

1 APPLICATION SUMMARY

Application information	
Minor change to development approval	
Address	Lot 0 Homestead Drive, Stapylton Qld 4207
Lot and plan	Lot 0 SP316137
Properly made date	11 June 2026
Originating and Current Statutory Instruments	Originating statutory instrument: Preliminary approval for making a Material change of use to override the Planning Scheme for industry uses granted on 4 March 2013 (Council ref: MCU201100650) and most recent Minor change approval dated 17 May 2023 (Council ref: MIN/2023/64).
Zone / Precinct	Land use classification for M38 Industrial Park: - General impact business and industry; - Limited general impact business precinct; and - Open space / reserve.
Originating approved development	Development permit for Reconfiguring a lot one into four community title scheme industrial lots, common property, two public stormwater lots, public open space conservation lot, and new public road and Operational Works for change to ground level and tree works (COM/2023/82).
Date of originating development approval	22 March 2024
Originating approval authority	Manager Planning Assessment under delegated authority for the Council of the City of Gold Coast
Applicant and Applicant's consultancy team	FPI Queensland Pty Ltd – Applicant Gassman Development Perspectives – Planning and Civile Engineering consultant
Owner details	Body Corporate For Vantage Yatala CTS 54957
Referral agencies	Not applicable
Decision due date	9 July 2026
Officer's recommendation	Approval, subject to conditions

2 PROPOSAL

The purpose of this report is to assess an application for a change to the development approval under Section 78 of the *Planning Act 2016* for an approved Reconfiguring a lot one into four community title scheme industrial lots, common property, two public stormwater lots, public open space conservation lot, and new public road and Operational Works for change to ground level and tree works at Lot 0

Homestead Drive, Stapylton.

3 BACKGROUND

The subject site forms part of the Vantage Industrial Estate which is subject to a Preliminary Approval (Variation Approval) approved on 6 May 2013. The Preliminary Approval associated with the Estate was most recently amended through Council Approval MIN/2023/64 on 17 May 2023. It is noted that only the Land Use Classification Plan and Staging Plan were amended via this Minor Change, with the M38 Development Code of the superseded Minor Change Approval MIN/2020/659 remaining relevant to all development.



Figure 1: Approved Plan of Development (Source: Gassman Development Perspectives)

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

Further to the Preliminary Approval, the most recent approved plan of subdivision to establish the Stage 3 development (Council Reference: COM/2023/82) was approved on 21 December 2023. On 22 March 2024, Council issued an amended decision notice for a Combined application for Reconfiguring a lot one into four community title scheme industrial lots, common property, two public stormwater lots, public open space conservation lot, and new public road and Operational Works for change to ground level and tree works. This minor change seeks amendments to the Operational Works for change to ground level component of COM/2023/82.

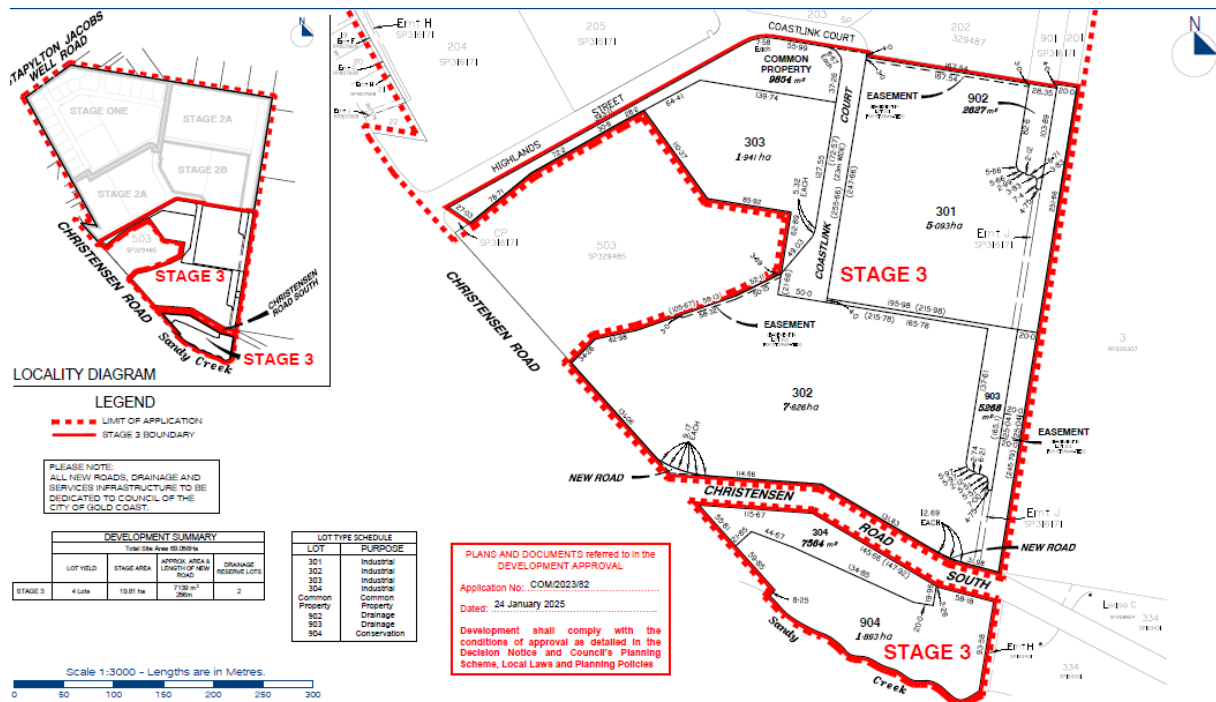


Figure 2: Approved ROL Plan – COM/2023/82 (Source: Gassman Development Perspectives)

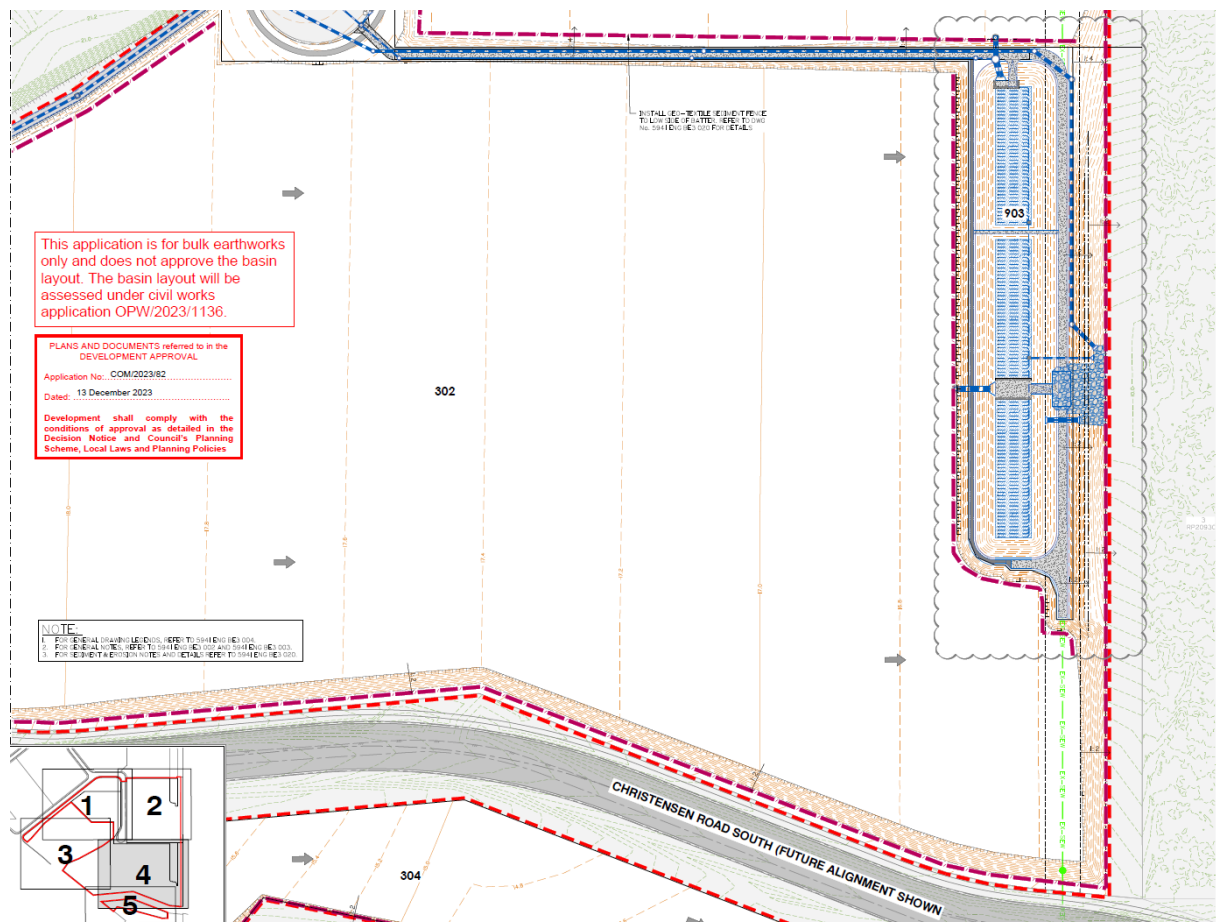


Figure 3: Approved OPW Section Plan – COM/2023/82 (Source: Gassman Development Perspectives)

4 PLANNING ASSESSMENT

Reference is made to Attachment No.1 – “*Assessment criteria for minor change to development approval*”, attached to this report. Assessment has been undertaken against these provisions and the proposed change(s) are considered to be a minor change.

4.1 Summary of approved development and request

The applicant proposes to amend the civil engineering design drawings to reflect the as-constructed earthworks within the common property of the Stage 3 CTS development.

The applicant seeks changes to the development conditions for Part B - Operational works for a change to ground level as follows:

Cond No.	Applicant request	Officer discussion / recommendation
PART B Cond. 2	Approved drawings – The applicant requests to amend this condition to reflect the updated change to ground level drawings submitted.	The request to amend this condition is supported. The changes are minor and reflect the as constructed earthworks.
Cond.10	Erosion and sediment control – The applicant requests to amend this condition to reflect the updated change to ground level drawings submitted.	The request to amend this condition is supported. The changes are minor and reflect the as constructed earthworks.

In addition, consequential changes are identified for the following:

- PART A Property Notifications A, B and C to reference the minor change approval MIN/2026/264.

4.2 Further discussion

As identified above, further discussion is warranted for Condition 2 as follows:

PART B Condition 2 currently reads:

2

Approved drawings

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

Operational Works				
Drawing Title	Author	Date	Drawing No.	Ver
Drawing Schedule and Locality Plan	Gassman	12/23	001	F
General Notes Sheet 1 of 2	Gassman	05/07/23	002	C
General Notes Sheet 1 of 2	Gassman	05/07/23	003	C
Drawing Legends	Gassman	05/07/23	004	C
Key Plan	Gassman	20/09/23	005	D
Existing Surface and Feature Layout Plan	Gassman	12/12/23	010	D
Site Stripping Layout Plan	Gassman	05/07/23	011	B
Sediment and Erosion Control Notes and Details	Gassman	05/07/23	020	C

**REPORT ON MINOR CHANGE TO DEVELOPMENT APPROVAL AT LOT 0 HOMESTEAD DRIVE,
STAPYLTON****APPLICATION NUMBER MIN/2026/264****DIVISION NO. 1**

Sediment and Erosion Control Layout Plan Sheet 1 of 5	Gassman	12/12/23	021	D
Sediment and Erosion Control Layout Plan Sheet 2 of 5	Gassman	19/10/23	022	D
Sediment and Erosion Control Layout Plan Sheet 3 of 5	Gassman	12/12/23	023	D
Sediment and Erosion Control Layout Plan Sheet 4 of 5	Gassman	19/10/23	024	E
Sediment and Erosion Control Layout Plan Sheet 5 of 5	Gassman	20/09/23	025	D
Bulk Earthworks Layout Plan Sheet 1 of 5	Gassman	12/12/23	050	E
Bulk Earthworks Layout Plan Sheet 2 of 5	Gassman	12/12/23	051	E
Bulk Earthworks Layout Plan Sheet 3 of 5	Gassman	12/12/23	052	E
Bulk Earthworks Layout Plan Sheet 4 of 5	Gassman	12/12/23	053	F
Bulk Earthworks Layout Plan Sheet 5 of 5	Gassman	12/12/23	054	F
Finished Surface Layout Plan Sheet 1 of 5	Gassman	12/12/23	100	D
Finished Surface Layout Plan Sheet 2 of 5	Gassman	19/10/23	101	D
Finished Surface Layout Plan Sheet 3 of 5	Gassman	12/12/23	102	D
Finished Surface Layout Plan Sheet 4 of 5	Gassman	19/10/23	103	E
Finished Surface Layout Plan Sheet 5 of 5	Gassman	12/12/23	104	E
Finished Surface Cross Sections Sheet 1 of 4	Gassman	12/12/23	150	E
Finished Surface Cross Sections Sheet 2 of 4	Gassman	12/12/23	151	D
Finished Surface Cross Sections Sheet 3 of 4	Gassman	05/07/23	152	C
Finished Surface Cross Sections Sheet 4 of 4	Gassman	20/09/23	153	D
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.				

The applicant requests that this condition be amended.

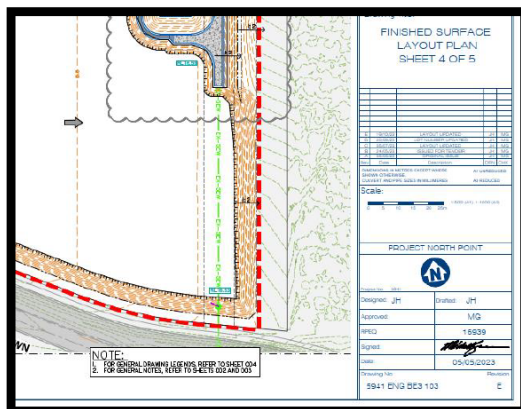
Applicant's representation

The applicant proposes to amend the civil engineering design drawings to reflect the as-constructed ground conditions and to allow completion of the approved change to ground level works, enabling practical completion and commencement of the maintenance period. The

earthworks required for this area will be completed using surplus material generated during the future development/Building works of Lot 302.

The revised plans include the necessary amendments to the finished surface levels (FSLs), as outlined below. These changes are required to ensure the earthworks are carried out in accordance with the existing site conditions and to support the future as-construction submission for the development.

As per approved plan



Updated plan Proposed Minor change

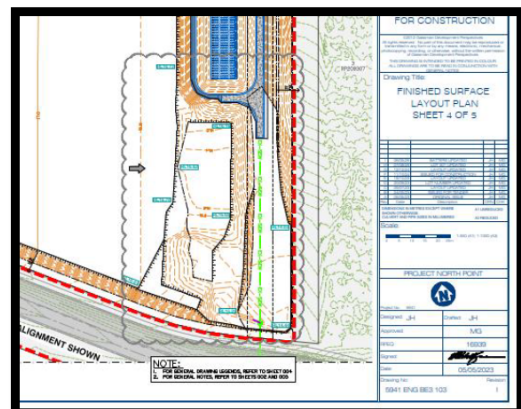


Figure 4: Proposed minor change to approved earthworks (Source: Application material)

The civil works proposed as part of this Operational Works minor change application are consistent with City of Gold Coast's City Plan Land Development Guidelines and the SEQ Design and Construction Code.

Officer's comment

The proposal is for changes to the finished surface level at Stage 3 to match the existing site conditions. The changes to the finished surface level cross sections are considered minor with no major incorporation of steep batters. The proposal does not include changes to the approved batter except the revised finished surface level.

Officers recommend including the following note in the minor change plans:

"This application is for bulk earthworks only and does not approve the basin layout. The basin layout to be part of approved civil works application OPW/2023/1136."

It is considered that the above condition be amended

5 CONCLUSION

This report assessed a request for a minor change for development permit dated 22 March 2023 for Reconfiguring a lot one into four community title scheme industrial lots, common property, two public stormwater lots, public open space conservation lot, and new public road and Operational Works for change to ground level and tree works at Lot 0 Homestead Drive, Stapylton

The assessment of this request determined the minor change is acceptable and recommended for approval.

6 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority the Manager Planning Assessment of the City Development Branch approves the Minor change application for the development permit dated 22 March

2024 for a material change of use for Reconfiguring a lot one into four community title scheme industrial lots, common property, two public stormwater lots, public open space conservation lot, and new public road and Operational Works for change to ground level and tree works, in accordance with the Attachment entitled: Decision notice— change application approval including amended suite of development conditions for COM/2023/82.

Author:

Sue Wilkinson

Planner

July 2026

Authorised by:

Roger Sharpe

Manager Planning Assessment

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

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

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

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

(b) for a development approval:

Minor change for a development approval	Officer comment
(i) would not result in substantially different development; and	Complies - The proposal would not result in substantially different development.
(ii) if a development application for the development, including the change, were made when the change application is made would not cause— (A) the inclusion of prohibited development in the application; or	Complies – Does not cause the inclusion of prohibited development.
(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or	Complies – The original application was referred to SARA for Reconfiguring a lot near a State transport corridor – Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1. However, the minor change does not trigger referral to a referral agency.
(C) referral to extra referral agencies, other than to the chief executive; or	Complies – Does not trigger referral to any additional referral agencies.
(D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or	Complies – Does not trigger referral to a referral agency.
(E) public notification if public notification was not required for the development application.	Complies – Would not require public notification.

Development Assessment Rules - Schedule 1: Substantially different development

Substantially different development consideration	Officer comments
A change may be considered to result in a substantially different development if the proposed change:	
(a) involves a new use; or	Complies – Proposal does not involve a new

	use.
(b) results in the application applying to a new parcel of land; or	Complies – Proposal does not apply to any new parcels of land.
(c) dramatically changes the built form in terms of scale, bulk and appearance; or	Complies – Proposal does not dramatically change the built form in terms of scale, bulk or appearance.
(d) changes the ability of the proposed development to operate as intended; or	Complies – Proposal does not impact on the ability of the development to operate as intended.
(e) removes a component that is integral to the operation of the development; or	Complies – Proposal does not remove any integral parts of the development.
(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or	Complies – Proposal does not impact upon traffic and transport factors.
(g) introduces new impacts or increase the severity of known impacts; or	Complies – Proposal does not introduce new impacts or increase the severity of known impacts.
(h) removes an incentive or offset component that would have balanced a negative impact of the development; or	Complies – Proposal does not remove any incentives or offsets.
(i) impacts on infrastructure provisions.	Complies – Proposal does not impact on infrastructure provisions.

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

Section 81 – Assessing change applications for minor changes	Officer comments
(1) In assessing the change application, the responsible entity must consider –	
(a) the information the applicant included with the application; and	The information submitted has been considered as part of the assessment of the minor change application.
(b) if the responsible entity is the assessment manager – any properly made submissions about the development application or another change application that was approved; and	No submissions were received to the original application.
(c) any pre-request response notice or response notice given in relation to the change application; and	Not applicable
(d) if the responsible entity is, under section 78A(3), the Minister – all matters the Minister would or may assess against or have regard to, if the change application	Not applicable

were a development application called in by the Minister; and	
(da) if paragraph (d) does not apply – all matters the responsible entity would or may assess against or have regard to if the change application were a development application; and	The original application was assessed against the M38 Industrial Estate Place Code and applicable codes of the Gold Coast Planning Scheme 2003, Version 1.2. The minor change to the Operational works component of the approval is assessed against the M38 Industrial Estate Place Code and Sediment and Erosion Control Constraint Code of the Gold Coast Planning Scheme 2003, Version 1.2.
(e) another matter that the responsible entity considers relevant.	There are no other matters for consideration.

Section 81 – Assessing change applications for minor changes	Officer comments
(2) Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d) or (da) consider – (a) a statutory instrument; or (b) another document applied, adopted or incorporated (with or without changes) in a statutory instrument.	Noted
Section 81 – Assessing change applications for minor changes	Officer comments
(3) The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.	Noted and considered.
Section 81 – Assessing change applications for minor changes	Officer comments
(4) However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances to –	
(a) the statutory instrument or other document as in effect when the change application was made; or	Assessment of the minor change to the Operational works component of the approval is against the M38 Industrial Estate Place Code and Sediment and Erosion Control Constraint Code of the Gold Coast Planning Scheme 2003, Version 1.2. Assessment considerations are consistent with provisions of the Change to ground level and creation of new waterways code of the City Plan, Version 13.
(b) if the statutory instrument or other document is amended or replaced after	Not applicable

the change application is made but before it is decided – the amended or replacement instrument or document; or	
(c) another statutory instrument – (i) That comes into effect after the change application is made but before it is decided; and (ii) That the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made.	Noted and not relevant.
Section 81 – Assessing change applications for minor changes	Officer comments
Section 81A of the <i>Planning Act 2016</i> applies to deciding an application for minor changes, in particular Subsection (2) – deciding change applications for minor changes.	
(2) After assessing the change application under section 81, the responsible entity must decide to – (a) make the change, with or without imposing development conditions, or amending development conditions, in relation to the change; or (b) refuse to make the change.	Noted and actioned.