100mm diameter sewer rising main located within the southern verge of Stapylton Jacobs Well Road via an interim trunk sewer pump station to be contained within the Stage 1 road reserve extent (refer to drawing no. 5941 ENG EXTSEW SK003 Rev B prepared by Gassman Development Perspectives dated 12-11-2020);

b The balance of Stage 2, Stage 3 and Stage 4 shall gravitate into Council's future trunk wastewater network located on the Christensen Road frontage of the subject site.

Condition 55 currently reads:

55 Wastewater reticulation schematic plan

a The applicant must submit to Gold Coast Water a wastewater reticulation schematic plan for the proposed development that:

- i Demonstrates how the development is to be connected to Council's wastewater network,
- ii Provides the following details:
  - A Average and peak weather flows;
  - B Emergency storage;
  - C Septicity and odour; and
  - D Pump duty points.
- iii Makes allowance for any external catchments that may drain through the subject site; and
- iv Accommodates the extension of the wastewater main to the upstream property boundary to provide for future wastewater connectivity of the upstream external catchment.

b The applicant must obtain Gold Coast Water approval of the wastewater reticulation schematic plan prior to making any development application for a Development Permit or Building Work.

Is cancelled.

Amended suite of development conditions for development approval MIN/2020/659

For ease of reference only, a consolidated set of the conditions, incorporating the above changes, of the Preliminary Approval dated 30 June 2020 for making a Material Change of Use to override the Planning Scheme for industry uses is set out below:

NATURE OF DECISION

A Under Delegated Authority the Manager of the City Development Branch decides as follows in respect of the applicant's representations:

B Under Delegated Authority the Manager of the City Development Branch gives a new decision notice approving the issue of preliminary approval for material change of use to override the Planning Scheme for Industry Uses, subject to the following conditions:

1 The issue of a preliminary approval for a material change of use for Industry land uses;

2 The following variations to the effect of the planning scheme:

a Type of assessment

The following tables of development vary the effect of Section A/B/C/D/E/F/G of the Yatala Enterprise Area Local Area Plan Table of Development for determining the type of assessment for the approved material change of use and operational work relating to the approved material change of use:

A: Material Change of Use

Exempt	Self Assessable	Code Assessable	Impact Assessable
Precinct A (Low Impact and Service Industry)			
Agriculture Animal Husbandry Conservation (natural area management) Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Park Public Utility	Café Car Park Convenience Shop Low Impact Industry Milk Depot Service Industry Take-Away Food Premises Temporary Use Warehouse	Bulk Garden Supplies Caretakers Residence Estate Sales Office ~~Family Accommodation~~ Food Industry Industry Manufacturer's Shop Outdoor Storage Area Rural Industry Telecommunications Facilities n.e.i.	Motor Vehicle Repairs n.e.i Salvage Yard Service Station Transport Terminal

Precinct B (General Impact Business and Industry)			
Agriculture Animal Husbandry Conservation (natural area management) Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Park Public Utility	Café Car Park Convenience Shop Industry Low Impact Industry Manufacturer's Shop Milk Depot Outdoor Storage Area Service Industry Take-Away Food Premises Temporary Use Warehouse	Bulk Garden Supplies Caretakers Residence Food Industry Rural Industry Telecommunications Facilities n.e.i. Transport Terminal	Motor Vehicle Repairs n.e.i Salvage Yard Service Station

Precinct C (Limited General Impact Business and Industry)			
Agriculture Animal Husbandry Conservation (natural area management) Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use ~~Park~~ Public Utility	Car Park Industry Low Impact Industry Manufacturer's Shop Outdoor Storage Area Service Industry Temporary Use Warehouse	Bulk Garden Supplies ~~Caretakers Residence~~ Rural Industry Telecommunications Facilities n.e.i Transport Terminal	~~Café~~ ~~Convenience Shop~~ ~~Food Industry~~ ~~Milk Depot~~ Motor Vehicle Repairs n.e.i Salvage Yard ~~Service Station~~ ~~Take-Away Food Premises~~
Precinct D (Open Space/Reserve)			
Conservation (natural area management) Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Park Public Utility	Temporary Use	Telecommunications Facility n.e.i	Agriculture

B: OPERATIONAL WORKS - CHANGE TO GROUND LEVEL

Exempt	Self Assessable	Code Assessable	Impact Assessable
Operational Work that involves extraction, excavation or fill that:			
		Exceeds a volume of 100 cubic metres of fill or excavation, or is closer than 20 metres from the allotment boundary and is within or adjoins an allotment containing places, sites, or landscapes of indigenous cultural heritage significance listed on the Queensland Heritage Register – Cultural Records (Landscapes Queensland and Queensland Estate) Act 1987; OR is located on land which is the subject of a native title claim; OR Is located on land that is known to the owner and/or the developer to be of indigenous cultural heritage value	

C: OPERATIONAL WORKS - ADVERTISING DEVICE

Exempt	Self Assessable	Code Assessable	Impact Assessable
	Advertising Device that is: a) not illuminated, nor animated, and where the total area of signage per street frontage does not exceed the following for each precinct: Precinct A:20 m² b) not on land with frontage to an arterial road or any State controlled road	Advertising Devices n.e.i.	

D: OPERATIONAL WORKS - INFRASTRUCTURE AND LANDSCAPE WORK

Exempt	Self Assessable	Code Assessable	Impact Assessable
Minor Landscape Work		Landscape Work n.e.i. Works for Infrastructure	

E: OPERATIONAL WORKS - VEGETATION CLEARING

Exempt	Self Assessable	Code Assessable	Impact Assessable
Precinct A and B and C (Low Impact and Service Industry, General Impact Business and Industry and Limited General Impact Business and Industry)			
	Results in the removal of, or damage to, vegetation that is equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level, and complies with the Acceptable Solutions of Specific Development Code 36 – Vegetation Management; OR Results in the removal of, or damage to, vegetation that is equal to, or in excess of, four metres in height, and complies with the Acceptable Solutions of Specific Development Code 36 – Vegetation Management.	Results in the removal of, or damage to, vegetation that is equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level, and provides an alternative solution to the Acceptable Solutions of Specific Development Code 36 – Vegetation Management; OR Results in the removal of, or damage to, vegetation that is equal to, or in excess of, four metres in height, and provides an alternative solution to the Acceptable Solutions of Specific Development Code 36 – Vegetation Management; or Results in the removal of, or damage to the existing wedge-tailed eagles nest (Aquila audax) in the north eastern corner of Precinct C, which is not in accordance with the vegetation removal requirements detailed in the approved relocation plan required by the conditions of this Development Permit.	

F: RECONFIGURATION OF A LOT

Exempt	Self Assessable	Code Assessable	Impact Assessable
Precinct A and B (Low Impact and Service Industry and General Impact Business and Industry)			
		Results in no lots with an area less than 2,000m²; OR Entails only a Community Title Subdivision (including Standard Format Plan and/or Volumetric Lots), or a Volumetric Lot within a building, or a leasehold subdivision of an existing approved development	
Precinct C (Limited General Impact business and Industry)			
		Results in no lots with an area less than 10,000m².	
Precinct D (Open Space/Reserve)			
		Results in no lots with an area less than 20 hectares; OR Entails only a Community Title Subdivision (including Standard Format Plans and/or Volumetric Lots), or a Volumetric Lot within a building, or a leasehold subdivision of an existing or approved development.	

b Codes varying the effect of the planning scheme

Subject to the amendments listed in this Decision Notice, the following code varies the effect of the planning scheme code/s listed for the approved material change of use:

New Code	Existing code varied by new code
Generations Industrial Park Place Code	Yatala Enterprise Area Local Area Plan

c The Preliminary Approval pursuant to section 242 of SPA 2009 does not seek to override any further Specific Development Codes or Constraint Codes of the Gold Coast Planning Scheme 2003, version 1.2.

C The conditions that attach to this preliminary approval are as follows:

APPROVED PLANS/DRAWINGS/DOCUMENTS

1 Approved plans/drawings/documents

Undertake and maintain the development generally in accordance with the following plans/drawings/documents:

Title	Author	Date	Reference No.	Ver.
M38 Industrial Estate Place Code	Gassman Development Perspectives	June 2020	-	-
M38 Industrial Estate Land Use Classification and Staging Plan	Gassman Development Perspectives	18.06.2020	5941 P LU 01	B

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

2 Staged construction of development

a Subject to the changes required by Condition 1 within section B of this Decision Notice, the stages as shown on the following plan are approved (subject to the relevant Operational Works approvals):

i Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision B, dated 18/06/2020 and prepared by Gassman Development Perspectives.

b The construction of the development must be in sequence of the stages shown on the approved staging plan.

c Deleted.

d Any subsequent proposed amendments to the approved staging plan (including sequence of development) must be approved in writing by the Chief Executive Officer.

3 Decision notice and approved plans/drawings to be submitted with subsequent application

A copy of this decision notice and accompanying stamped approved plans/drawings must be submitted with any building development application or operational works application relating to or arising from this development approval.

4 Any deviations require further approval

Any proposed deviation from the approved plans/drawings as a result of on-site or in-situ conditions must not be made unless amended plans/drawings are submitted and approved by Council. The development must be carried out in accordance with the approved amended plans/drawings.

ADVERTISING

5 Advertising device

No advertising device is to be placed on the premises without the necessary development permit for operational work (advertising device) and/or approval under Council's Local Law No.16 (Licensing) 2008 and Subordinate Local Law No. 16.8 (Advertisement) 2008. The Applicant should contact Council's Health, Regulatory and Lifeguard Services Branch on (07) 5581 6668 to discuss approval requirements.

AMENITY

6 No nuisance from lighting

All lighting devices must be positioned on the premises and shielded to the satisfaction of the Chief Executive Officer so as not to cause glare or other nuisance to surrounding development and motorists

7 Restricted paint colours

Buildings and structures must not be painted in highly reflective, bright or obtrusive colours.

8 Location of equipment and ventilation/air-condition units

All service equipment, mechanical ventilation and air-condition units associated with the use of the premises must be installed and located to the satisfaction of the Chief Executive Officer so as not to cause nuisance or disturbance to persons outside the curtilage of the premises.

CITY TRANSPORT

9 Staged development

In accordance with Condition1 of this Decision Notice the stages as shown on Approved Plan titled Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision B, dated 18/06/2020 and prepared by Gassman Development Perspectives, are approved for the purposes of construction (subject to the relevant Operational Work approvals) and compliance assessment of subdivision plans, subject to the following requirements:

a The future Operational Works application can cover more than one stage. However, the engineering plans must be split into the individual stages shown on the approved staging plan.

b The construction of any approved operational works (including provision of "as constructed" information) and compliance assessment of subdivision plans must be in the sequence (i.e. order) of the stages shown on the approved staging plan. To be clear, the subdivision plan for stage 1 must be approved by Council before (or at the same time as) the stage 2 subdivision plan, and so on.

c Subdivision plans must correspond to the stages as shown on the approved staging plan.

d Any subsequent proposed amendments to the stage boundaries or the sequence of development must be first approved by Council as a change to the reconfiguration of a lot development approval and any operational work development approval.

10 External Roadworks

Prior to the issue of any development approval associated with the relevant stage, functional road layout plans (including land dedications) must be submitted for the following:

a the upgrade of Christensen Road and Christensen Road South;

b the intersection of Christensen Road South and proposed new road;

c the intersection of Christensen Road and proposed new road;

d the intersection of Christensen Road and the Eastern Service Road;

e the re-prioritisation of the intersection of Christensen Road and Christensen Road South.

The functional road layout plans must be supported by a Traffic Impact Assessment Report, and must be completed at no cost to Council and to the satisfaction of the Chief Executive Officer.

Advice Note: Any identified roadworks supported by Council will be conditioned for construction as part of future development applications.

11 Land dedication for road widening

Land must be dedicated to Council for road widening purposes. All land to be dedicated to Council must be completed at no cost to Council and to the satisfaction of the Chief Executive Officer, the timing of which will be determined as part of each subsequent application.

ACID SULFATE SOILS AND GROUNDWATER

12 Approved acid sulfate soil management plan must be complied with

a All works must be undertaken with due regard to the possibility of encountering acid sulfate soils.

b The applicant must comply with the approved acid sulfate soil management plan, being Acid Sulfate Soil investigation, Lot 1 on RP 6882 and Lot 240 on W31320 Stapylton Jacobs Well Road and Christensen Road, Stapylton, prepared by ADG consulting and dated August 2011, in the carrying out of works and in the testing, treatment and management of acid sulfate soils.

VEGETATION MANAGEMENT

13 Staged tree clearing

Tree clearing onsite must be staged in accordance with the approved staging development plan as required by Condition no.1 of this Decision Notice.

14 Vegetation works OPW application required

This approval does not approve vegetation clearing or damage. Prior to commencement of such works, a development application for operational work (vegetation works) must be made to and approved by Council for any works proposing clearing or damage to any Protected Vegetation. The application must be accompanied by a copy of each of the following plans (and, where a plan has already been approved, that plan must be accompanied by the corresponding approval documentation (i.e. decision notice or letter of approval)):

a The approved MCU layout plan.

b The approved bushfire management plan/site specific Bushfire Hazard letter.

c Plans clearly identifying which vegetation is proposed to be removed and which vegetation is proposed to be retained.

d A letter from an EPA-approved spotter-catcher together with any necessary fauna management plan or a QPWS-endorsed fauna translocation management plan.

e A sediment and erosion control and construction management plan.

For this condition 'Protected Vegetation' is defined as vegetation that is:

i equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level irrespective of the domain or LAP; or

ii equal to, or in excess of, four metres in height in the Rural, Park Living or Emerging Communities Domains, Burleigh Ridge LAP, Coomera LAP (Precincts 7, 9 and 10), Coomera Town Centre (Precincts 8, 10 and 11), Currumbin Hill LAP, Eagleby LAP (Precinct 6), East Coomera/Yawalpah Conservation LAP, Guragunbah LAP, Hope Island LAP (Precinct 3), Mudgeeraba Village LAP, Nerang LAP (Precincts 9 and 10), South Stradbroke LAP, Uplands Dr and Woodlands Way LAP, West Burleigh Township LAP or Yatala Enterprise Area LAP.

LANDSCAPING

15 Detailed landscape plan to be submitted for approval relating to landscape buffers within Stage 1, 2 and 4.

a A landscape buffer ten (10) metres wide for the length of the western property boundary of Precinct A, six (6) metres wide for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage and twenty (20) metres wide for the length of the eastern boundary of Precinct C, the applicant must submit to Council for approval a detailed landscape plan, by making a development application for operational work (landscape work).

b Approval of proposed landscaping plan must be obtained prior to the commencement of works relating to relating to the corresponding stages, being stages 1, 2 and 4, of this development. The approved landscape work must be completed prior to the commencement of use of any part of the corresponding stage, being stages 1, 2 or 4 of this development.

c Without limiting the requirements of the planning scheme's Landscape Work Specific Development Code, the detailed landscape plan must:

i Be prepared by a qualified landscape architect or similar landscape design professional;

ii Be in general accordance with the Statement of Landscape Intent, being:

Drawing Title	Author	Date	Drawing No.	Ver
Landscape Intent	Gassman Development Perspectives	21 February 2020	1-5	C

iii Reflect the approved layout (including any amendments to that layout required by these conditions) and the conditions of this approval; and

iv Comply with Planning Scheme Policy 13 – Landscape Strategy Part 2 – Landscape Works Documentation Manual.

d The required landscaping plan for the northern boundary must demonstrate

i A landscaped buffer six (6) metres wide for the entire length of the subject site adjoining

the Stapylton Jacobs Well Road frontage; and

ii That the buffers contain dense tree planting to soften and screen the development.

e The required landscaping plan for the western boundary must demonstrate

i A buffer ten (10) metres wide for the length of the western property boundary of Precinct A;

ii A solid fence with a maximum height of 2.4 metres designed and located in accordance with acoustic report prepared by Acoustic Works dated 18 December 2019 (reference: 2019338 R01B), located wholly within the subject site, for the length of the western property boundary of Precinct A. The fence must be of a durable fencing material with a minimum life span of 20 years. The fencing material and colour must be nominated;

iii Dense tree planting, at grade, with a minimum width of three (3) metres along the western boundary for the entire length of Precinct A;

iv Where a minimum batter of 1V:3H can be achieved, landscaping must be provided within the entire ten (10) metre width;

v Maximum batter grade of 1V:1.1H within the remaining seven (7) metres.

f The required landscaping plan for the eastern boundary must demonstrate

i A landscape buffer with a minimum width of twenty (20) metres for the entire length of the eastern property boundary, within Precinct C;

ii That the buffer contains dense tree planting to soften and screen the development;

iii An undisturbed corridor with a width of ten (10) metres from the boundary, where all existing vegetation is retained and no earthworks are permitted to encroach;

iv Earthworks, where required, must not encroach the ten (10) metre undisturbed corridor;

v All batters proposed within the buffer area have a maximum grade of 1V:2H where the batter is within fill and 1V:3H where the batter is within cut. The cut batter may have a maximum grade of 1V:2H, provided it is over-excavated, micro-benched and incorporates a minimum 400mm soil depth, as per correspondence from Douglas Partners, Project 90520.00. L.002.docx, Dated 24 January 2019 titled Batter Treatment.

COVENANT AREA – PROHIBITED ACTIVITIES, MANAGEMENT AND COVENANT

16 Cancelled

17 Cancelled

18 Cancelled

19 Cancelled

20 Cancelled

21 Cancelled

22 Cancelled

23 Cancelled

OPEN SPACE

24 Transfer of open space

a The applicant must transfer to Council the areas of public open space listed below, as identified on the plans indicated (subject to any amendments required by these conditions):

Purpose	Description on Plan	Plan Reference
Conservation Area	Area D – Open Space/Reserve	Land Use Classification and Staging Plan, drawing 5941 P LU 01, Revision B, dated 18/06/2020 and prepared by Gassman Development Perspectives.

b The land identified in paragraph (a) must be transferred in fee simple as 'Public Open Space' to Council of the City of Gold Coast as Trustee.

c Council will hold the land in trust for community infrastructure and may use the land, or permit the land to be used, for purposes that do not compromise the purpose for which the land is dedicated.

d The applicant must lodge the transfer documents with Council at the same time as lodgement of the subdivision plans for Stage 4 or, if no subdivision plans are required, prior to the commencement of any use within Stage 4 of this development.

e Where subdivision plans are required, the applicant must provide Council with evidence of the transfer of the land identified in paragraph (a) within 30 days of the registration of the subdivision plan that shows the entirety of the land identified in paragraph (a).

f The transfer of the land to Council must be at no cost to Council.

OPEN SPACE MANAGEMENT PLAN

25 Preparation of open space management plan (OSMP) to be submitted for approval addressing all areas of land to be transferred to Council as public open space

a An Open Space Management Plan ('OSMP') must be prepared, addressing all areas of land to be transferred to Council, specifically the area of land south of Christensen Road to be dedicated to Council as public open space.

b The OSMP must be submitted and approved by the Chief Executive Officer prior to the approval of any development permit for operational works (change to ground level, bulk earthworks, tree works, landscaping, whichever comes first) within Stage 4 of this development. The OSMP is not an approved report until a Council approved letter has been issued in respect of it.

c The OSMP must be prepared by a suitably qualified professional and must be:

ii In accordance with Council's Open Space Management Guideline: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007, Version 1); and

iii Generally in accordance with:

A The approved reconfiguration layout (including any amendments required by these conditions).

B Relevant conditions of approval.

d The submitted OSMP must demonstrate compliance with the Open Space requirements in Section 6 of the Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings and must address the following site-specific issue:

ii Detail a rehabilitated sixty (60) metre buffer from the high bank of Sandy Creek.

26 Compliance assessment of OSMP

The OSMP is a document requiring compliance assessment under the Sustainable Planning Act 2009. A request for compliance assessment must be made in accordance with the Sustainable Planning Act 2009 for a compliance certificate approving the document, in accordance with the following:

Matters or things against which the document must be assessed	• The planning scheme's Landscape Works Specific Development Code; • The planning scheme's Vegetation Management Specific Development Code; • The planning scheme's Bushfire Management Areas Constraint Code; • The planning scheme's Canals and Waterways Constraint Code; • The planning scheme's Cultural Heritage (Indigenous) Constraint Code; • The planning scheme's Natural Wetland Areas and Natural Waterways Constraint Code; • The planning scheme's Nature Conservation Constraint Code; • Policy 10 – Guidelines for Preparing Management Plans and Plans of Development; • Planning Scheme Policy 11 – Land Development Guidelines; • Planning Scheme Policy 17 – Site Analysis; and • Council's Open Space Management Guideline: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007, Version 1).
Compliance assessor	Gold Coast City Council
When the request for compliance assessment must be made	Prior to the approval of any development applications for operational work (inclusive of change to ground level, works for infrastructure, vegetation clearing or landscape work) for Stage 4.

The OSMP is not an approved report until a compliance certificate has been issued in respect of it.

27 Compliance certificate with future operational work development applications

A copy of compliance certificate for the OSMP must be provided with any future operational work development applications for Stage 4.

28 Compliance with OSMP prior to acceptance of open space 'On Maintenance'

a All works specified in the OSMP and any conditions imposed on the compliance certificate must be carried out in accordance with the approved plan at no cost to Council and to the satisfaction of the Chief Executive Officer, prior to Council accepting the open space 'On Maintenance' in accordance with Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings.

b The applicant must provide certification from a qualified professional that all works in the approved OSMP and associated design drawings have been implemented on-site in accordance with the OSMP and the conditions of approval as stated on the compliance certificate approving the OSMP. This certification must be provided to the Council prior to accepting the works 'On Maintenance'.

29 Revegetation to use Local Provenance Stock

a All revegetation for the purposes of ecological rehabilitation and restoration must be undertaken using only local provenance plant stock in accordance with Appendix 1A of Open Space Management Guideline: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007, Version 1).

b Unless otherwise approved to the satisfaction of the Chief Executive Officer, local provenance plant stock is to be sourced from seed or vegetative material located no further than 10 kilometres from the subject site.

ACOUSTICS

30 Acoustic report

a The development must be designed and constructed in accordance with all recommendations outlined in acoustic report prepared by Acoustic Works dated 18 December 2019 (reference: 2019338).

b Any alteration to the design or construction of the development that prevents the recommendations of the approved acoustic report being implemented will require an amended acoustic report to be submitted and approved by Council prior to Building Approval.

c Hours of operation within Precinct A are restricted to between 7:00am and 8:00pm Monday to Friday.

31 Acoustic barrier

A continuous line of buildings adjacent to the full extent of the western property boundary adjoining the residential development as per the recommendations within approved acoustic report prepared by Acoustic Works dated 18 December 2019 (reference: 2019338) is to be provided ensuring the following treatment is incorporated:

a Buildings to be a minimum 5m high;

b No gaps to be present between buildings;

c Buildings to be constructed of solid concrete or masonry with a minimum thickness of 100mm;

d No openings (other than emergency doors) are to be located on the western façade facing the residential properties. Any doors are to be a minimum 45mm thick solid core door with a minimum density of 25kg/m² with acoustic gasket seals around the top and sides and a seal the base;

e Insulation blanket is to be installed in the roof of the buildings with a minimum thickness of 75mm;

f Any penetrations through the western building façade should be acoustically treated to ensure the acoustic rating is maintained; and

g Any alteration to the design or construction of the development that prevents the above recommendations being implemented will require an amended acoustic report to be submitted and approved by Council prior to Building Approval.

32 Landscape buffer

A minimum ten (10) metre wide buffer is to be provided along the length of the western property boundary of Precinct A in accordance with the submitted Statement of Landscape Intent, revision C, dated 21 February 2020, prepared by Gassman Development Perspectives.

33 Certificate of Compliance

Prior to occupation of any premise within Precinct A of the development, a Certificate of Compliance from a suitably qualified acoustic professional is to be provided so as to confirm that buildings have been constructed in accordance with the recommendations within approved acoustic report prepared by Acoustic Works dated 18 December 2019 (reference: 2019338).

34 An acoustic report required for future MCU (Code and Impact Assessable) development applications within Precinct A

An acoustic report must be submitted and approved by Council for all future Material Change of Use (Code and Impact Assessable) development applications within Precinct A.

a The report must detail:

i The expected impact of noise from mechanical plant and equipment from buildings within Precinct A on nearby noise sensitive dwellings;

ii An assessment conducted in accordance with AS1055.1-3: 1997 Acoustics – Description and Measurement of Environmental Noise and the Environmental Protection Act 1994 and Subordinate Regulations and Policies; and

iii The required control measures to ensure compliance with the relevant noise level criteria.

f The development must be designed and constructed in accordance with any recommendations of the approved acoustic report and any other conditions imposed in the approval of the report.

35 Hours of operation within Precinct A

Hours of operation within Precinct A are restricted to between 7:00am and 8:00pm Monday to Friday or to the satisfaction of the Chief Executive Officer.

36 Delivery and Collection Activities within Precinct A

Delivery and collection activities within Precinct A are restricted to between 7:00am and 8:00pm Monday to Friday or to the satisfaction of the Chief Executive Officer.

HYDRAULICS AND STORMWATER MANAGEMENT

37 No worsening of hydraulic conditions

The development must be designed and constructed so as to result in:

a No increase in peak flow rates downstream from the site;

b No increase in flood levels external to the site; and

c No increase in duration of inundation external to the site that could cause loss or damage.

38 Alteration of overland flow paths

Overland flow paths on the site must not be altered in a way that inhibits or alters the characteristics of existing overland flows on other properties or that creates an increase in flood damage on other properties.

39 Certification of earthworks compliance with hydraulic report

Immediately after completion of the bulk earthworks, the applicant must submit to Council a certification from a Registered Professional Engineer Queensland (RPEQ) specialising in hydraulics stating that the bulk earthworks comply with Section 4 of the approved report, being 'Generations Industrial Park – Stormwater Management Plan', dated 20 June 2012 and prepared by Hyder Consulting Pty Ltd and no loss of flood plain storage has occurred as a result of the earthworks. The certification must be accompanied by calculations and as constructed data that:

a Includes existing and proposed triangulated surface meshes which can be produced by computer terrain modelling software packages such as Civil-Cad, 12D or KEAYS; and

b Has been compared with the pre-development surface levels to ensure that no loss of floodplain storage has occurred.

40 Use of land for flood storage purposes only

The part of Lot 4 on RP6843 that is identified as Excavation below RL8.6m AHD in Figure 4.6 (Compensatory Excavation for Flood Storage Volume Balance) of the stormwater management report, being 'Generations Industrial Park – Stormwater Management Plan', dated 20 June 2012 and prepared by Hyder Consulting Pty Ltd must be used solely for the purposes of flood storage/conveyance and not be used for any purposes that involve the construction of any building, structures or earthworks. This obligation applies independently of any registered covenant.

41 Flood storage covenant

Prior to the earlier of compliance assessment of the subdivision plan or the commencement of the use of the premises, an instrument of covenant must be registered on the title/s of the lot/s. The following requirements must be complied with in the preparation and lodgement of the instrument of covenant:

a The applicant is responsible for the preparation of the instrument of covenant and any necessary subdivision plan to enable registration of the covenant and for lodgement of the covenant for registration.

b The instrument must be in a form capable of registration pursuant to section 97A(3)(a) of the Land Title Act 1994.

c The part of Lot 4 on RP6843 that is identified as Excavation below RL8.6m AHD in Figure 4.6 (Compensatory Excavation for Flood Storage Volume Balance) of the stormwater management report, being 'Generations Industrial Park – Stormwater Management Plan', dated 20 June 2012 and prepared by Hyder Consulting Pty Ltd must be shown and identified as a 'Flood Covenant Area' on the face of the subdivision plan in addition to any covenant descriptor (e.g. Covenant 'A').

d The applicant must provide a draft of the covenant to Council for written approval.

e The parties to the covenant are to be the registered owner of the lot (as covenantor) and the Council (as covenantee).

f The instrument must include a purpose statement that articulates:

i That the covenantor acknowledges that the Flood Covenant Area contributes to the existing flood storage capacity of the floodplain and watercourse system, as well as maintaining existing flood conveyance capacity of the watercourse system; and

ii That to ensure the flood storage/flood conveyance function of the Flood Covenant Area is not adversely affected, it is critical the Flood Covenant Area be used solely for the purposes of flood storage/conveyance and not be used for any purposes that involve the construction of any building, structures or earthworks.

g The instrument must expressly set out in full as obligations of the covenantor that:

i The Flood Covenant Area must be used for the purpose of flood storage/conveyance; and

ii The Flood Covenant Area must not be used for any purposes involving buildings, structures or earthworks that result in a loss of flood plain storage or conveyance capacity (cross sectional area) of the watercourse.

h If the instrument is requisitioned or refused registration by the Registrar of Titles, the applicant shall amend the document to include a covenant/s which, as nearly as practicable, addresses the objective sought to be achieved by this condition. A draft of the amended document is to be provided to Council for written approval.

42 Amendment of and compliance with stormwater management plan

a The submitted stormwater management plan, being 'Generations Industrial Park – Stormwater Management Plan', dated 20 June 2012 and prepared by Hyder Consulting Pty Ltd, is approved, subject to the following amendments:

i GPTs must be selected in accordance with Section 13.12.2.2 of the Council's Land Development Guidelines (GCCC, 2007).

ii Pollutant removal efficiency of GPTs must not be higher than the Council's acceptable value 50% TSS, 20% TP and no removal of TN. The applicant must provide additional bioretention basin/swale if requires to achieve the Council's pollutant load reduction target (80% TSS, 60% TP, 45% TN and 90% GP).

b All works must be carried out and completed and all maintenance and monitoring implemented by the applicant in accordance with the amended stormwater management plan, prior to a request for compliance assessment of the subdivision plan or, if no subdivision plan is required, prior to the commencement of the use of the premises.

43 Certification that stormwater management treatment train implemented

a The applicant must provide to Council certification from a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater that the stormwater management treatment train in the approved (as amended) stormwater management plan and associated design drawings has been installed on-site and is functioning as designed.

b Certification must be provided prior to the earlier of compliance assessment of the subdivision plan or the commencement of the use of the premises.

44 SQIDs maintenance management plan

In accordance with Vol 3 (Section 13) of the Land Development Guidelines, the applicant must submit to Council for approval, before Council will accept the works 'On Maintenance', a SQID Maintenance Management Plan (MMP) that is:

a prepared by a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater; and

b developed in accordance with Council's Water Sensitive Urban Design Guidelines (2007), and with reference to the Water by Design document "Maintaining Vegetated Stormwater Assets" Version 1 February 2012.

The MMP should be a concise document suitable for use by field staff in carrying out day-to-day maintenance activities. The MMP must include, but not necessarily be limited to, the following key information:

i Design intent and description of the device(s)

ii The location and specific dimensions of the device(s)

iii Approved / designed water quality objectives

iv Water quality monitoring procedures

v Monitoring frequency

vi Specifications and procedures for device(s) maintenance

vii Plant and equipment access details for maintenance activities

viii Maintenance activity schedule defining frequency, area (m2) per maintenance zone, hours, staff, plant and equipment, approximate costs per rotation, and per annum

ix Performance indicators / intervention levels / triggers for reactive maintenance

x Any necessary preventative maintenance measures

xi Acceptable solutions for specific items, i.e. acceptable plant species substitutions based on availability, hydraulic conductivity, water quality objectives, etc

xii Defined maintenance zones, i.e. shallow water zone – 350m2, ephemeral planting zone – 600m², etc (for wetlands in particular)

xiii Approximate lifecycle maintenance costs

Prior to acceptance for 'Off Maintenance' the applicant must submit a report to Council providing details of water quality performance monitoring including any recommendations or corrective action taken throughout the maintenance / defects liability period ('On Maintenance').

Information note:

The term Stormwater Quality Improvement Devices (SQID) is used to describe all built WSUD features, e.g. grassed swales, gross pollutant traps and various basins (detention, retention and sedimentation, etc).

EROSION AND SEDIMENT CONTROL

45 Erosion and sediment control

a Sediment, erosion and dust control measures must be implemented generally in accordance with the approved report, being "Generations Industrial Park – Stormwater Management Plan" dated 20 June 2012 prepared by Hyder Consulting Pty Ltd and the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008). Additional sediment, erosion and dust control measures must be implemented as directed by Council officers upon site inspection.

b Immediately after backfilling behind all kerbing:

i A turf strip 1 metre wide must be placed behind all kerbing; and

ii A turf strip must be placed at 90 degrees to the kerb every 10 metres to prevent scouring along the turf edge,

in accordance with Figure 2.5 (Application of Grassed Filter Strips down a slope) of the Best Practice Erosion & Sediment Control (IECA Australasia,November 2008).

c Immediately after completion of the construction of an open drain:

i The open drain must be turfed, unless approved otherwise in a Council approved stormwater management plan; and

ii A turf strip must be placed at 90 degrees to the invert every 10 metres to prevent scouring along the turf edge. Reinforced turf must be used where invert grades exceed 5%.

d Sediment control structures (e.g. sediment fence) must be placed at the base of all materials imported on-site to trap any sediment runoff.

e The following inspection program must be carried out until the site is fully rehabilitated:

i Regular inspections to ensure that adequate erosion control measures are in place and in good condition both during and after construction; and

ii Inspections after each storm event to assess the adequacy of the erosion control measures. The applicant must make good any damage or non-performing erosion control devices and clean up any sediment that has left the site or is on the roads within and external to the site.

f To minimise unvegetated areas:

i Construction activities must be staged;

ii Filled areas must be seeded immediately on completion; and

iii No area should remain exposed (unvegetated) for more than 2 weeks unless construction work is being undertaken on that area.

g All water from the site, including dewatering discharge, must be directed through a sediment pond prior to leaving the site. The sediment ponds or other approved devices are to be maintained in good condition until the site is fully rehabilitated.

h Prior to discharging of any water from the site during construction, including dewatering discharge, the applicant must achieve the water quality objectives in Table 8.2.1 of the Queensland Water Quality Guidelines (DERM, September 2009).

i Water quality must be monitored in accordance with Section 7.5 of the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008) and compared with water quality objectives. A monitoring report must be prepared and retained at the site office and made available to Council's inspectors upon request. The applicant must notify Council's Contributed Asset Section and Department of Environmental and Resource Management of any non-compliance to water quality objectives and the corrective actions taken by the applicant within 48 hours of the non-compliance.

j Water quality samples must be collected monthly during the first rainfall event of greater than 25mm in 24 hours. The sampling frequency shall be increased to fortnightly in case of any non-compliance to the construction phase water quality objectives until the above water quality objectives are achieved through additional corrective measures.

46 Construction of sediment basin

a The sediment basin(s) proposed for construction phase must be designed in accordance with Appendix B of the Best Practice Erosion and Sediment Control (IECA Australasia, November 2008).

b Each sediment basin must have the capacity to treat flows to current best practice standards and as a minimum must be designed to contain all the stormwater runoff from the 85th percentile 5 day rainfall depth and in addition be designed to store 2 months sediment from the receiving catchment, as determined using the Revised Universal Soil Loss Equation.

c Sediment basins must be dewatered as soon as practicable after each rainfall event.

d Sediment basins and associated structures such as inlets, outlets and spillways are designed and constructed to be structurally sound for 10 year ARI rainfall event under normal circumstances.

e A high-flow bypass system must be included (if necessary) to prevent any potential re-suspension of accumulated sediment from the basin during major storm events.

f Accumulated sediment from basins and other controls must be removed and disposed of appropriately without causing water contamination.

47 Inspections and reporting

a All erosion and sediment control measures must be inspected on a weekly basis and following runoff events until the site is fully rehabilitated.

b All drainage control structures such as Diversion Banks, Diversion Channels and Temporary Culvert Protections must be inspected daily to ensure they have not been damaged by machinery and are serviceable in readiness for the next rainfall event.

c Where inspection indicates a non-conformance, a Non-Conformance Report must be generated. This report must include but not limited to the following:

i Details of the nature and cause of non-conformance; and

ii Details of the required corrective actions.

Corrective actions must be carried out within 24 hours where practicable or as agreed with the Construction Superintendent.

d A monthly summery of Erosion and Sediment Control (ESC) performances must be compiled and retained at the site office and made available to Council's inspectors upon request. This report must include but not limited to the following:

i ESC Inspection Checklists;

ii Description of any incidents of non-conformance;

iii Results of corrective action; and

iv Revisions to the ESCP.

48 Detailed design and certification of erosion and sediment control measures

a The development application for operational work (change to ground level and/or works for infrastructure) must be accompanied by site specific detailed design of erosion & sediment control measures, including (but not limited to) details of:

i Catchment boundary and overland flow path;

ii Estimated soil loss from each catchment;

iii Length, width and depth of each sediment basin;

iv Spillway details and levels;

v Energy dissipation/scour protection;

vi High flow bypass (if requires);

vii Value of each parameter used in the calculation of soil loss and volume of sediment basins;

viii Cross section, capacity and spacing of each catch/diversion drain;

ix Spacing of silt fences;

x Frequency and location of water quality monitoring;

xi Maintenance requirements and frequencies;

xii Maintenance access; and

xiii Contingency measures in case of failure to achieve the water quality objectives.

b The applicant must also submit a certification from a qualified professional confirming that the above detailed drawings are prepared in accordance with the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008) and best industry practices.

GEOTECHNICAL

49 Geotechnical report to be complied with

All future earthworks over the subject site must be designed following the advice and recommendations of the geotechnical report, being 'Broad Geotechnical Assessment, Proposed Industrial Development, Lot 1 on RP6882 and Lot 240 on W31320, Stapylton Jacobs Well Road and Christensen Road, Stapylton', prepared by Morrison Geotechnic Pty Ltd, Job No. GE11/002 and dated February 2011.

50 Retaining structures design

a Retaining structures and associated footings must be designed in accordance with AS 4678 – 2002 Earth-retaining structures.

b Retaining structures and associated footings must comply with the Planning Scheme Policy 11 - Land Development Guidelines, Standard Specifications and Drawings including in particular, but not limited to:

i Section 3.2.7 (Cut/fill batters and earth retaining structures); and

ii Section 7.7 (Building near or over Council water, sewer and/or stormwater services).

c Retaining structures over the subject site must not exceed 5.0 metres in height.

d Retaining structures must be made of durable materials not subject to rot and insect attack and have a minimum design life of 60 years.

51 Cut and fill batters design

a Cut/fill batters must be constructed in accordance with section 3.2.7 of Planning Scheme Policy 11 - Land Development Guidelines, Standard Specifications and Drawings.

b All platforms resulting from cutting/filling must have a minimum slope of 1 in 150 and comply with Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings for drainage of allotments to the street.

c Benching is required where any proposed freestanding batter height exceeds 2.5 metres. The minimum width of benching must be 1 metre with a minimum slope of 1 in 100 towards the lower face. The absolute maximum height of any freestanding cut/fill batter with benching is 5 metres, unless otherwise approved in writing by the Chief Executive Officer.

WASTEWATER

52 Reduced infiltration gravity wastewater reticulation

The development must be connected to reduced infiltration gravity wastewater reticulation by gravity solution, at the applicant's cost.

53 General wastewater servicing arrangement

Unless otherwise determined by Gold Cast Water, the wastewater servicing arrangements shall be generally in accordance with the following:

a Connect Stage 1 to Council's existing live 100mm diameter sewer rising main located within the southern verge of Stapylton Jacobs Well Road via an interim trunk sewer pump station to be contained within the Stage 1 road reserve extent (refer to drawing no. 5941 ENG EXTSEW SK003 Rev B prepared by Gassman Development Perspectives dated 12-11-2020);

b The balance of Stage 2, Stage 3 and Stage 4 shall gravitate into Council's future trunk wastewater network located on the Christensen Road frontage of the subject site.

54 Connection point

The applicant must submit to Gold Coast Water and obtain approval prior to making any development application for a Development Permit or Building Work:

a Pump Station BE45 catchment (part of Stage 1):

i Demonstrate development can be connected by gravity to BE45,

b Proposed new pump station near Stapylton-Jacobs Well Road (balance of Stage 1 and part of Stage 2 that's drains to this new pump station):

i Demonstrate that downstream wastewater infrastructure has sufficient capacity to accommodate the new wastewater pump station;

ii Demonstrate an ability to deliver the new wastewater pump station in time to service the proposed development.

c Long Term Strategy (balance of Stage 2, Stage 3 and Stage 4):

i Demonstrate that balance of Stage 2 and Stage 3 gravitate to Stage 4; and

ii Demonstrate that downstream wastewater infrastructure has sufficient capacity to accommodate the development.

Note: The development is out of sequence in respect of wastewater services. The wastewater network scenario may change as a result of the future planning of the Beenleigh, Stapylton and Pimpama Wastewater Treatment plants. The applicant is advised to liaise with Gold Coast Water.

55 Cancelled

56 Wastewater pump stations

Wastewater pump stations, rising main and emergency storage must be designed and constructed in accordance with Council's Policy 11 – Land Development Guidelines standards, at no cost to Council and are to:

a Provide legal access to the pump station,

b Provide a separate electrical power,

c Provide a separate water service and meter.

57 Location and transfer of wastewater pump station land

The site of any wastewater pump station and associated access driveways, that will be owned and maintained by Council, must be transferred, in freehold and at the applicant's cost, at the earlier of making an application for Building Work, request for a compliance assessment for a Development Permit or prior to the commencement of the use.

58 Completion of external wastewater connections

All external wastewater connections (including the completion of all infrastructure downstream of the development site to the point of connection and approved augmentation works) must be completed in accordance with engineering plans approved by Council prior to the earlier of making an application for Building Work, request for a compliance assessment for a Development Permit or commencement of the use of the premises.

59 Connections – arrangements with Gold Coast Water

All live connections are to be performed by Gold Coast Water at the applicant's cost. The applicant must liaise with Gold Coast Water's Field Services and Construction Branch (phone 5581 7564) to make arrangements for the connection and to obtain a quotation for the work.

60 No building work over/within Council's wastewater infrastructure easements and minimum distance from Gold Coast Water infrastructure

a No structure or building work is permitted over/within any public utility easements (Gold Coast Water/Council).

b All proposed buildings and structures must be located a minimum distance of 2 metres from Gold Coast Water infrastructure (i.e. Water or wastewater infrastructure that become contributed assets) and comply with Gold Coast City Council Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings.

WATER SUPPLY RETICULATION

61 Cancelled

62 Design, construction and standard of water supply reticulation

The design, construction and standard of the required water supply reticulation infrastructure to be carried out by the applicant (including all water supply reticulation infrastructure to be dedicated to Council) must be in accordance with Gold Coast City Council Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings.

63 Connection point

a The existing 225mm main in Stapylton Jacobs Well Road, De Bortoli Street and Christensen Road must be used as the potable water supply connection point, unless otherwise approved by Gold Coast Water.

b Deleted.

c Deleted.

d Deleted.

64 Water reticulation schematic plan and network analysis

a The applicant must submit to Gold Coast Water and obtain approval of a potable water reticulation schematic plan and network analysis of the overall development prior to the earlier

of the making of any development applications for Operational Work (works for infrastructure) or for Plumbing and Drainage Work.

b In preparing the plan/analysis, the applicant must liaise with Gold Coast Water to ensure appropriate allowance is made for connectivity with external mains and external demands.

65 Cancelled

66 Supply standard

The applicant must provide water supply to the standard specified in Section 4 and 7 of Gold Coast City Council's Land Development Guidelines.

67 Fire loading

Fire loading must not exceed 30L/s for commercial and industrial uses, unless otherwise approved by Gold Coast Water.

68 Cancelled

REFERRAL AGENCY CONDITIONS

69 Cancelled

FAUNA MANAGEMENT

70 Relocation of active Wedge-tailed eagles nest within Precinct C

Prior to any clearing within Precinct C, a relocation program shall be developed by the applicant, lodged with Council and approved by Council for the relocation of the active wedge-tailed eagles nest (Aquila audax). The program shall detail the specific requirements for the relocation of the nest. All works shall occur in accordance with the requirements of the relocation program and in liaison with Councils Environmental Planning section.

Please note, a relocation pole of similar height and dimension to the existing nesting tree will be required.

ADVISORY NOTES TO APPLICANT

A Referral agencies

The referral agencies (and their addresses) for the application are listed below.

Any referral agency conditions are identified in the conditions of approval.

Referral agency	Address	Jurisdiction
Department of Natural Resources and Mines (Previously Department of Environment and Resource Management)	Permit and Licence Management GPO BOX 2454 BRISBANE QLD 4001	Concurrence and Advice Agency – For the purposes of the Vegetation Management Act and for the purposes of the Environmental Protection Act
Department of Transport and Main Roads	South Coast Region Land Management PO BOX 442 NERANG QLD 4211	Concurrence Agency – for the purposes of the Transport Infrastructure Act
Department of State Development Infrastructure and Planning	PO BOX 15009 CITY EAST QLD 4002	Concurrence Agency – for the purposes of the Act

B Properly made submissions

There were properly made submissions about the application. The name and address of the principal submitter for each properly made submission is attached to the decision notice.

C Rights of appeal

The applicant has a right of appeal to the Planning and Environment Court regarding this decision, pursuant to section 461 of the Sustainable Planning Act 2009. A copy of that section is attached to the decision notice.

For particular material changes of use, an appeal can also be made to a Building and Development Committee. Please refer to the prerequisites in sections 519 and 522 of the Sustainable Planning Act 2009, attached to this decision notice, to determine whether you have appeal rights to a Building and Development Committee.

Submitters who made properly made submissions have a right of appeal to the Planning and Environment Court regarding this decision, pursuant to section 462 of the Sustainable Planning Act 2009. A copy of that section is attached to the decision notice.

D Applicant responsibilities

The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws.

Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for:

a Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration;

b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the Environmental Protection Act 1994 of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity');

c Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval);

d Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes;

e Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof of appropriate exemption) where the value of the Operational Works exceeds $80,000. Acceptable proof of payment is a Q. Leave – Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational Works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; and

f Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.

E Indigenous cultural heritage legislation and duty of care requirement

The Aboriginal Cultural Heritage Act 2003 ('AHCA') is administered by the Department of Environment and Resource Management (DERM). The AHCA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:

a Is not negated by the issuing of this development approval;

b Applies on all land and water, including freehold land;

c Lies with the person or entity conducting an activity; and

d If breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care.

Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the AHCA.

The applicant should contact DERM's Cultural Heritage Coordination Unit on (07) 3238 3838 for further information on the responsibilities of developers under the AHCA.

F Greenhouse gas emissions

As part of Council's commitment to reducing greenhouse gas emissions Council is encouraging the expansion of the natural gas reticulation network. In particular, the use of natural gas hot water systems will result in significantly less greenhouse gas emissions than equivalent electric storage hot water systems.

The applicant should contact the local natural gas reticulator (APA Group) to arrange an assessment of the suitability of the proposed development for connection to the existing gas reticulation network. Please contact Ramon O'Keefe on 0438708798 or email: ramon.o'keefe@apa.com.au.

G Infrastructure charges

Infrastructure charges have not been calculated or imposed for this Material Change of Use, as it is a Preliminary Approval under Section 242 of the Sustainable Planning Act 2009. Infrastructure charges will be assessed and charged at the time of subsequent development permit/s for Material Change of Use or Building Work.

PROPERTY NOTIFICATION

A Noise/Acoustic

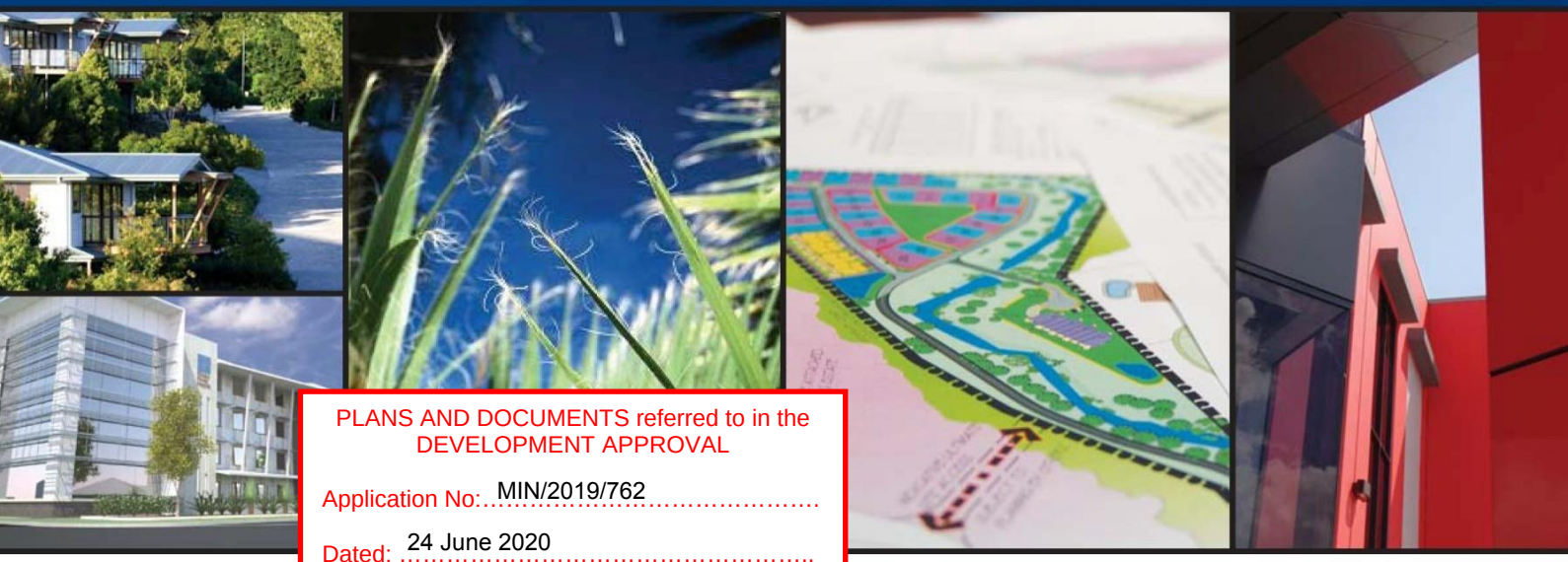
There are development approval conditions applicable in relation to acoustic issues on this lot/subsequent lots. All property owner(s) must ensure compliance with these conditions. Refer to Council of the City of Gold Coast's Decision Notice MIN/2019/762. A copy of Council's Decision Notice is available for viewing on Council's website www.goldcoastcity.com.au/pdonline

M38 INDUSTRIAL ESTATE PLACE CODE

A PRELIMINARY APPROVAL AFFECTING A LOCAL PLANNING INSTRUMENT FOR A MATERIAL CHANGE OF USE FOR INDUSTRIAL USES (S.242 OF THE *SUSTAINABLE PLANNING ACT 2009*)

ADDRESS:
60 STAPYLTON-JACOBS WELL ROAD & 82 CHRISTENSEN ROAD, STAPYLTON QLD 4207 (LOTS 1 ON RP6882 AND 240 ON W31320)

PREPARED FOR:
Frasers Property Pty Ltd **June 2020**



PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2019/762

Dated: 24 June 2020

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies

gassman development perspectives

project coordination
urban + regional planning
landscape + urban design
environmental management
visualisation + spatial services
surveying services
advisory services

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1.0 M38 INDUSTRIAL ESTATE PLACE CODE INTENT

1.1 PLACE CODE INTENT

The M38 Industrial Estate Place Code shall provide opportunities for industrially-related development at a scale that has regional economic significance and shall offer long-term employment benefits to the northern Gold Coast area. Ideally, the M38 Industrial Estate Place Code area ('the site') shall provide a location for the development of a variety of scales of general impact business and industry uses to complement and support the major industries that have, and will continue to, establish themselves in the ultimate precinct designation of the site which is General Business and Industry – Precinct 1 under the Yatala Enterprise Area Local Area Plan (YEA LAP).

Accordingly, the M38 Industrial Estate Place Code, in conjunction with the **enclosed** land-use classification plan creates the following Precincts:

- *Precinct A (Low Impact and Service Industry):* The land-uses promoted within this precinct are generally low impact industrial style uses responsive to the established nature of residential uses located nearby. Whilst more intensive levels of industry are not generally envisaged, they may be suitable subject to appropriate acoustic attenuation measures, strategies and operational measures being implemented to minimise potential detrimental impacts. The allotment sizes envisaged within this precinct are reflective of those that are promoted within Precinct 1 of the YEA LAP.

  Strict building and operational restrictions, including building design, building construction and hours of operation and delivery and collection activities, apply to development within Precinct A. The 10metre wide landscaped buffer to be established along the western property boundary of Precinct A shall be established to minimise the potential detrimental impacts of development within Precinct A on the adjoining residential development.

- *Precinct B (General Impact Business and Industry):* The majority of the land-uses promoted in this precinct, which covers the bulk of the developed site, are consistent with those itemised within the Precinct 1 land use designation of the YEA LAP. Those that are not, are industrially related and befit the future development prospects of the site and the YEA LAP generally. The ultimate intent of this precinct is to promote the land uses and allotment sizes that would ordinarily be located within Precinct 1 land located within the YEA LAP. It is also noted that the proposed subdivision lot-size parameters from Precinct 1 of the YEA LAP have been adopted within this precinct.

- Precinct C (Limited General Impact Business and Industry): The land-uses promoted in this precinct are similar to that of Precinct B and Precinct 1 of the YEA LAP. This precinct is however responsive to established nearby heavy industrial uses and mindful of likely odour impacts and therefore food industry and related uses are not envisaged within this precinct.

- Precinct D (Open Space/Reserve): This precinct is reflective of the land-uses that would otherwise be promoted within the Precinct 6 – Open Space land-use designation of the YEA LAP. All areas within the site that are highlighted as Precinct D are intended to serve as an area of environmental conservation and natural landscape relief compatible with the retention and rehabilitation of vegetation and habitat landscape and/or buffer values. Open space corridors linking adjacent open space areas will be established. Land may be in public or private ownership.

The site area shall be easily accessible from the existing and proposed arterial road system, being Stapylton-Jacobs Well Road and Christensen Road – both of which link to the Pacific Motorway. The site design accommodates for north-south road linkages consistent with underlying connectivity requirements within the YEA LAP.

Proposals under the M38 Industrial Estate Place Code area shall consider the relative proximity of the site to residential neighbours located to the south and the Stapylton landfill located to the east. Accordingly, a high level of screening is encouraged along the eastern portion of the site and relevant acoustic treatments along part of the southern section of the site. Further, attention is given to improving visual appearance and providing high landscape amenity along the Stapylton-Jacobs Well Road frontage. Buildings shall address the street, incorporate articulated exterior walls and rooflines, a mixture of building materials and exterior finishes, and other architectural details or features to enhance the appearance of any structures associated with a business/industry activity.

1.2 BACKGROUND

1.2.1 **Strategic Considerations:** The M38 Industrial Estate Place Code seeks to activate the industrial land-use potential of 'future industry' land that is included within the YEA LAP. The site is strategically located within/near a cluster of developed industrial uses that are situated within both the 'future industry' and 'general business and industry' precincts of the YEA LAP. Accordingly, the preliminary approval effectively brings forward several preferred land-uses of the site, consistent with surrounding development and the ultimate intent of the YEA LAP.

1.2.2 **The Site Context:** The site is suitably located within the YEA LAP and shall enable the logical growth of industrial development in the area. This M38 Industrial Estate Place Code recognises the site's strategic position along major roads servicing the Yatala Enterprise Area, namely Stapylton Jacobs-Well Road. The plan provides for appropriate transport connectivity to the north and south, as intended under the YEA LAP. Optimal ecological linkages are also supplied within this Place Code to ensure the ecological priorities of the YEA LAP are also met.

1.2.3 **The Land Use Classification and Staging Plan:** Please refer to the attached plan no. **5941 P LU 01 Rev B** (Schedule 1) specifying the part of the site that is affected by the M38 Industrial Estate Place Code. It communicates the area of the site that will be developed after taking into account relevant amenity, ecological, stormwater, connectivity and constraint issues. This approach shall also provide an understanding that the purpose of the development is to enable an extension to the Yatala Enterprise Area rather than a land use area in conflict with the ultimate land uses intended for the local area plan.

2.0 APPLICATION OF THE M38 INDUSTRIAL ESTATE PLACE CODE

2.1 APPLICATION

2.1.1 The M38 Industrial Estate Place Code applies to all proposed development located within the Place Code area, as indicated in the **Land Use Classification and Staging Plan, Plan No.5941 P LU 01 Rev B.**

2.1.2 The Table of Development indicated in **Clause 4.0** identifies the levels of assessment for development occurring within this development area. These tables override all applicable material change of use overlay provisions as contained within the Gold Coast Planning Scheme 2003, as amended.

2.1.3 The codes that may be relevant to the assessment of development in this Place Code area are listed in **Clause 5.0**.

2.1.4 It should be noted that self assessable development is deemed to be development that is consistent with the intent of this Place Code, and therefore need only comply with the self assessable acceptable solutions of the **M38 Industrial Estate Place Code** contained in **Clause 6.0** and any other acceptable solutions identified in the relevant codes explicitly referred to in **Subclauses 5.1.1 – 5.1.7**.

2.1.5. The definitions of all relevant terms and land uses contained within this Place Code are to be found within **Part 4, Division 1, Chapters 1-3 of the Gold Coast City Planning Scheme 2003, as amended** except as separately defined within **Clause 3.0** of this document.

2.1.6. The operation of this Place Code is guided, where necessary, by the protocols of **Part 6, Division 1, Chapters 2 of the Gold Coast City Planning Scheme 2003, as amended**.

2.1.7. This M38 Industrial Estate Place Code only applies to the specific forms of development outlined within the Table of Development in **Clause 4.0**. All other forms of development are subject to the relevant planning provisions of the Gold Coast City Council, which is currently the Gold Coast Planning Scheme 2003, as amended.

3.0 DICTIONARY

3.1 APPLICATION OF DEFINITIONS

The definitions outlined in Clause 3.2 have been compiled specifically for the M38 Industrial Estate Place Code only. Where applicable, these specific use or development definitions override those contained within **Part 4 Division 1 Chapter 2 of the Gold Coast Planning Scheme 2003, as amended**. For any proposed use that does not comply with these specific definitions, the current use or development definitions contained within the Gold Coast Planning Scheme 2003, as amended apply.

3.2 USE OR DEVELOPMENT DEFINITIONS

Food industry
Premises used for the manufacturing, producing, processing, storing or distributing of food or food related products for human consumption.

Low impact industry
Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, treating of products and have one or more of the following attributes:

- negligible impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise;
- minimal traffic generation and heavy-vehicle usage;
- demands imposed upon the local infrastructure network consistent with surrounding uses;
- the use generally operates during the day (e.g. 7am to 6pm);
- offsite impacts from storage of dangerous goods are negligible;
- the use is primarily undertaken indoors.

Service industry
Premises used for industrial activities that have no external air, noise or odour emissions from the site and can be suitably located with other non-residential uses.

Industry
As defined in the Gold Coast Planning Scheme 2003 as amended, where not ‘low impact industry’ or ‘service industry’ as defined in the M38 Industrial Estate Place Code.

3.3 SPECIFIC USE OR DEVELOPMENT DEFINITIONS EXAMPLES

The following table provides more specific examples of the specific use definitions applicable to the M38 Industrial Estate Place Code.

Column 1 **Use**	Column 2 **Examples include**	Column 3 **Does not Include the following examples**
Low impact industry	- Repairing and servicing motor vehicles, including mechanical components, radiators, electrical components, wheel alignments, exhausts, tyres, suspension or air conditioning, not including spray painting; - Repairing and servicing lawn mowers and outboard engines; - Fitting and turning workshop; - Assembling or fabricating products from sheet metal or welding steel, producing less than 10 tonnes a year and not including spray painting; - Assembling wood products not involving cutting, routing, sanding or spray painting; - Dismantling automotive or mechanical equipment, not including debonding brake or clutch components.	Panel beating, spray painting or surface coating, tyre recycling, drum re-conditioning, wooden and laminated product manufacturing.
Service industry	Audio visual equipment repair, film processing, bicycle repairs, clock and watch repairs, computer repairs, dry cleaning, hand engraving, jewellery making, laundromat, locksmith, picture framing, shoe repairs, tailor.	Small engineer mechanical repair workshop, cabinet making, shop fitting, sign writing, tyre depot

4.0 M38 INDUSTRIAL ESTATE PLACE CODE – TABLE OF DEVELOPMENT

4.1 TABLE OF DEVELOPMENT

Pursuant to s.242 of the *Sustainable Planning Act 2009*, the **Yatala Enterprise Area Local Area Plan Table of Development (as modified)** below, is nominated as the applicable Table of Development. It applies to the area specified within the M38 Industrial Estate Land Use Classification Plan and the specific forms of development outlined. Precincts nominated in this plan and the following tables of development and Place Code are as follows:

- Precinct A (Low Impact and Service Industry)
- Precinct B (General Impact Business and Industry)
- Precinct C (Limited General Impact Business and Industry)
- Precinct D (Open Space/Reserve)

TABLE A – YATALA ENTERPRISE AREA LOCAL AREA PLAN TABLE OF DEVELOPMENT (AS MODIFIED) – MATERIAL CHANGE OF USE

MATERIAL CHANGE OF USE incorporating or not incorporating BUILDING WORK Any use not listed in Table A Material Change of Use Table of Development, should be considered undesirable or inappropriate in the Precinct to which the Table of Development applies. Any Material Change of Use not individually listed in the relevant Table of Development will be treated as an Impact Assessable development.			
Exempt	**Self Assessable**	**Code Assessable**	**Impact Assessable**
Precinct A (Low Impact and Service Industry)			
Agriculture **Animal Husbandry** **Conservation** (natural area management) **Low-Impact Telecommunications Facility** **Minor Change** in the scale or intensity of an existing lawful use **Park** **Public Utility**	**Café** **Car Park** **Convenience Shop** **Low Impact Industry** **Milk Depot** **Service Industry** **Take-Away Food Premises** **Temporary Use** **Warehouse**	**Bulk Garden Supplies** **Caretakers Residence** **Estate Sales Office** **Food Industry** **Industry** **Manufacturer's Shop** **Outdoor Storage Area** **Rural Industry** **Telecommunications**	**Motor Vehicle Repairs n.e.i.** **Salvage Yard** **Service Station** **Transport Terminal**

MATERIAL CHANGE OF USE incorporating or not incorporating BUILDING WORK Any use not listed in Table A Material Change of Use Table of Development, should be considered undesirable or inappropriate in the Precinct to which the Table of Development applies. Any Material Change of Use not individually listed in the relevant Table of Development will be treated as an Impact Assessable development.			
		Facilities n.e.i.	
Precinct B (General Impact Business and Industry)			
Agriculture **Animal Husbandry** **Conservation** (natural area management) **Low-Impact Telecommunications Facility** **Minor Change** in the scale or intensity of an existing lawful use **Park** **Public Utility**	**Café** **Car Park** **Convenience Shop** **Industry** **Low Impact Industry** **Manufacturer's Shop** **Milk Depot** **Outdoor Storage Area** **Service Industry** **Take-Away Food Premises** **Temporary Use** **Warehouse**	**Bulk Garden Supplies** **Caretakers Residence** **Food Industry** **Rural Industry** **Telecommunications Facilities n.e.i.** **Transport Terminal**	**Motor Vehicle Repairs n.e.i.** **Salvage Yard** **Service Station**
Precinct C (Limited General Impact Business and Industry)			
Agriculture **Animal Husbandry** **Conservation** (natural area management) **Low-Impact Telecommunications Facility** **Minor Change** in the scale or intensity of an existing lawful use **Park** **Public Utility**	**Car Park** **Industry** **Low Impact Industry** **Manufacturer's Shop** **Outdoor Storage Area** **Service Industry** **Temporary Use** **Warehouse**	**Bulk Garden Supplies** **Rural Industry** **Telecommunications Facilities n.e.i.** **Transport Terminal**	**Motor Vehicle Repairs n.e.i.** **Salvage Yard**
Precinct D (Open Space/Reserve)			
Conservation (natural area management) **Low-Impact Telecommunications Facility**	**Temporary Use**	**Telecommunications Facility n.e.i.**	**Agriculture**

MATERIAL CHANGE OF USE incorporating or not incorporating BUILDING WORK			
Any use not listed in Table A Material Change of Use Table of Development, should be considered undesirable or inappropriate in the Precinct to which the Table of Development applies. Any Material Change of Use not individually listed in the relevant Table of Development will be treated as an Impact Assessable development.			
Minor Change in the scale or intensity of an existing lawful use **Park** **Public Utility**			

TABLE B – YATALA ENTERPRISE AREA LOCAL AREA PLAN TABLE OF DEVELOPMENT (AS MODIFIED) – OPERATIONAL WORK

OPERATIONAL WORK – CHANGES TO GROUND LEVEL			
Exempt	**Self Assessable**	**Code Assessable**	**Impact Assessable**
Operational Work that involves extraction, excavation or fill that:			
		exceeds a volume of 100 cubic metres of fill or excavation, or is closer than 20 metres from the allotment boundary and is within or adjoins an allotment containing places, sites, or landscapes of indigenous cultural heritage significance listed on the **Queensland Heritage Register – Cultural Records (Landscapes Queensland and Queensland Estate) Act 1987**; OR is located on land which is the subject of a native title claim; OR is located on land that is known to the owner and/or the developer to be of indigenous cultural heritage value.	

TABLE C – YATALA ENTERPRISE AREA LOCAL AREA PLAN TABLE OF DEVELOPMENT (AS MODIFIED) – OPERATIONAL WORK

OPERATIONAL WORK – ADVERTISING DEVICES			
Exempt	**Self Assessable**	**Code Assessable**	**Impact Assessable**
	Advertising Device that is: a) not illuminated, nor animated, and where the total area of signage per street frontage does not exceed the following for each precinct: Precinct A: 20m^2 b) not on land with frontage to an arterial road or any State-controlled road.	**Advertising Devices n.e.i.**	

TABLE D – YATALA ENTERPRISE AREA LOCAL AREA PLAN TABLE OF DEVELOPMENT (AS MODIFIED) – OPERATIONAL WORK

OPERATIONAL WORK – INFRASTRUCTURE AND LANDSCAPE WORK			
Exempt	**Self Assessable**	**Code Assessable**	**Impact Assessable**
Minor Landscape Work		**Landscape Work n.e.i.** **Works for Infrastructure**	

TABLE E – YATALA ENTERPRISE AREA LOCAL AREA PLAN TABLE OF DEVELOPMENT (AS MODIFIED) – OPERATIONAL WORK

OPERATIONAL WORK – VEGETATION CLEARING			
Exempt	**Self Assessable**	**Code Assessable**	**Impact Assessable**
Vegetation Clearing that:			
	results in the removal of, or damage to, vegetation that is equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level, and complies with the Acceptable Solutions of **Specific Development Code 36 – Vegetation Management**; OR results in the removal of, or damage to, vegetation that is equal to, or in excess of, four metres in height, and complies with the Acceptable Solutions of **Specific Development Code 36 – Vegetation Management**	results in the removal of, or damage to, vegetation that is equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level, and alternate solutions to the Acceptable Solutions of **Specific Development Code 36 – Vegetation Management** are proposed; OR results in the removal of, or damage to, vegetation that is equal to, or in excess of, four metres in height, and alternate solutions to the Acceptable Solutions of **Specific Development Code 36 – Vegetation Management**	

TABLE F – YATALA ENTERPRISE AREA LOCAL AREA PLAN TABLE OF DEVELOPMENT (AS MODIFIED) – RECONFIGURING A LOT

RECONFIGURING A LOT			
Exempt	**Self Assessable**	**Code Assessable**	**Impact Assessable**
Precincts A & B (Low Impact and Service Industry, General Impact Business and Industry)			
		Results in no lots with an area less than 2,000m^2;	

RECONFIGURING A LOT			
Exempt	**Self Assessable**	**Code Assessable**	**Impact Assessable**
Precincts A & B (Low Impact and Service Industry, General Impact Business and Industry)			
		OR Entails only a Community Title Subdivision (including Standard Format Plans and/or Volumetric Lots), or a Volumetric Lot within a building, or a leasehold subdivision of an existing approved development	
Precinct C (Limited General Impact and Business and Industry)			
		Results in no lots with an area less than one (1) hectare; OR Entails only a Community Title Subdivision (including Standard Format Plans and/or Volumetric Lots), or a Volumetric Lot within a building, or a leasehold subdivision of an existing approved development	
Precinct D (Open Space/Reserve)			
		Results in no lots with an area less than 20 hectares; OR Entails only a Community Title Subdivision (including Standard Format Plans and/or Volumetric Lots), or a Volumetric Lot within a building, or a leasehold subdivision of an existing or approved development	Results in one or more lots with an area less than 20 hectares

5.0 M38 INDUSTRIAL ESTATE PLACE CODE RELEVANT CODES FOR ASSESSMENT

5.1 RELEVANT CODES

References to Relevant Codes

The Codes relevant for development assessment in this Place Code area are listed and contained within **the Gold Coast Planning Scheme and are as follows**:

5.1.1 All proposed development within the site is subject to the **M38 Industrial Estate Place Code**.

5.1.2 **Self Assessable Development:** The following codes apply to development that is self assessable under the Tables of Development herein (Section 3).

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
M38 Industrial Estate Place Code	2 Advertising Devices 4 Animal Husbandry 10 Caretaker's Residence 24 Office 25 Private Recreation 27 Retail and Related Establishments 34 Temporary Use 36 Vegetation Management	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 8 Flood Affected Areas 10 Nature Conservation 16 Steep Slopes or Unstable Soils

5.1.3 **Material Change of Use:** The following codes apply to development that is code or impact assessable under the Tables of Development herein (Section 3).

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
M38 Industrial Estate Place Code	4 Animal Husbandry 10 Caretaker's Residence 17 Farm Forestry 20 Kennels 21 Landscape Work 24 Office 25 Private Recreation 27 Retail and Related	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
	Establishments 29 Rural Industry 30 Salvage Yards 31 Service Stations 33 Telecommunications Facilities 39 Works for Infrastructure	10 Nature Conservation 12 Rail Corridor Environs 13 Road Traffic Noise Management 14 Sediment and Erosion Control 15 Service Roads (Pacific Motorway) 16 Steep Slopes or Unstable Soils 17 Unsewered Land

5.1.4 Operational Work – Changes to Ground Level: The following codes apply to development that is self or code assessable Operational Work – Changes to Ground Level under the Tables of Development herein (Section 3).

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
M38 Industrial Estate Place Code	11 Changes to Ground Level and Creation of New Water bodies	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 6 Cultural Heritage (Indigenous) 7 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control 16 Steep Slopes or Unstable Soils

5.1.5 Operational Work – Advertising Devices, Landscape Work and Infrastructure: The following codes apply to development that is code assessable Operational Work – Advertising Devices, Landscape Work or Infrastructure under the Tables of Development herein (Section 3).

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
M38 Industrial Estate Place Code	2 Advertising Devices 21 Landscape Work 39 Works for Infrastructure	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control 15 Service Roads (Pacific Motorway) 16 Steep Slopes or Unstable Soils

5.1.6 Operational Work – Vegetation Clearing: The following codes apply to development that is code assessable Operational Work – Vegetation Clearing under the Tables of Development herein (Section 3).

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
M38 Industrial Estate Place Code	36 Vegetation Management	2 Bushfire Management Areas 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control 16 Steep Slopes or Unstable Soils

5.1.7 Reconfiguring a Lot: The following codes apply to development that is code or impact assessable Reconfiguring a Lot under the Tables of Development herein (Section 3).

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
M38 Industrial Estate Place Code	11 Changes to Ground Level and Creation of New Water bodies 21 Landscape work 28 Reconfiguring a Lot 36 Vegetation Management 39 Works for infrastructure	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 12 Rail Corridor Environs 13 Road Traffic Noise Management 14 Sediment and Erosion Control 15 Service Roads (Pacific Motorway) 16 Steep Slopes or Unstable Soils 17 Unsewered Land

- Where a development proposal includes one or more types of development, all of the identified codes must be referred to for each of the components of development.
- Where a number is listed prior to the name of a Code, this Code shall be located in Part 7 of the Gold Coast Planning Scheme.
- Where a number is not listed before the name of a Code, this Code shall be located within this Place Code.

5.2 PERFORMANCE CRITERIA AND ACCEPTABLE SOLUTIONS

The relevant Acceptable Solutions must comply with self assessable acceptable solutions in order to retain self assessable development status. Acceptable solutions outlined in the applicable codes that are not identified as being relevant for self assessable development do not form part of this assessment.

It is desirable that code assessable development comply with the Acceptable Solutions to ensure that each Performance Criterion is met. However, code assessable development may comply with an alternative solution, provided that the alternative solution can be demonstrated to meet the relevant Performance Criterion to Council's satisfaction. Where no acceptable solution is provided for a

Performance Criterion in the code, the development must provide its own solution to meet that particular Performance Criterion.

It is desirable that impact assessable development comply with the Acceptable Solutions to ensure that each Performance Criterion is met. However, impact assessable development may comply with an alternative solution, provided that the alternative solution can be demonstrated to meet the relevant Performance Criterion, to Council's satisfaction. Note that impact assessable development must comply with all relevant planning measures of the whole Planning Scheme. Where no alternative solution is provided for a Performance Criterion in the code, the development must provide its own solution to meet that particular Performance Criterion.

5.3 CONFLICT BETWEEN PLACE CODE AND PLANNING SCHEME

In situations where the Performance Criteria and/or Acceptable Solutions contained in Codes within this M38 Industrial Estate Place Code conflict with the Performance Criteria and/or Acceptable Solutions of a Council Code, the Performance Criteria and/or Acceptable Solution of the Code within the relevant M38 Industrial Estate Place Code shall prevail.

In situations where this Code is silent on matters, the development shall be subject to the provisions contained within the ‘Our Living City – Gold Coast Planning Scheme’ and its associated policies.

6.0 M38 INDUSTRIAL ESTATE PLACE CODE DEVELOPMENT REQUIREMENTS

6.1 PURPOSE

The M38 Industrial Estate Place Code seeks to ensure that the scale and intensity of development including the impact, design and appearance of industrial development for this land is consistent with the role of the site and the YEA as a regionally significant location for industrial development. These provisions also aim to ensure that the intent of the Place Code is followed and high standards of urban design and architecture are promoted.

6.2 APPLICATION

- This Code applies to all identified forms of development taking place within the Place Code area as nominated within the M38 Industrial Estate Land Use Classification Plan.

6.3 DEVELOPMENT REQUIREMENTS

M38 INDUSTRIAL ESTATE PLACE CODE

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
DEVELOPMENT THAT IS SELF ASSESSABLE, CODE ASSESSABLE OR IMPACT ASSESSABLE	
BUILDING HEIGHT	
PC1 The height of buildings is to be consistent with the role of the site as a predominantly industrial use area. Buildings are to be constructed to a height that complements the surrounding built form and the local landscape character.	AS1 The building has a maximum of 15 metres.
ACCOMMODATION DENSITY	
PC2 Accommodation density must be consistent with the predominant character of the YEA as an industrial location. Accordingly, very low residential densities are envisaged for the LAP area.	AS2 The maximum dwelling density does not exceed one dwelling per lot.
SITE COVERAGE	
PC3 The site coverage of development shall be in accordance with the open space landscape character of the YEA.	AS3 **Precinct A, B & C**: The maximum site coverage shall not exceed 70%.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	Precinct D: The maximum site coverage shall not exceed 10%.
BUILDING SETBACK	
PC4 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.	**Precinct A** AS4.1 Buildings are set back from frontages: a) 5 metres from the primary frontage; b) (i) 6 metrres from the Stapylton Jacobs well Road frontage; (ii) 1.5 metres from the secondary frontage; and c) 10 metres from the western boundary adjoining the existing residential uses. **Precincts B, C & D** AS4.2 Buildings are set back from frontages: a) 5 metres from the primary frontage; and b) 1.5 metres from the secondary frontage. AS4.3 Where the site adjoins a public open space area the building or structure is setback a minimum of three meters from the common boundary with the public open space, and the setback area includes; a) a landscape buffer strip a minimum width of two metres; and b) fencing of the common boundary between the private lot and public open space. AS4.4 Buildings shall be setback 50 metres from the adjoining property boundary of the 'Stapylton Landfill'. The 50 metres shall be inclusive of the vegetated buffer area adjoining the eastern property boundary.
BOUNDARY FENCING	
PC5 The erection of boundary fencing is undertaken in a manner that promotes an attractive streetscape and is responsive to the intended purpose of the fencing.	AS5.1 The design of front boundary fencing is conducive to the establishment of an attractive streetscape and is generally in accordance with the design measures outlined in **Figure to AS5.1** included in this code. Generally speaking, design features or strategies such as transparency or landscape buffering should be utilised to soften the effect of front boundary fencing. Solid fencing exceeding 1.5 metres in height should only be established where required for acoustic attenuation purposes.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	AS5.2 The height of side and rear boundary fencing, where not required for acoustic attenuation purposes, does not exceed a height of two metres. Due to the general low visibility of this fencing, there is no requirement for this fencing to be transparent or landscaped.
DESIGN OF DEVELOPMENT NEAR MAJOR ROADS	
PC6 Those developments visible from, or facing Stapylton-Jacobs Well Road must exhibit a high standard of architectural presentation.	AS6 Facades visible from, or facing Stapylton-Jacobs Well Road are designed to incorporate: a) materials such as glass, brick and coloured/textured block work (standard concrete block should not be used). If metal cladding is used, it should be pre-coated in an appropriate colour and have some form of relief; b) relatively unobtrusive, earth toned colours, such as subdued greens, blues, browns and greys (bright colours and/or materials which cause glare are avoided); c) horizontal/vertical articulation of walls at least at 15 metre intervals; d) 'humanising' elements, such as entry forecourts, porticos, verandahs, windows, awnings and fenestration; e) other features which contribute to an interesting and attractive appearance These design features are to be applied to the main facade facing the relevant road, as well as along a brief return or the full length of side walls.
VEHICULAR CROSSINGS	
PC7 Vehicular crossings associated with the development must be designed and constructed to ensure: a) A safe footpath environment; b) Safe vehicular access to the property; c) Appropriate hydraulic performance of the stormwater infrastructure; d) No damage to vehicle or road infrastructure; e) Minimal loss of on-street parking spaces; and f)Continued amenity of the neighbourhood.	AS7 Driveways are designed and constructed in accordance with relevant sections of **Planning Scheme Policy 11 – Land Development Guidelines.**
VEHICULAR PARKING	
PC8 On-site vehicle parking is provided to meet expected demand, having regard to:	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**

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
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.	**Transport Integration** in the Gold Coast City Planning Scheme (version 1.1 Amended January 2007); 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**. AS8.2 For multi-unit or multi-use developments, the total car parking provided is an aggregate of the standard parking required for each individual unit and/or component use. 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.
ENVIRONMENTAL MANAGEMENT	
PC9 The environmental mitigation methods for the development as detailed within the Environmental Management Plan 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 impact of noise, hours of operation, visual amenity, odour, emissions and dust.	AS9 For development located within Precinct C an Environmental Management Plan (EMP) has been prepared and approved by Council and the development complies with the requirements of the EMP. The EMP is to prepared in accordance with the Planning Scheme Policy 10 – Guidelines for Preparing Management Plans and Plans of Development.
REFUSE FACILITIES	
PC10 Refuse facilities must be provided on site to service the needs of the development.	AS10.1 A Provision is made for the storage of refuse on site and access for the removal of refuse in accordance with "Solid Waste Management Policy for New Developments'; AS10.2 The refuse storage area is not less than three metres to the frontage of the site and not less than 1.5 metres from any other site boundary;

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	AS10.3 The refuse storage area is enclosed on three sides, with a screen wall extending 0.2 metres above the height of the refuse receptacles; and AS10.4 The refuse storage area is effectively screened from view with landscaping.
BUILDING DESIGN	
PC11 All buildings within Precinct A must be acoustically treated, to minimise nuisance to the adjoining and surrounding residential development.	AS11 The building design and construction of development with Precinct A shall be in accordance with approved Acoustic Report prepared by TTM Group dated 20 April 2011 (reference: 33418 R03).
HOURS OF OPERATION	
PC12 All activities within Precinct A must be undertaken within appropriate hours, to minimise nuisance to the adjoining and surrounding residential development.	AS12 The hours of operation and the delivery and collection activities for development within Precinct A are restricted to between 7.00am and 8.00pm Monday to Friday, or to the satisfaction of the Chief Executive Officer.
DEVELOPMENT THAT IS CODE ASSESSABLE OR IMPACT ASSESSABLE	
BUILDING HEIGHT	
PC13 The height of buildings is to be consistent with the role of the site as a predominantly industrial use area. Buildings are to be constructed to a height that complements the surrounding built form and the local landscape character.	AS13 The maximum height of buildings does not exceed 15 metres.
SITING	
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.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
BUILDING AND LAYOUT DESIGN, SAFETY AND COMFORT	
PC17 Buildings are sited and designed such that suitable external spaces remain available for future expansion of buildings, and internal spaces are of a size and shape suited to variable internal layout, maximum vertical storage and addition of mezzanine floors.	AS17.1 Building shapes are regular so as to provide opportunities for future expansion in different directions, and for flexibility in internal location of activities and equipment. AS17.2 Internal column spacing and column heights are generous (for example, building spans of 18 metres and over, bay spacing of 12-18 metres, and column heights of at least eight metres).
PC18 Buildings are sited and designed to suit climatic conditions.	AS18.1 Wherever practicable, buildings are oriented to the north east to take advantage of summer breezes and winter sun. Western aspects are avoided, wherever possible. AS18.2 Where not air conditioned, buildings incorporate a maximum of openings (ie. louvring, windows, doorways) on eastern walls. AS18.3 Windows are minimised and trees are planted along west walls for protection from hot afternoon sun. AS18.4 Shading devices (ie: large roof overhangs, window hoods/blinds, awnings and verandahs) are attached to buildings on all sides, particularly eastern and western sides. Where possible, shading devices are retractable on northern sides during winter. AS18.5 Semi-enclosed workstations, where relatively strenuous manual labour takes place, are located in the cooler and more ventilated parts of the building.
PC19 All buildings must be designed and constructed to a high aesthetic standard and to complement or enhance the local character of the YEA.	AS19.1 The massing and proportions of new industrial buildings are consistent with those of adjoining industrial buildings. AS19.2 Building materials, patterns, textures and colours used in new buildings are complementary to those of nearby buildings.
PC20 Building design and appearance must be conducive to the safety and comfort of all building users.	AS20.1 Glass which forms all or part of any external wall of a building does not exceed a maximum degree of reflection of both heat and light of 20%. The glass area does not exceed 60% of the total area of the external wall.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	AS20.2 Entrances to premises are clearly visible from the street, and are not obscured or dominated by car parking.
DESIGN OF CAR PARK AREAS	
PC21 All ground level parking is to be suitably landscaped to provide an attractive and pleasant outlook and shade for parked vehicles, and to contribute towards the quality presentation of new developments.	AS21.1 Significant trees are preserved and incorporated into car parking areas. AS21.2 Landscaped bays for the planting of shade trees are provided at regular intervals throughout car parking areas, at the rate of one landscaped bay per 40 vehicle parking bays or one large shade tree per ten parking spaces. Landscape bays have the same dimensions as a vehicle parking space. AS21.3 Large car parking areas and all heavy/service vehicle parking are situated to the side or rear of sites. Smaller car parking areas, particularly for short term and disabled parking, may be located to the front of sites. AS21.4 Car parking areas located in frontage setback areas are set back behind a minimum three metre landscaped buffer to the frontages. To reduce their visual impact, front car parking areas may be lowered and mounds incorporated in frontage landscaping.
ADVERTISING DEVICES	
PC22 Advertising signage does not dominate the visual amenity of the area.	AS22 No advertising, freestanding or otherwise, is erected which would be readily visible from the Pacific Motorway of the Gold Coast City Rail Line.
PC23 Signs and other forms of advertising on business/industry premises are kept to a minimum. Any advertising relates directly to the activity/process conducted on the premises, rather than general product advertisements.	AS23.1 There is one sign per premises. Multi-unit developments display a single index sign at the entrance to the development which details each occupant, its activity/process and respective unit number. AS23.2 The design and construction of signs meets the following parameters: a) signs are situated near site entries and are well placed for viewing by pedestrians and drivers; b) free-standing signs have a maximum area of $3m^2$; c) signs on facades have a maximum area of

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	5m^2; d) signs utilise company logos or symbolic representations for quick and easy identification; e) wording on signs is limited to the name, location, business and products of the establishment; f) signs do not utilise fluorescent paints; g) signs do not rotate, flash or move; h) signs are integrated with the form of development and are not visually dominating. AS23.3 All signs are consistent with the provisions for the Industry 2 Domain set out in **Specific Development Code 2 – Advertising Devices**.
OPEN SPACE/RESERVE AREA	
PC24 In the areas identified as Precinct D (Open Space/Reserve) within the **Staging Plan**, development is of a limited scale and intensity, compatible with the retention of and rehabilitation of vegetation and habitat, landscape amenity and/or buffer values.	AS24.1 Areas identified as Precinct D (Open Space/Reserve) on the **Staging Plan** are reserved for conservation and landscape amenity purposes, through: a) Transfer to Council as public open space b) Dedication of a conservation / landscape amenity buffer; or c) Reservation of an area as open space / reserve. AS24.2 Areas identified as Precinct D (Open Space/Reserve) are to be provided in accordance with the following: a) the areas identified as Precinct D as open space will be subject to the application of a statement of landscape intent and/or open space management statement/plan, designed in accordance with Council's Open Space Management and Land Development Guidelines. b) Eventual commitment of the area identified as Precinct D is provided to Council as public open space, in accordance with the requirements of an approved open space management statement/plan and/or rehabilitation management plan. AS24.3 Areas identified within the Precincts D (Open Space/Reserve) including areas identified for revegetation within an approved open space management plan and/or rehabilitation management plan are to be managed in the following manner:

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	a) the land remains largely undisturbed by any buildings, clearing and earthworks; b) the land is provided exclusive of unacceptable hazards such as contaminated land under the **Contaminated Land Act 1991** or land subject to geotechnical hazard; c) existing vegetation and natural drainage patterns are retained and rehabilitated, and additional trees planted within a 60 metre wide band utilising local native species; d) the area must be of a physical standard and condition that permits use of the land for its intended purpose, compliments existing adjacent and surrounding public open space areas and provides linkages to other open space areas, where practical; e) the area may form part of the landscape open space areas, associated with individual development proposals; f) the area facilitates appropriate measures for stormwater and flood management and the care of environmental features; g) any parallel roads or services are grouped on one side of the area, to minimise disturbance h) any breaks in the vegetation canopy, necessary for roads or services, are minimised by cutting through perpendicular to the link at a point where damage and discontinuity are minimised, such as where the canopy is already broken or sparse.
LANDSCAPE DESIGN	
PC25 Landscape design is used to enhance the landscape character of the YEA.	AS25.1 Frontage setback areas are attractively landscaped, including: a) at least 25% of the frontage having a landscaped buffer of minimum five metres depth and the remainder, excluding access ways, a landscape buffer of minimum three metres depth; b) one metre landscaped area adjacent to building walls facing the street. AS25.2 Planting of shade trees occurs along pathways, throughout car parking areas and within public road reserve, as well as and in any other exposed areas where relief from sun and glare would be beneficial.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	AS25.3 Dwarf walls prevent vehicles breaching landscaped areas along frontages. AS25.4 Screen planting, utilising an appropriate mix of tall trees and lower level shrubs, is used around outdoor parking, equipment, storage and other unsightly areas, particularly where visible from roads. AS25.5 Landscape Design includes: a) provision of pleasant, shaded areas with appropriate furniture for lunch/relaxation areas for workers and visitors; b) retention of existing mature vegetation, wherever possible; c) retention of existing natural drainage channels and planting to strengthen their resistance to erosion, especially where proposed development is expected to result in increased volume and velocity of stormwater runoff; d) use of garden edges, lines of trees and mass planting to frame pathways and define site and building entries. AS25.6 A minimum ten (10) metre wide north south landscape buffer is provided along the western boundary of the site adjoining the existing residential uses generally as outlined on the Landscape Intent Plan prepared by Gassman Development Perspectives and titled **5941 Landscape Intent Rev C**. AS25.7 A minimum of twenty (20) metre wide north south landscape buffer is provided along the eastern boundary of the site (consisting of 10 metre wide 'undisturbed corridor', and 10 metre wide 'works corridor' including earthworks and landscape treatment).

PC26 Potentially obtrusive noise, odour and visual impacts are effectively buffered.	AS26.1.1 Development incorporates landscape buffers, earth mounds and acoustic fencing appropriate to the likely off-site impacts of particular developments. OR AS26.1.2 A landscape buffer to a minimum width of ten metres is provided along the western property boundary where adjoining residential uses to effectively screen development behind.
PERFORMANCE CRITERIA	**ACCEPTABLE SOLUTIONS**
PC27 The street side environment and other public spaces are developed to enhance their visual appeal and create a physical continuity and legibility throughout the YEA area and its component precincts.	AS27 Individual developments contribute to streetscape enhancement work (including street tree planting, paving, landscaping of traffic islands and provision of street lighting and furniture), in accordance with any adopted Council streetscape strategy.
PC28 Public open spaces are developed to enhance their recreational amenity for workers and visitors to the Yatala area and the wider community.	AS28 Individual developments contribute (through works or financial contribution) towards construction of footpaths and cycle ways, seating, picnic facilities, play areas and/or other facilities in existing public open spaces and additional spaces established as a result of the development.
PC29 Landscape design contributes to the creation of a distinctive, memorable and legible town centre, local centres and surrounding suburban areas for YEA.	AS29.1 Street design and plantings and major pedestrian paths are aligned to take advantage of attractive local and distant views (eg, views to the mountains or other important landscape elements). AS29.2 Footpath paving treatments and street furniture integrate with adjoining development, and setback areas are integrated with public footpaths. AS29.3 Landscape plantings utilise local native species to promote a distinctive site character.
PC30 Open space and pedestrian areas are to be designed to be both functional and safe.	AS30 Development is designed to ensure a high degree of casual surveillance from nearby residents, employees or passing traffic, public and semi-public spaces, pedestrian and cyclist paths, car parking areas and building entrances.

PC31 All ground level car parking, open space and buffer areas must be landscaped and maintained to complement the character of the local area, and any adjoining residential or public open space areas.	AS31 The car park area, open space and buffer areas of the lot are landscaped with landscape design and use of plant species generally consistent with that of adjacent and nearby lots. The landscape design may incorporate extensive paved areas for pedestrian use.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
LOT SIZE (FOR SUBDIVISION ONLY)	
PC32 All lots are to be of sufficient size to comfortably accommodate the type of development envisaged in the LAP and the relevant precinct intent. The number of allotments within Precinct C is controlled to minimise the number of premises exposed to any environmental nuisance from nearby landfill and associated heavy industrial uses.	AS32.1 Any new lots created are sized in accordance with the following schedule: **Precinct** / **Min Area** / **Ave Area** A / 2000m^2 / 1 hectare B / 2000m^2 / 1 hectare C / 1 hectare / 1 hectare D / 20 hectares / 20 hectares AS32.2 The number of allotments and tenancies located within Precinct C is minimised.
PC33 Allotments prior to development have suitable topography for industry.	AS33 Industrial allotments generally have a ground slope not greater than 10%, and access ways associated with battle axe allotments generally have a ground slope not greater than 16%.

PC34 Allotments are of regular shapes suited to the intended uses, and allowing design flexibility, efficient development and access.	AS34.1 Development generally incorporates all of the following features: a) allotments that are rectangular shapes; b) allotments which have frontage to depth ratios between 1:2 and 1:4. OR AS34.2 Alternative allotment shapes are provided where warranted, due to: a) the special site requirements of particular industries; and/or b) exceptional physical constraints. OR AS34.3 The development incorporates a small proportion of battle axe allotments, where particular industries have special requirements for square or long and narrow sites. (Battle-axe allotments are useful for creating allotments of such shapes, as well as reducing road frontage construction costs and providing appropriate sites for visually offensive industries.).

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
PC35 Allotments are oriented to suit climatic conditions.	AS35 Allotments are arranged in a manner that maximizes the number of allotments oriented to the north east to take advantage of breezes and enable optimal building orientation for energy efficiency and use of natural lighting.
PC36 Reconfiguration of land incorporates open space provision in a way which takes account of the location and attributes of the site and its surrounds, and the need to set aside certain areas for purposes such as: a) conservation of vegetation/habitat; b) retention of creek corridors and natural drainage patterns; c) provision of pedestrian/cycle linkages and recreational facilities; and/or d) creation of landscaped entrances, focal points and streetscape.	AS36.1 Where reconfiguration takes place, an area of up to 10% of the site is provided as open space. This open space is set aside for public park or conservation purposes, developed with pathways and/or recreational facilities, landscaped and/or rehabilitated to its natural state. AS36.2 Reconfiguration proposals incorporate a plan showing street planting to be undertaken. Planting themes contribute to the overall streetscape character of the estate.
PC37 Reconfiguration may take place in the form of Community Title subdivision, allowing for sharing of space, facilities and services, while at the same time ensuring allotments created are suited to the intended businesses/industries.	AS37 Community Title subdivisions within Precincts A-C (Industrial) are provided, which: a) are consistent with the Acceptable Solutions for **PCs 32-36**; b) generally maintain a minimum lot size of 100-200m^2 within a minimum overall site area of 2,000m^2;

	c) are not used for heavy manufacturing, metal/food processing, or noxious, offensive or hazardous industries.
ROAD DESIGN	
PC38 Roads are provided so as to form a road hierarchy, with each road serving a particular function according to the intended land use characteristics of the estate, expected traffic volumes and types, and external existing and future road linkages to anticipated development on adjoining lots.	AS38.1 Concept plans submitted with reconfiguration and/or development applications identify all roads proposed to be upgraded and/or newly constructed and their intended function within a road hierarchy. AS38.2 Concept plans submitted with reconfiguration and/or development applications identify road connections with adjacent allotments that will promote connectivity; and AS38.3 Proposed road hierarchies are generally consistent with the conceptual road hierarchy identified on the **Land Use Classification and Staging Plan**.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
PC39 The width, pavement, curvature, sight distances, intersections, turning radii and design features of roads convey the particular function of each road with the hierarchy mentioned in **AS33.3**, and reflect the nature of traffic management. In particular, road design ensures the safe movement of heavy articulated vehicles.	AS39.1 Road design and construction is in accordance with **Planning Scheme Policy 11 - Land Development Guidelines** and the Table to this Acceptable Solution. AS39.2 Distances between intersections are not less than 60 metres. AS39.3 Streets intersect at right angles, or as near as topography or other limiting factors permit. AS39.4 Various vehicle control devices are used to regulate traffic speed and enhance pedestrian safety (such as traffic lights and illuminated pedestrian crossings). AS39.5 Paving surfaces, landscape treatment and signage are used to define entrances to the estate and joint use areas within the estate AS39.6 Road pavements are designed and constructed for long life, hard wearing and suitability to the load capacity of expected vehicles. AS39.7 Median strips, roundabouts and footpaths are to be aesthetically treated and planted and paved accordingly; and AS39.8 The design of road networks avoids the use of

	culs-de-sac.
PC40 The alignment of roads reflects the physical land characteristics, and provides adequate drainage and safety.	AS40.1 Road drainage is designed and situated along natural drainage courses. AS40.2 Road grades are established to avoid excessive grading, indiscriminate removal of ground cover and tree growth, and unnecessary topographical levelling.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
PC41 A network of pedestrian paths and cycleways is provided which considers: a) expected levels of pedestrian and cyclist activity; b) linkages between public transport, major employment activities, and parks; c) recreation opportunities along open space corridors; d) safe integration of users and vehicles, particularly at intersections; e) provision of bicycle end-of-trip facilities.	AS41.1 Footpaths are provided as follows: a) on both sides of all future major industrial roads. b) as specified in any relevant Council adopted strategy. AS41.2 Paths are designed and constructed in accordance with Council standards and **AUSTROADS Part B**. AS41.3 Features such as signs, road markings, lighting, paving, bollards and street furniture are provided to enhance the safety and amenity of foot/cycle paths. AS41.4 Bicycle end-of-trip facilities are provided in accordance with the requirements outlined in the **Table to Acceptable Solution AS41.4**.
PC42 The road network is designed to accommodate the extension and integration of the public transport system, with accessible linkages and routes and stops providing for passenger comfort without obstructing traffic flow.	AS42 For major industrial roads, constructed to a Industrial Collector standard, a minimum 3.5m parking lane is to be line marked and maintained to allow for future bus routes/stops.
SITE ACCESS	
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 land is clearly delineated and sign posted.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
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.
PC45 Provision is made for safe pedestrian and disabled access.	AS45.1 Pedestrian paths designed for disabled access are provided between building entrances, public footpaths and car parking areas. AS45.2 Pedestrian paths are separated from vehicular driveways.
AMENITY PROTECTION	
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;	AS47 No acceptable solution provided.

h) odour and emissions; i) dust; and j) vibration.	

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
URBAN/RURAL USE CONFLICTS	
PC48 Conflicts between urban and rural uses are to be avoided by effective development design.	AS48 The development of land adjacent to the agricultural character areas includes a suitable buffer.
EXTRACTIVE INDUSTRY	
PC49 Extractive industry operations are managed to make effective use of the extractive resource, while containing any impacts on the subject site.	AS49 The extractive industry is managed and developed consistent with the Extractive Industry Domain Place Code.
ON-SITE VEHICLE PARKING AND MOVEMENT	
PC50 Internal driveways are provided for safe and easy maneuvering of vehicles.	AS50.1 Internal driveways are designed and constructed to enable all vehicles to enter and exit the site in a forward motion. AS50.2 Minimum driveway widths are as follows: a) eight metres to accommodate non articulated vehicles; b) ten metres to accommodate articulated vehicles; c) 4.5 metres for one-way driveways.
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 signposted 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. AS51.2 Some parking may be located toward the front of the site convenient to the street, provided it is behind landscaping strips and treated aesthetically. AS51.3 Short term/high turnover visitor parking and disabled parking spaces are located close to the main building entrance and clearly signposted. AS51.4 Driveways and parking areas may be constructed to property boundaries and linked to adjoining car parking areas. Similarly, loading areas may be located to facilitate shared turning areas across property boundaries.

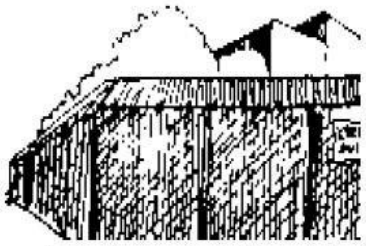
PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
LOADING AND UNLOADING	
PC52 All loading and unloading activities take place onsite.	AS52 Loading docks are located in the side or rear portions of the site, separate from public/visitor parking and access points, and screened by vegetation or walls to avoid public view.
PC53 Adequate provision is made for on-site manoeuvring of service vehicle/s.	AS53.1 On sites over 4,000m^2 and/or where the uses thereon involve regular servicing by service vehicle/s, on-site service areas are provided. On-site service areas comprise an area of land with an appropriate hard surface to enable a service vehicle/s to turn around within the site (based on standard design turning templates given by **AUSTROADS AS 2890.1, 2890.2**), and space for additional service vehicle parking and storage requirements. AS53.2 It may be acceptable for two or more developments to share service vehicle/s turning areas.
SITE SERVICING	
PC54 The design and provision of water, stormwater drainage, sewerage, electricity, gas and communications networks meets the needs of industry and business, and provides an orderly and economic progression of service development in the region.	AS54.1 The design and supply of water, stormwater drainage, sewerage, electricity, gas and communication services is in accordance with the requirements of **Planning Scheme Policy 11 – Land Development Guidelines** and the responsible authority (eg. Telstra, Queensland Electricity Boards, and Queensland Emergency Services). AS54.2 Car park entrances and ramps, loading docks and access ways are minimised, suitably designed and treated to ensure that they do not adversely impact on the streetscape and adjoining development.
PC55 Conflicts between pedestrians and vehicles at entrance points to parking areas are to be 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. AS55.2 Entrance points to parking and loading areas have clear and unobstructed visibility of pedestrian pathway areas, with pedestrian crossing points clearly identified which give priority to pedestrians.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
PC56 Development is to be designed to support the functional operation of the cycle network.	AS56 Development is designed to support the functional operation of the local and regional cycleway system. (Local cycle ways will be determined at time of subdivision of each development.)
PUBLIC CONVENIENCE FACILITIES WITHIN BUILDINGS	
PC57 Commercial developments are to include public convenience facilities, where there is a need for their provision.	AS57 Where provided, public toilet facilities are open and readily accessible to the general public during retail trading hours or other trading hours relevant to the development.

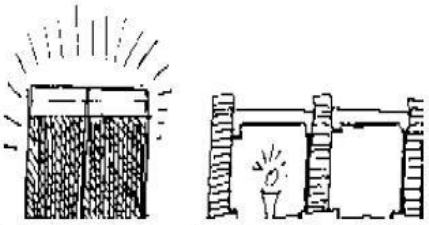
M38 INDUSTRIAL ESTATE

Figure to Acceptable Solution AS5.1

Negative Fences

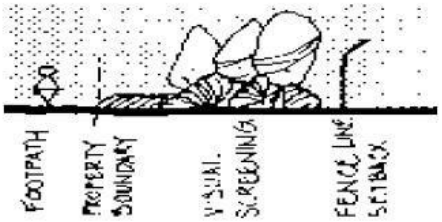


High security fencing on street alignment dominated streetscape.

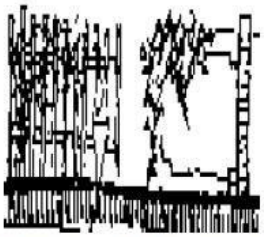


Chain fencing has a prison-like effect and is highly reflective. Height barriers can be visually intrusive.

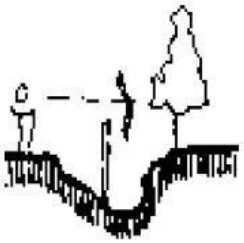
Positive Fences



Unattractive fencing should be placed inside the front alignment and planted out.



Palisade of pickets set close together with horizontal rails that climbers might use. Solid masonry fence supporting vine.



Obtrusive fence placed in a swale to minimise visual impact.

Table to Acceptable Solutions AS8.1.2

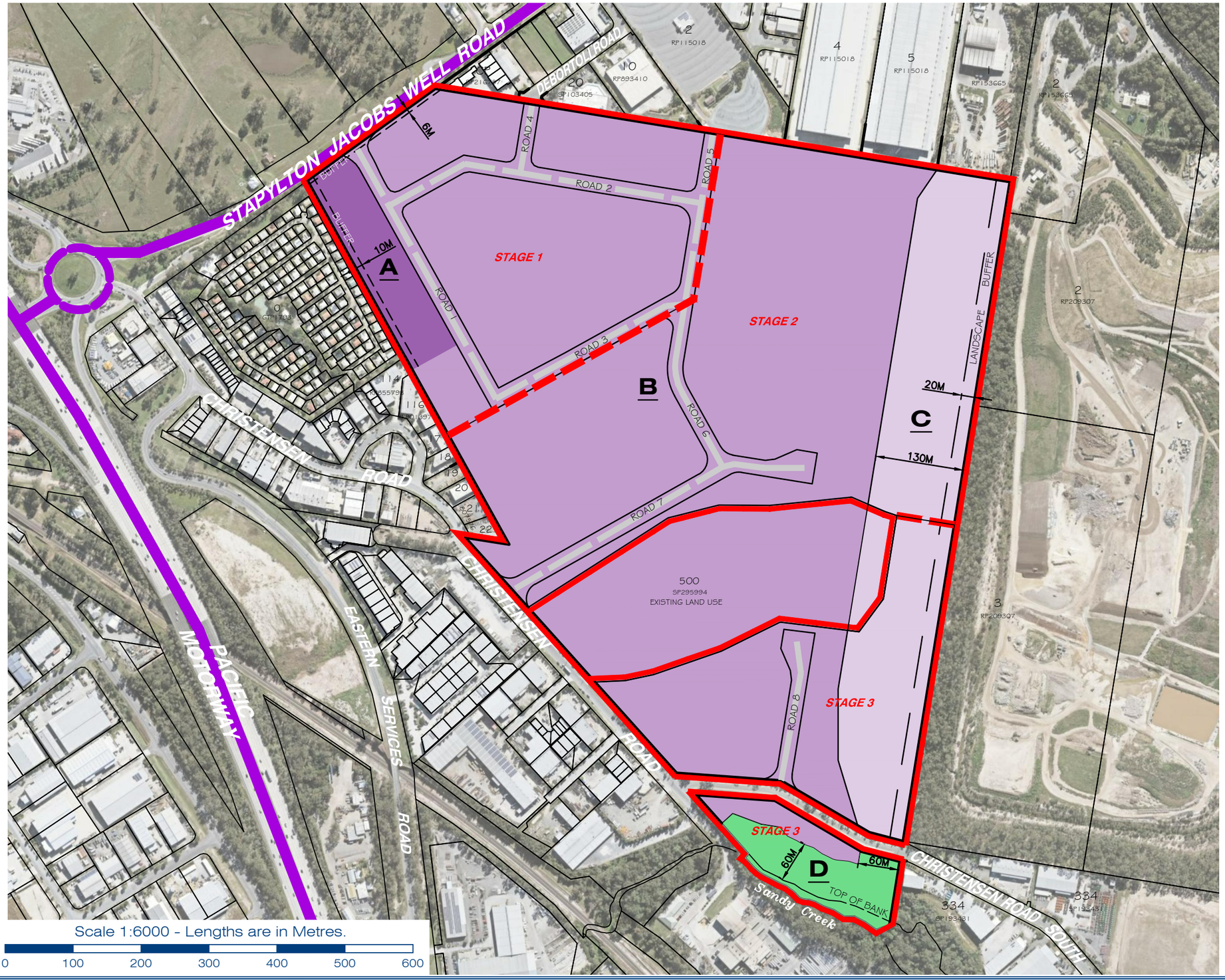
COLUMN 1	COLUMN 2
This table sets out the minimum number of car parking spaces required according to the use of the land. For each Material Change of Use, listed in Column 1, the minimum number of car parking spaces to be provided is listed in Column 2. Where the number of car spaces calculated, using Column 2, is not a whole number, the number of car parking spaces required shall be the next higher whole number.	
Warehouse	Two (2) spaces per tenancy or lot, plus one (1) space per 50m^2 of GFA up to 500m^2, plus one (1) space per 100m^2 of GFA over 500m^2.
All other Uses	Two (2) spaces per tenancy or lot, plus one (1) space per 50m^2 of GFA up to 500m^2, plus one (1) space per 100m^2 of GFA over 500m^2.

Table to Acceptable Solutions AS41.4

Note:- b) Type/Class as defined in, AS2890.3 Parking facilities – Part 3: Bicycle Parking Facilities			
Land Use	Long and Medium Term Bicycle Parking Spaces (Type/Class 1)	Short Term Bicycle Parking Spaces (Type/Class 3)	Additional End-of-Trip Facilities
Service Industry	1 per 400m^2 GFA when within 800m to a light rail station otherwise, 1 per 800m^2 GFA	1 per 200m^2 GFA	No
Industry	1 per 150m^2 GFA	N/A	No
Showroom	1 per 800m^2 GFA	1 per 200m^2 GFA	No
Warehouse	1 per 800m^2 GFA	N/A	No
Any other land use		As determined by Council	

SCHEDULE 1:

M38 INDUSTRIAL ESTATE - LANDUSE CLASSIFICATION AND STAGING PLAN



LEGEND

Site Area: 73.669Ha

- Limit of Application
- Major State controlled Roads
- Possible future industrial collector road

	A	LOW IMPACT AND SERVICE INDUSTRY	2.41Ha
	B	GENERAL IMPACT BUSINESS & INDUSTRY	57.17Ha
	C	LIMITED GENERAL IMPACT BUSINESS4 INDUSTRY	12.193Ha
	D	OPEN SPACE / RESERVE	1.31Ha

STAGE	AREA
STAGE 1	19.522Ha
STAGE 2	31.208Ha
STAGE 3	13.072Ha

NOTE:

1. The landscaped buffer areas shall be established and maintained for the life of the development. No building works are to occur within the landscape buffer areas unless otherwise approved by the Chief Executive Officer;

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MIN/2019/762

Dated: 24 June 2020

Development shall comply with the conditions of approval as detailed in the Decision Notice and Council's Planning Scheme, Local Laws and Planning Policies

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Scale at A3: 1:6000
Date: 18-06-20
Design: .
Drawn: SJH
Checked: GS

Issue	Date	Description	DRN	CHK
B	18/06/2020	Minor Amendments	SJH	GS
A	15/10/2019	MERGE STAGE 2&3	SJH	GS
-	16/09/2019	ORIGINAL ISSUE	SJH	GS

Project:

M38 INDUSTRIAL PARK
YATALA

Client:

FRASERS PROPERTY AUSTRALIA

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Drawing Title:

M38 INDUSTRIAL PARK

Land Use Classification and Staging Plan

Drawing No: 5941 P LU 01

Revision No: B