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OUR REF: 6062
YOUR REF: MCU/2022/152

20 October 2026

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

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

Dear Sir/Madam,

RE: REQUEST TO MAKE A MINOR CHANGE APPLICATION TO DEVELOPMENT PERMIT MCU/2022/152 – MATERIAL CHANGE OF USE FOR INDUSTRY (FERTILISER MANUFACTURING AND ASSOCIATED ENVIRONMENTALLY RELEVANT ACTIVITIES)

AT: 20 EASTRIDGE STREET, STAPYLTON QLD 4207 – LOT 115 ON SP316137

We act on behalf of the applicant, Agrobest Australia Pty Ltd, requesting a minor change to development permit MCU/2022/152 under s78 of the *Planning Act 2016* (the Act) for the above-mentioned property.

This application seeks various changes to the site layout, parking, internal floor plan and façade of the approved industrial building and meets the 'minor change test' under the Planning Act 2016. We enclose the following documents in support of this application:

- Forms and Consent - **Attachment 1**;
- Existing Development Permit MCU/2022/152 - **Attachment 2**;
- Existing Preliminary Approval MIN/2023/64 – **Attachment 3**; and
- Amended Architectural Plans - **Attachment 4**;

The required fee of $3,167.60 will be paid following receipt of the electronic fee invoice. A calculation of the fees has been determined in accordance with Council's *Register of Fees and Charges 2026-27* as follows:

Table 1 – Application Fee Calculation

Aspect	Description	Fee	Multiplier	Total Fee
High impact industry*	Code**	$15,838.00	20%	$3,167.60
TOTAL:				**$3,167.60**

**Equivalent land use under the City Plan 2016 v.14*

*** Level of assessment determined in accordance with preliminary approval MIN/2019/762.*

There are no affected entities for this 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 2 - Site Summary	
Site Address	20 Eastridge Street, Stapylton QLD 4207
Real Property Description	Lot 115 on SP316137
Total Site Area	5,805m^2
Current Site Use	Vacant
Local Authority	Council of the City of Gold Coast
City Plan Zoning	Low impact industry zone (Future low impact industry precinct)
Precinct – Preliminary approval	Precinct B – General Impact Business and Industry

2.0 BACKGROUND AND APPROVAL HISTORY

On 6 May 2013, Council approved a Preliminary Approval for making a Material Change of Use to override the Planning Scheme for industry uses (MCU201100650 – most recent change MIN/2023/64). This Preliminary Approval includes an endorsed Place Code and Land Use Classification Plan and supports industrial land uses and 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 located within Precinct B – General Impact and Business Industry. A copy of the most recent version of the Preliminary Approval is provided in **Attachment 3**.

On 13 March 2023, Council approved a development permit under the preliminary approval for a Material Change of Use for Industry (Fertiliser Manufacturing and Associated Environmentally Relevant Activities) (MCU/2022/152). A extract of the approved site layout plan is provided in **Figure 1** below and a copy of the approval is provided in **Attachment 2**.

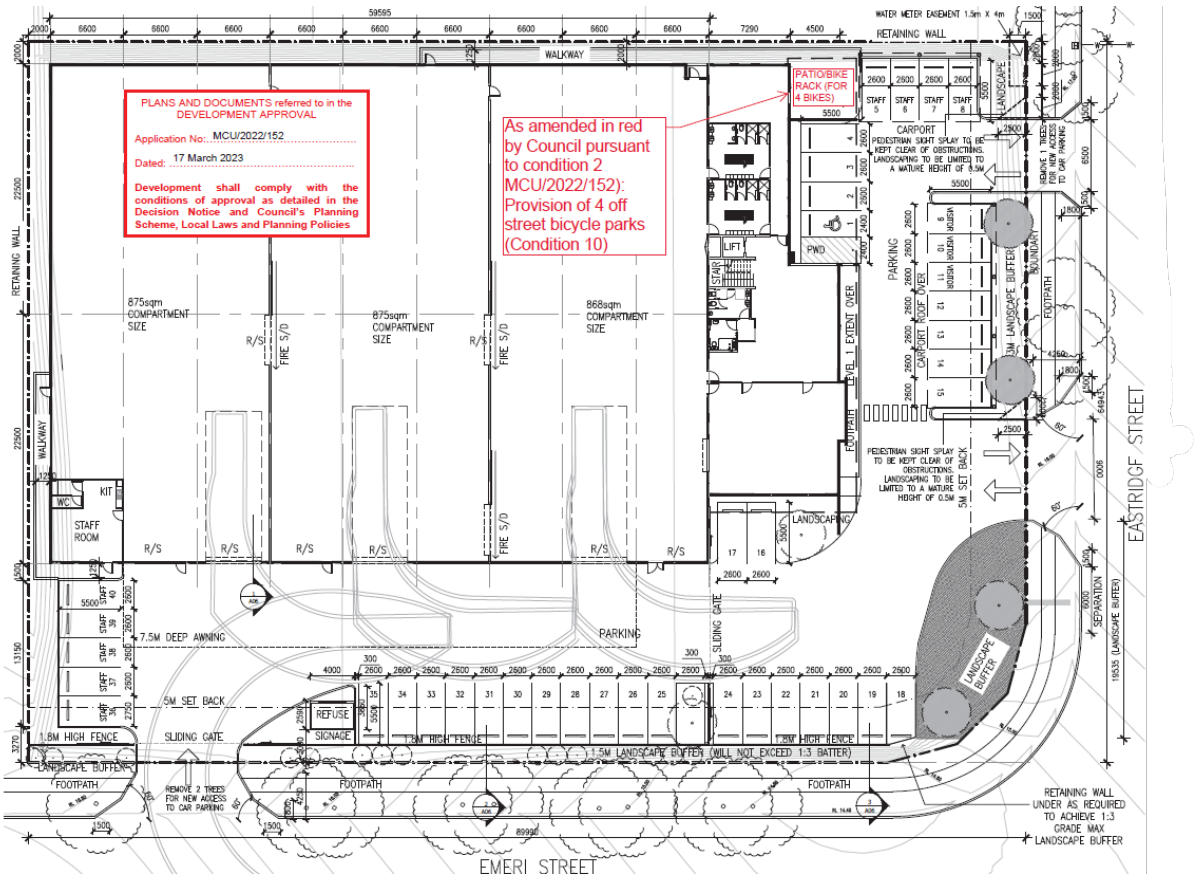


Figure 1: Extract of Approved Development Plan – MCU/2022/152

A number of amendments to the site layout, floor plan and elevations of the approved development are now proposed in response to the operational needs of the facility.

3.0 CHANGES REQUESTED UNDER SECTION 78 OF THE *PLANNING ACT 2016*

This application seeks a minor change to the development permit in accordance with section 78 of the Planning Act 2016 to amend the design and layout of the approved industrial development.

It is proposed to amend the internal floor plan of the approved industrial facility as follows:

- Inclusion of double storey ancillary office within the north-west corner of the building, replacing the existing lunchroom. The first floor of the office is proposed to project out over the car parking area below.
- Enclosure of a new workshop and inclusion of new mezzanine within the south-western portion of the warehouse (adjacent to the primary ancillary office area). The workshop and mezzanine are to be used for production and storage purposes, with a small ancillary workshop office.
- Slight changes to the layout of the primary ancillary office area at the front of the building, including enclosure of proposed offices/boardrooms (instead of open plan layout), delineated reception area, amended staircase/elevator layout, amended bathroom layout). The changes proposed better define the space and provide for a more functional and efficient office layout.

The following external site layout changes are also proposed:

- Removal of landscaping along northern boundary and inclusion of 4 tandem parking bays.

- Landscape buffer along north-western boundary (near tandem parking bays) increased in depth to approximately five metres.
- Inclusion of DB bunker along frontage to Emeri Street (behind 1.5m landscape buffer).
- Increase in total number of parking bays to 41, to reflect increased Total Use Area.
- Inclusion of 2 landscaped tree bays.
- Amended bin storage layout.
- Pedestrian crossing moved to centre of Eastridge Street frontage.

The following façade changes are also proposed to the Emeri and Eastridge Street frontages:

- Changes proposed to slope of roof, with building height reduced from 14.5 metres to 13.05 metres.
- New ancillary office included at north-western end of façade which protrudes out over the car parking area below.
- Various window and door placement changes.
- Stepped awnings above roller doors providing additional height variation.
- Colours and materials amended to include aluminium battens and panels to windows, in the colour 'monument' and paint finish changes from 'Wallaby' to 'Basalt'.
- Feature slat wall to Eastridge Street in 'driftwood matte' now amended to 'champagne' finish and applied to Emeri Street façade as well.
- Colour variation to northern and eastern facades removed.

The proposed changes result in an increase in GFA from 3,023m² to 3,628m². TUA is now 3,147m², resulting in the need for 40 parking bays. The development proposes 41 parking bays, which is in excess of the minimum requirement. Finally, the ancillary office ratio now sits at 17.5%, which is below the 20% threshold.

An extract of the proposed Development Plan is provided within **Figure 2** below, with a copy of the proposed plan also provided within **Attachment 4.**

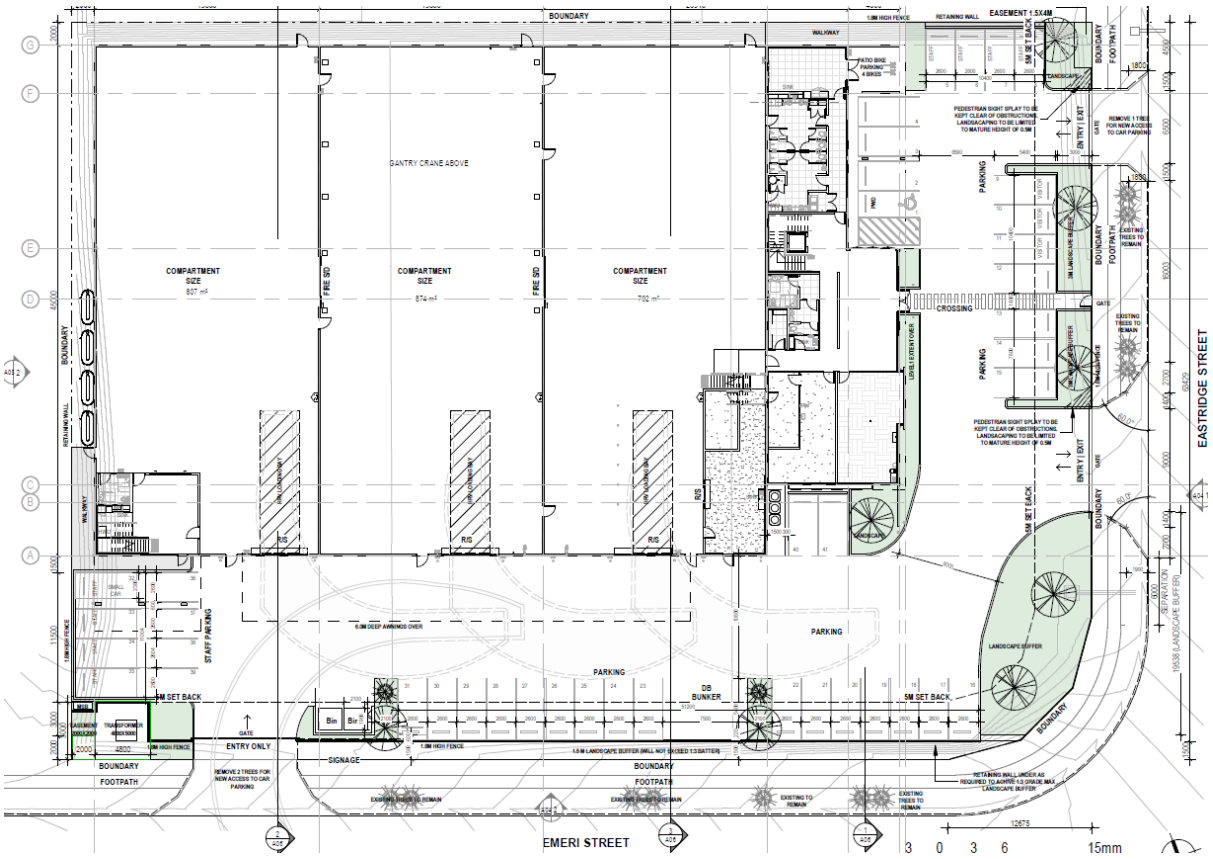


Figure 2: Extract of proposed development plan

3.1 CONDITIONS REQUIRING AMENDMENT

The Applicant proposes the conditions be amended as outlined below:

Table 3 - Summary of Requested Condition Changes			
Condition No.	**Condition Aspect**	**Requested Change**	**Justification**
2	Approved drawings	Amend condition	Amend condition to reflect amended plan title, date, drawing number and version.

4.0 *PLANNING ACT 2016* LEGISLATIVE AND STATUTORY CONSIDERATIONS

4.1 *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 *Planning Act 2016* (PA) in which the responsible.

The outcome of this assessment is as follows:

81(4) ***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; and***

Comment: The original development application was considered under the approved *M38 Industrial Estate Place Code* in accordance with preliminary approval MCU201100650 – most recent change MIN/2023/64.

The proposed changes generally maintain compliance with the requirements of the preliminary approval and approved place code. The proposed changes are relatively minor in nature and generally maintain compliance with setback, height limit, landscaping and parking requirements.

81(5)(a) ***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.

Comment: This application is lodged in accordance with preliminary approval MCU201100650 – most recent change MIN/2023/64, which is still in effect.

4.2 *PLANNING ACT 2016* SCHEDULE 2 (DICTIONARY)

Chapter 1 Section 6 of the PA 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 the meaning of minor change and is presented in the below table.

Table 4 - Minor Change 'Test'	
(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.
(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	**(A) Complies** The proposed change would not result in 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	**(B) Not Applicable** There were referral agencies triggered for the original development application.
(C) referral to extra referral agencies, other than to the chief executive officer; or	**(C) Complies** No extra referral agencies will be triggered for referral.
(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	**(D) Complies** No additional assessment matters are required to be assessed by a referral agency.
(E) public notification if public notification was not required for the development application.	**(E) Complies** Public notification was not required for the original development application and public notification is not triggered as a result of the proposed changes.

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 is over the same 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 to the built form in terms of scale, bulk and appearance. The proposed changes to the façade are relatively minor in nature and relate to: • a new office which protrudes over the parking area to the north of the site; • small changes to colours and materials used across the façade, noting that the removal of colour variation to the eastern and northern facades will not be noticeable given these facades are/will be covered by neighbouring buildings to the east and north of the site (either already built or under construction); • changes to roof design and associated reduction in building height from 14.5 metres to 12.3; • small changes to window and door placement across the façade; and • landscaping is largely unchanged, with one additional landscaped tree bay proposed and a wider landscape buffer (five metres) at the northern end of the western frontage to Emeri Street.
(d) changes the ability of the proposed development to operate as intended; or	**Complies** The proposal does not change the ability of the development to function or operate as originally intended.
(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.

(f)	significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or	**Complies** The proposed changes to the site layout, floor plan and elevations will not significantly impact on traffic flow nor will the changes result in an increase in traffic to/from the site.
(g)	introduces new impacts or increase the severity of known impacts; or	**Complies** The extent of this 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 PA.

5.0 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 s78 of the PA.

We look forward to Council's timely and favourable consideration of this application. 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 1: Forms and Consent
Attachment 2: Existing Development Permit MCU/2022/152
Attachment 3: Existing Preliminary Approval MIN/2023/64
Attachment 4: Amended Architectural Plans

ATTACHMENT 2

EXISTING DEVELOPMENT PERMIT MCU/2022/152



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survey

Our reference: MCU/2022/152
Your reference: 6062

Decision notice— approval with conditions
(Given under section 63(2) of the *Planning Act 2016*)

Date of decision notice: 17 March 2023

Applicant details

Applicant name:	Agrobest Australia Pty Ltd
Applicant's contact details:	C/- Gassman Development Perspectives PO BOX 392 BEENLEIGH QLD 4207

Application details

Application number:	MCU/2022/152
Approval sought:	Material Change of Use (Code Assessment)
Details of proposed development:	Industry for fertiliser manufacturing and associated Environmentally Relevant Activities

Location details

Street address:	20 Eastridge Street, Stapylton Qld 4207
Real property description:	Lot 115 SP316137

Decision

Date of decision	13 March 2023
Decision details:	Under Delegated Authority, the Executive Coordinator Planning Assessment of the City Development Branch approves the issue of a development application in full, with conditions.

Referral agency(s) for the application

The referral agencies for this application are:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
Devolved environmentally relevant activity	SARA	Concurrence agency	PO Box 3290 Australia Fair Southport QLD 4215

Details of the approval

Development permit	Material Change of use (Code) for Industry and associated Environmentally Relevant Activity

Conditions

The conditions that have been imposed by Council, as Assessment manager, are enclosed.

The conditions and/or advice that have been imposed/ provided by referral agency(s) are attached.

Further development permits

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

- Operational works - vehicle access works and/or gully pit relocation if necessary
- Operational works - infrastructure
- Operational works – landscape works (private works)
- Building works
- Connections/ disconnections: 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 (section 85 of the Planning Act 2016)

In accordance with section 85 of the *Planning Act 2016,* this approval has a currency period of six years.

Environmental authority

An environmental authority given for the application under the Environmental Protection Act 1994 is attached.

Approved plans and drawings

Approved plans and drawings are attached and are identified in the conditions imposed by Council as the Assessment manager.

Appeal rights

Applicant	You have appeal rights in relation to this decision. An appeal may be made against, as applicable: • the refusal of part of the development application; or • a provision of the development approval; or • if a development permit was applied for, the decision to give a preliminary approval. 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.
Referral Agency	You do not have appeal rights in relation to this decision

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



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

enc:

Conditions imposed by Council as Assessment manager
Statement of reasons (given under section 63(4) of *Planning Act 2016*)

Attach:

Referral agency conditions and/or advice
Stamped approved plans and drawings (MCU/2022/152)
Infrastructure charges notice for the approved development
Environmental authority given for the application under the *Environmental Protection Act 1994*
Appeal Rights Extract

Development Conditions imposed by Council as Assessment Manager

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 including as amended in red by the Council:

Transport Assessment

Drawing Title	Author	Date	Drawing No.	Ver
PROPOSED SITE PLAN (as amended in red by Council)	DOVEY & ASSOCIATES ARCHITECTS	06.06.2022	AO1	E
PROPOSED ELEVATIONS	DOVEY & ASSOCIATES ARCHITECTS	30.05.2022	AO4	E
PROPOSED ELEVATIONS	DOVEY & ASSOCIATES ARCHITECTS	30.05.2022	AO3	E
PROPOSED SECTIONS	DOVEY & ASSOCIATES ARCHITECTS	06.06.2022	AO6	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.

3 Scope of approval (*Specific condition*)

This approval permits an ancillary office to be used in conjunction with, and subordinate to, the approved Industry use on the same lot. The scope of approval includes:

a The Industry use an ancillary office must operate as one business operation at all times.

b The ancillary office is not permitted to be used by third parties not directly associated with the approved use.

Property

4 Requirement to register easement

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 The responsibilities of the Grantor / Grantee for ongoing maintenance. ii Standard terms document 707918364 must be referenced on Form 9 – easement document. iii 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 1.0 metre clear of the property sewer connection. d Ensure a minimum 2.4 metres unobstructed vertical clearance from the finished surface level above Council infrastructure.
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 and servicing areas b Service equipment c Mechanical ventilation d Refrigeration units e Storage areas for machinery, materials, vehicles or the like.
7	**Hours of operation** (*specific 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.
Transport	
10	**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 40 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.
11	**Off street bicycle parking and end of trip facilities** a Design and construct off street bicycle parking and end of trip facilities at no cost to Council generally in accordance with the M38 Industrial Estate Place Code and include in particular: i A total of 4 security level B (staff) bicycle parking spaces. b Undertake and maintain all works prior to commencement of the use at no cost to Council at all times.
12	**Loading and unloading (excluding waste collection vehicles)** 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.
13	**Security gate requirements** *(Specific condition)* All security gates must remain open to allow vehicular/pedestrian access for employees and visitors during the hours of operation of the development.

14 **Loading areas** (*Specific condition*)

a Loading areas within the Industry building are to be clearly line marked.

b Line marked loading areas are to be used for loading/ unloading of vehicles only.

Environmental and Landscaping

15 **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 Plan	Gassman Development Perspectives	07.06.2022	6062	B

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 nominated frontage garden beds.

ix Install a row of screening shrubs at 1 metre centres along the northern boundary where the lot directly abuts the Emeri Street public road reserve.

x Any installed frontage fencing for the development must be pool type or similar in style.

xi All road reserve turf must be repaired and replaced if damaged

xii Propose street trees at 200L bag size within the public road reserve fronting the subject site 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.

Engineering

16 **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.

17 **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).
18	**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).
19	**Existing infrastructure, structures and services** a Obtain an operational works approval (as necessary) for the removal / relocation of existing infrastructure, structures and services identified on the drawings listed prior to a request is made to Council to approve the commencement of the use at no cost to Council and include in particular: i Remove redundant vehicular crossing. ii Remove any redundant stormwater kerb adaptors and disused service pits from the kerb and channel (including any associated pipework across the footpath). iii Remove/seal/cap any redundant sewer property service. b Construct and maintain the identified Council infrastructure at no cost to Council prior to a request is made to Council to approve the commencement of the use.
20	**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 and include in particular: a Construct and position to enable the maintenance of a public road and road verge, and not cause any obstruction to pedestrians or vehicular traffic. b Not cause damage to vehicles or road infrastructure. c Provide effective access between the road and the property. d Provide hydraulic capacity to allow stormwater flow towards the closest stormwater infrastructure. e Must be a minimum 1.0m separation from the wings of any gully pit or the affected gully pit must be relocated.
21	**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.
Stormwater Drainage	
22	**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.
Sewer and Water Works	
23	**Sewer connection** Connect the proposal to Council's sewer network at the existing connection servicing the site, prior to commencement of the use at no cost to Council and include in particular: a Be in accordance with the WSAA Gravity Sewerage Code of Australia – SEQ Service Providers Edition and the Water and Sewerage Connections Policy. b The size of the sewer property service connection must be 150mm in accordance with Section 5.5.4 of the WSAA Gravity Sewerage Code of Australia – SEQ Service Providers Edition. c 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. d Remove / seal / cap redundant sewer property services. *Note:* *An "Application Work on the City's infrastructure" form is required for the above works.*
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: a Be in accordance with the Water Supply Code of Australia – SEQ Service Providers Edition, and the Water and Sewerage Connections Policy. b Conduits are required to be installed to service the proposed development via trenchless technology (open cutting of the road is not permitted) to connect to Councils potable water supply network. c Water meters must be in accordance with the Metering Technical Specifications and Council's standard water meter drawings. d Remove redundant water meters / connections. *Note:* *An "Application Work on the City's infrastructure" form is required for the above works.*
25	**Fire loading** Fire loading must not exceed 30 L/s for 4 hours.
26	**Sub-metering** Provide individual sub-metering for each tenancy including common property generally in accordance with the Metering Technical Specifications and the Water and Sewerage Connections Policy.
Construction Management	
27	**Certification of works - Subdivision Engineering** Provide Council with certificates prepared by qualified expert(s) from the discipline(s) listed below, confirming as follows: **Subdivision Engineering**

Certified document	Certification date	Plan/ Drawing	Expert discipline	Requesting Council Section
Certificate for electricity supply	Prior to commencement of the use	-	An authorised supplier (e.g., Energex)	Development Compliance
The certification is to confirm: Electricity supply is available to all proposed buildings.				

Subdivision Engineering				
Certified document	**Certification date**	**Plan/ Drawing**	**Expert discipline**	**Requesting Council Section**
Contractual agreement (e.g. Agreement Advice or Completion Letter from Telstra. Alternatively, a copy of Master Development Agreement or Small Development Agreement from NBN Co).	Prior to commencement of the use	-	The authorised telecommunication carrier (e.g., Telstra, NBN Co)	Development Compliance
The certification is to confirm: Telecommunication infrastructure will be undertaken and installed in accordance with telecommunications industry standards (e.g., Telstra / NBN Co standards).				

28 **Erosion and sediment control**

a Undertake Erosion and sediment control measures generally in accordance with the Healthy waters code of the City Plan and ensure:

i Sediment control structures e.g., a sediment fence is placed at the base of all materials imported on site to mitigate sediment run-off.

ii A perimeter bund and/or diversion drain is constructed around the disturbed areas to prevent any outside clean stormwater from mixing with polluted polluted/contaminated stormwater.

iii All polluted/contaminated water from the site, including dewatering discharge, is 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.

iv Inspections for erosion and sediment control measures occur in accordance with the compliance procedures in City Planning Policy SC6.11 – Land development guidelines, Section 4.5.17.1.2 – Compliance.

29 **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.

30	**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	
31	**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 Industry 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 Industry use as follows: *'Any premises used or intended for use that, in the course of any trade or business, involves the manufacture, productions, processing, repair, or storage of any article, material or thing whether solid, liquid or gaseous.* *This term includes any of the following ancillary activities, when carried out on the same land as the primary activity:* • *the storage of goods;* • *the provision of amenities for employees and clientele;* • *selling by wholesale goods resulting from the operation; and* • *accounting or administration in connection with the operation, provided that this activity does not exceed 20% of the total use area.* *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	**Advertising Devices** No advertising device(s) is to be erected on the premises without the necessary approval under Council's *Local Law No. 16 (Licensing) 2008 and Subordinate Local law 16.8 (Advertising Devices) 2016.* The applicant should contact Council's Customer Contact Centre on (07) 56675987 to discuss licensing requirements.

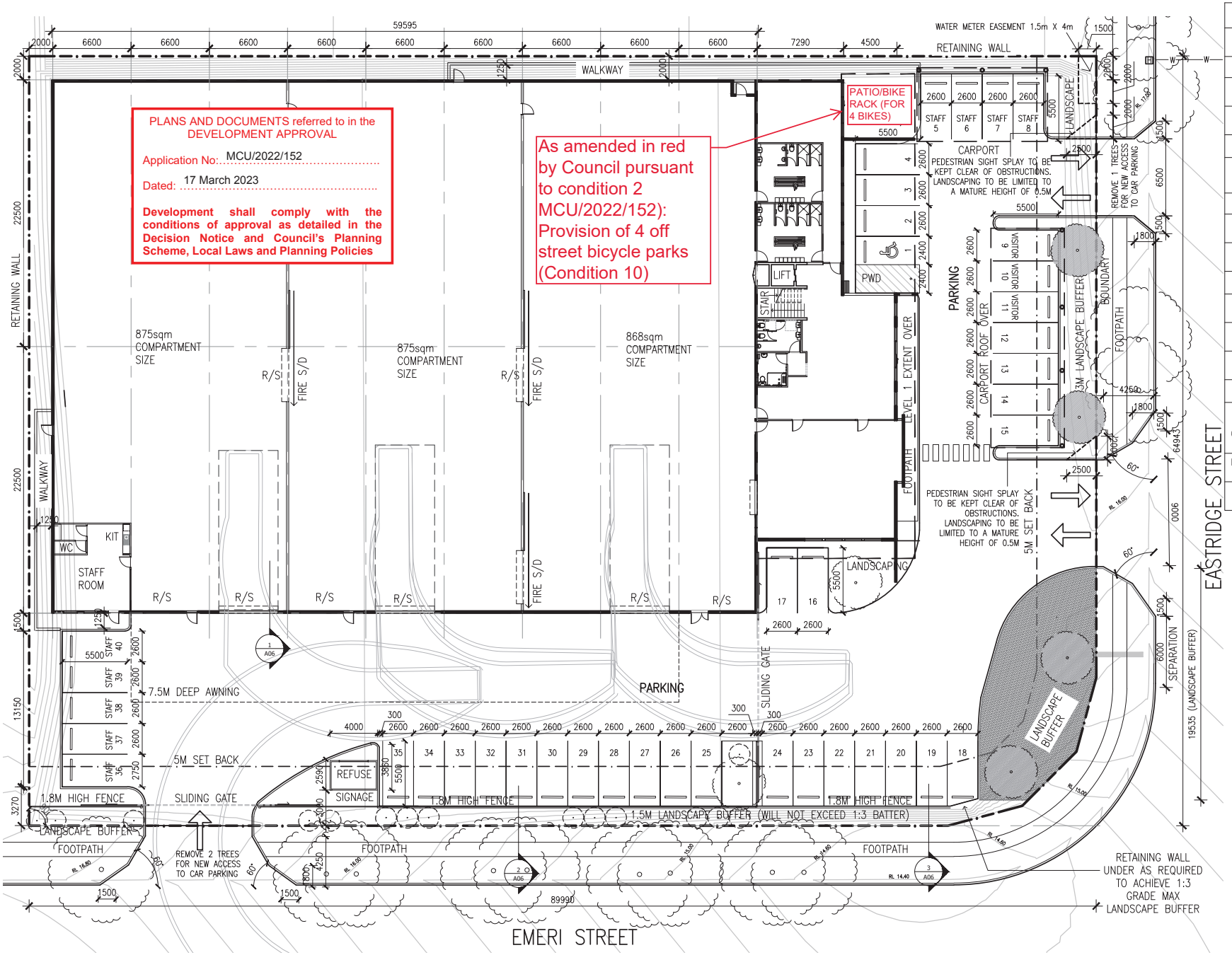
D	**Council water and sewer mains to be protected during site works** The developer is responsible at all times for ensuring that Council's water and sewerage infrastructure is protected during construction activities on site. This may require physical protection measures to be put in place during works 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.
E	**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
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	**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
H	**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: **Water and Waste** - Operational works - infrastructure - Connections/ disconnections: Application to work on the City's Infrastructure **Landscape Assessment** - Operational works - landscape works (Private works) 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).

I	**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.
J	**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.
K	**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.
L	**Indigenous cultural heritage legislation and duty of care requirement** The *Aboriginal Cultural Heritage Act 2003* ('**ACHA**') is administered by the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP). 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 DATSIP's Cultural Heritage Coordination Unit on (07) 3405 3050 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** Northern suburbs of the Gold Coast are 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.

Statement of reasons (given under section 63(4) of the Planning Act 2016)

Details of proposed development	The proposed development is for a Material change of use (Code assessable) for Industry for fertiliser manufacturing and associated Environmentally Relevant Activities.
Assessment benchmarks	The following assessment benchmarks applied to the proposed development: • M38 Industrial Estate Place Code; • Car parking, access and transport integration; • Works for infrastructure code; and • Landscape work.
Relevant matters	Not applicable – Code assessment
Reasons for decision	An assessment of the development application was carried out against the assessment benchmarks listed above and was determined to comply. A summary of the main reasons for the decision are as follows: • The development is consistent with intent of the M38 Industrial Estate Place Code, being the overarching categorising instrument for the site; and • The development includes an articulated façade to the street frontage and includes substantial landscaping promoting a high quality industrial area. • The Department of Environment and Science assessed the chemical manufacturing activities and recommended conditions to control aspects including air quality, water quality and quantity, environmental impacts, acoustic impacts, waste management, self-monitoring and reporting and other general matters.
Matters prescribed by a regulation	Not applicable



1 SITE PLAN
SCALE: 1:300

NOTE:
FINISHED SURFACE LEVEL IS SUBJECT TO DETAIL DESIGN.

DEVELOPMENT DETAILS		
SITE	5804m2	
PROPOSED GBA	ALLOWED	ACTUAL
GROUND FLOOR WAREHOUSE GBA		2673m2
GROUND FLOOR ADMIN GBA		381m2
FIRST FLOOR GBA		491m2
TOTAL BLDG. AREA (GBA)		3545m2
PROPOSED GFA	ALLOWED	ACTUAL
GROUND FLOOR GFA		2595m2
FIRST FLOOR GFA		428m2
TOTAL GFA		3023m2
SITE COVERAGE	70%	55.4%
HARDSTAND		1954m2
LANDSCAPING		463m2
PARKING REQUIREMENTS		
PARKING $(4+\frac{1}{50}<500\frac{1}{100}>500)$	REQUIRE	ACTUAL
INCL PWD & EXCLUDING REVERSE BAY	40	40
BICYCLE PARKING	26	26

PROJECT
WAREHOUSE AGROBEST
ADDRESS
LOT 115 EMERI STREET STAPYLTON
DRAWING TITLE
PROPOSED SITE PLAN

Date	Amt	Description	Drw.	Auth.
06.06.22	E	REVISED DA ISSUE SECTION MARKER ADDED LANDSCAPE BUFFER GRADE NOTE ADDED	EM	AD
30.05.22	D	REVISED DA ISSUE	EM	AD
18.01.22	C	DA ISSUE	SLS	AD
22.12.21	B	DA ISSUE	SLS	AD

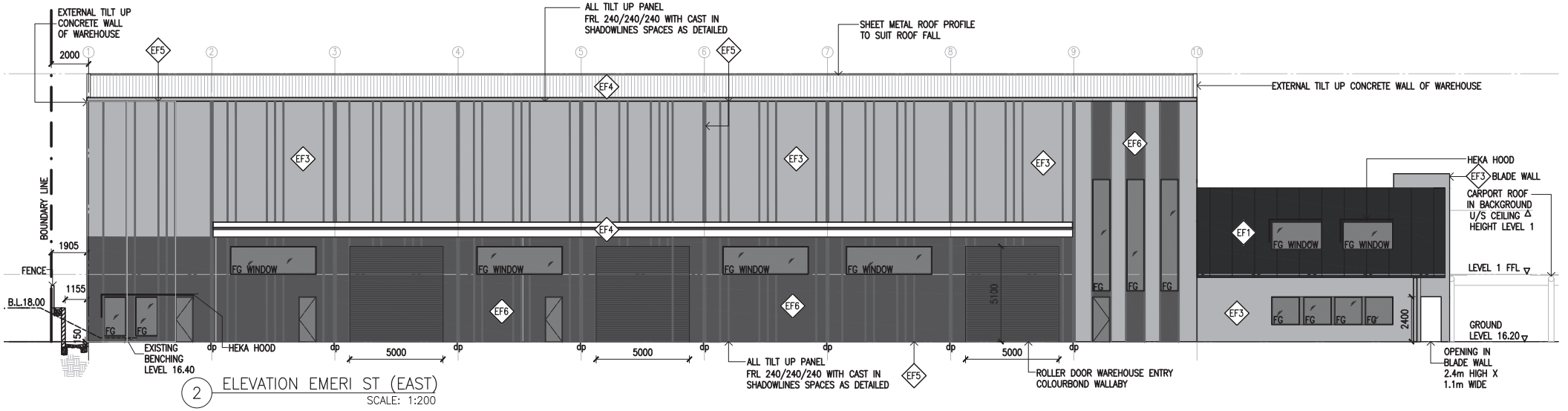
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SHEET SIZE	PROJECT NUMBER	
A3	21013	
DRAWING NUMBER	AMENDMENT	
A01	E	

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ARCHITECTS DOVEY & ASSOCIATES
Building 11 Level 1 Garden City Office Park
2404 Logan Road, Eight Mile Plains.
Ph: (07) 3341 8230

DA APPROVAL
NOT FOR CONSTRUCTION

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2 ELEVATION EMERI ST (EAST)
SCALE: 1:200

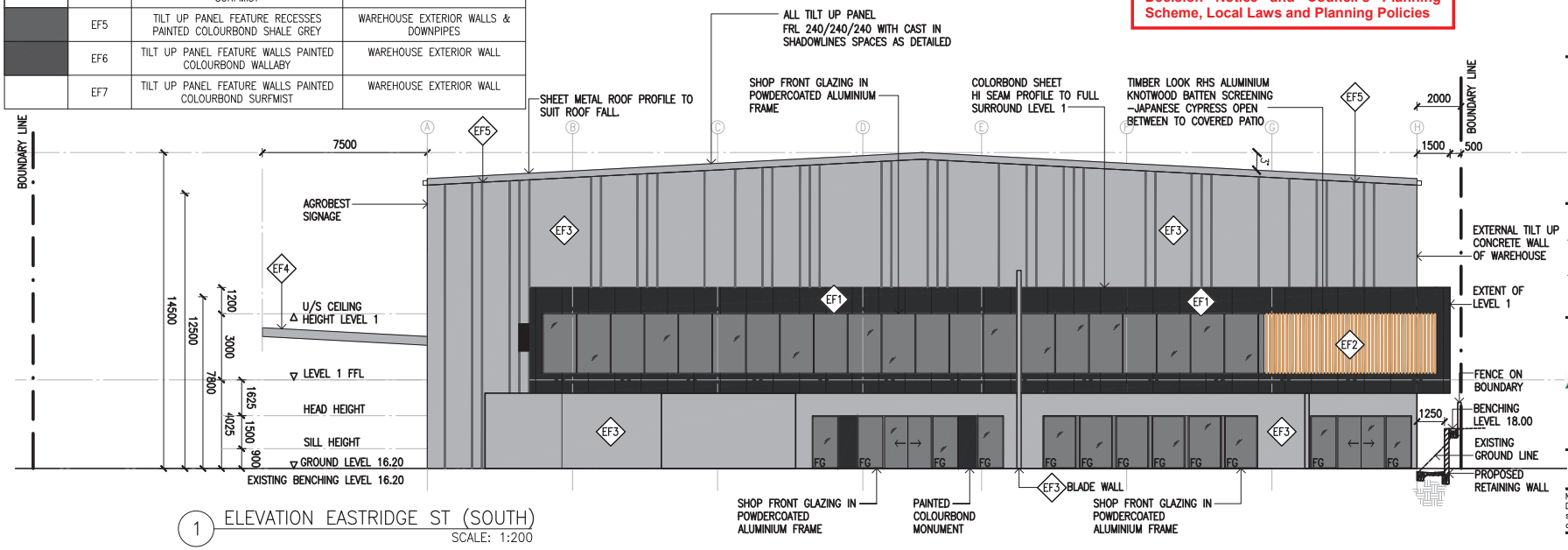
EXTERIOR FINISHES			
COLOUR KEY	CODE KEY	COLOUR SPECIFICATION	COLOUR LOCATION
	EF1	COLOURBOND HI SEAM PROFILE IN MONUMENT	OFFICE BUILDING–EXTERIOR WALLS, GUTTERS & DOWNPIPES
	EF2	RHS KNOTWOOD POWDERCOATED DRIFTWOOD MATT FINISH	OFFICE BUILDING – FEATURE SLAT WALL
	EF3	TILT UP PANEL SEALED OFF SHUTTER CONCRETE	WAREHOUSE EXTERIOR WALL & FEATURE WAREHOUSE BLADE
	EF4	SHEET METAL ROOF IN COLOURBOND SURFMIST	WAREHOUSE ROOF & GUTTERS
	EF5	TILT UP PANEL FEATURE RECESSES PAINTED COLOURBOND SHALE GREY	WAREHOUSE EXTERIOR WALLS & DOWNPIPES
	EF6	TILT UP PANEL FEATURE WALLS PAINTED COLOURBOND WALLABY	WAREHOUSE EXTERIOR WALL
	EF7	TILT UP PANEL FEATURE WALLS PAINTED COLOURBOND SURFMIST	WAREHOUSE EXTERIOR WALL

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MCU/2022/152

Dated: 17 March 2023

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 ELEVATION EASTRIDGE ST (SOUTH)
SCALE: 1:200

PROJECT
WAREHOUSE AGROBEST
ADDRESS
LOT 115 EMERI STREET STAPYLTON
DRAWING TITLE
PROPOSED ELEVATIONS

Date	Amt	Description	Drw.	Auth.
30.05.22	E	REVISED DA ISSUE ELEVATION SOUTH TITLE AMENDED	EM	AD
18.01.22	D	DA ISSUE	SLS	AD
22.12.21	C	DA ISSUE	SLS	AD
23.11.21	B	ISSUED FOR INFORMATION	SLS	AD

DRAWN BY	DATE	SCALE
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DRAWING NUMBER	AMENDMENT	
A04	E	

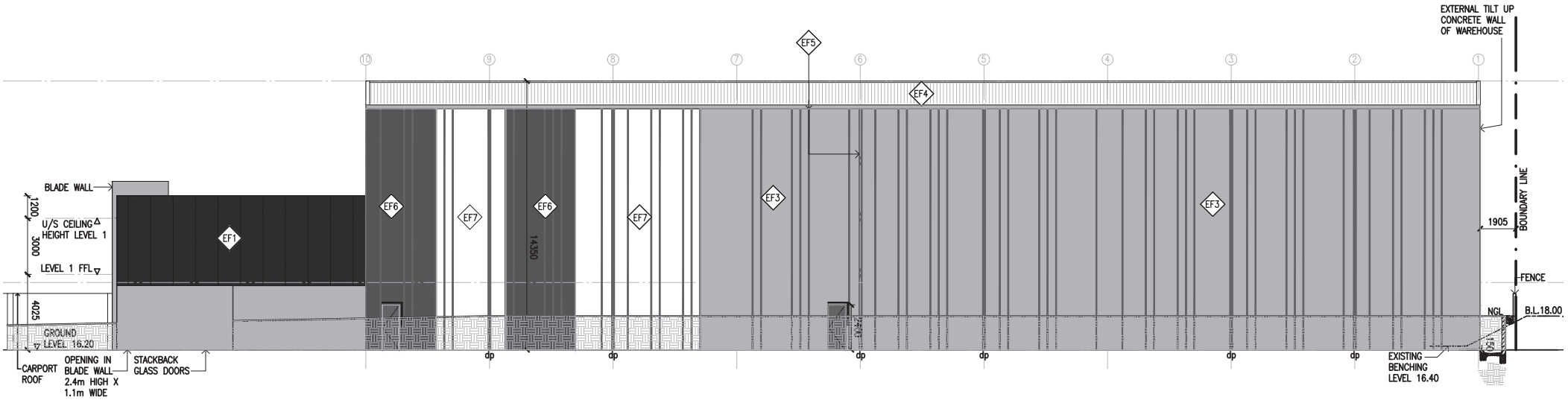
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2 ELEVATION (WEST)
SCALE: 1:200

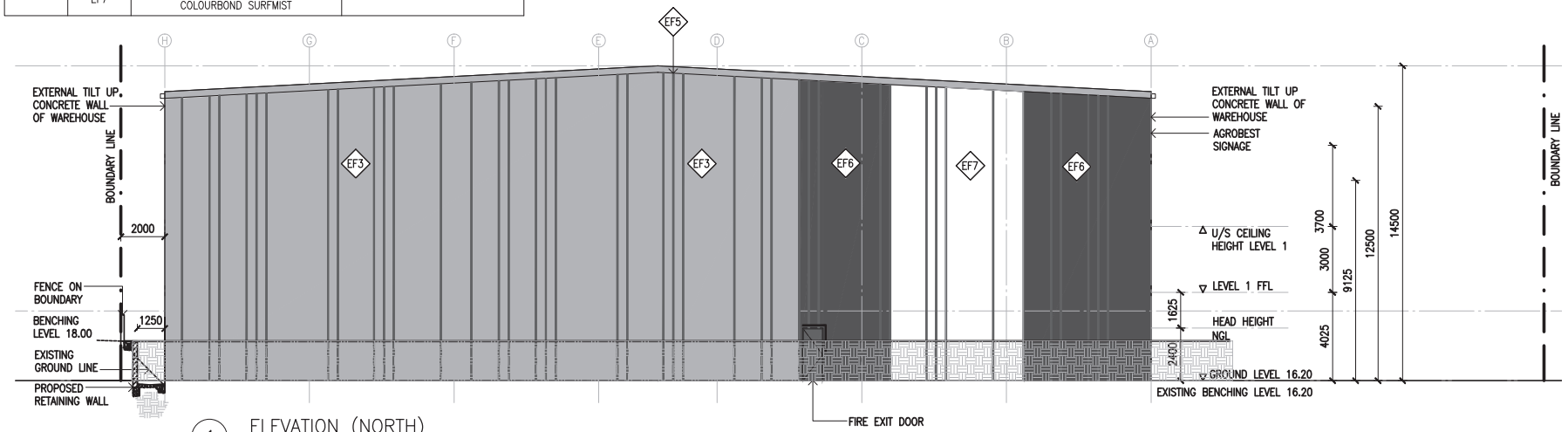
EXTERIOR FINISHES			
COLOUR KEY	CODE KEY	COLOUR SPECIFICATION	COLOUR LOCATION
	EF1	COLOURBOND HI SEAM PROFILE IN MONUMENT	OFFICE BUILDING–EXTERIOR WALLS, GUTTERS & DOWNPIPES
	EF2	RHS KNOTWOOD POWDERCOATED DRIFTWOOD MATT FINISH	OFFICE BUILDING – FEATURE SLAT WALL
	EF3	TILT UP PANEL SEALED OFF SHUTTER CONCRETE	WAREHOUSE EXTERIOR WALL & FEATURE WAREHOUSE BLADE
	EF4	SHEET METAL ROOF IN COLOURBOND SURFMIST	WAREHOUSE ROOF & GUTTERS
	EF5	TILT UP PANEL FEATURE RECESSES PAINTED COLOURBOND SHALE GREY	WAREHOUSE EXTERIOR WALLS & DOWNPIPES
	EF6	TILT UP PANEL FEATURE WALLS PAINTED COLOURBOND WALLABY	WAREHOUSE EXTERIOR WALL
	EF7	TILT UP PANEL FEATURE WALLS PAINTED COLOURBOND SURFMIST	WAREHOUSE EXTERIOR WALL

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MCU/2022/152

Dated: 17 March 2023

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1 ELEVATION (NORTH)
SCALE: 1:200

PROJECT
WAREHOUSE AGROBEST
ADDRESS
LOT 115 EMERI STREET STAPYLTON
DRAWING TITLE
PROPOSED ELEVATIONS

Date	Amt	Description	Drw.	Auth.
30.05.22	E	REVISED DA ISSUE ELEV NORTH TITLE AMENDED;NORTH & WEST ELEV COLOURS REVISED	EM	AD
18.01.22	D	DA ISSUE	SLS	AD
22.12.21	C	DA ISSUE	SLS	AD
23.11.21	B	ISSUED FOR INFORMATION	SLS	AD

DRAWN BY	DATE	SCALE
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DRAWING NUMBER	AMENDMENT	
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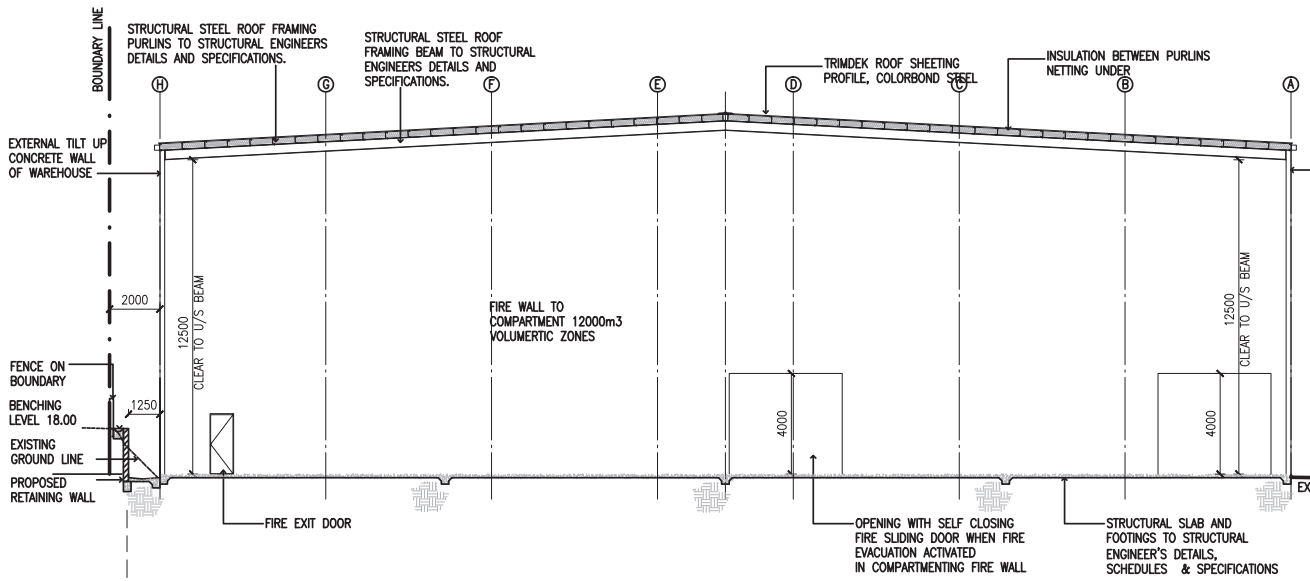
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DA APPROVAL
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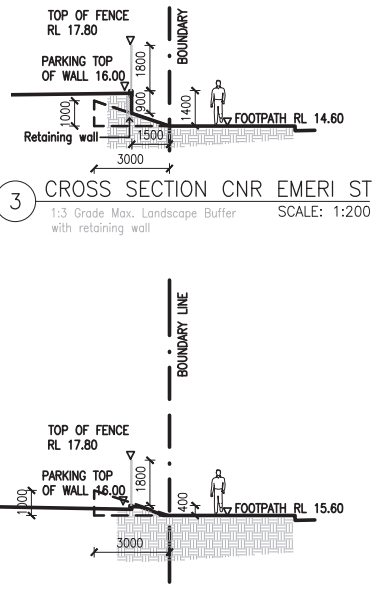
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2 CROSS SECTION GRID 7

CURRENT AS DRAWN IN DA SITE PLAN

SCALE: 1:200

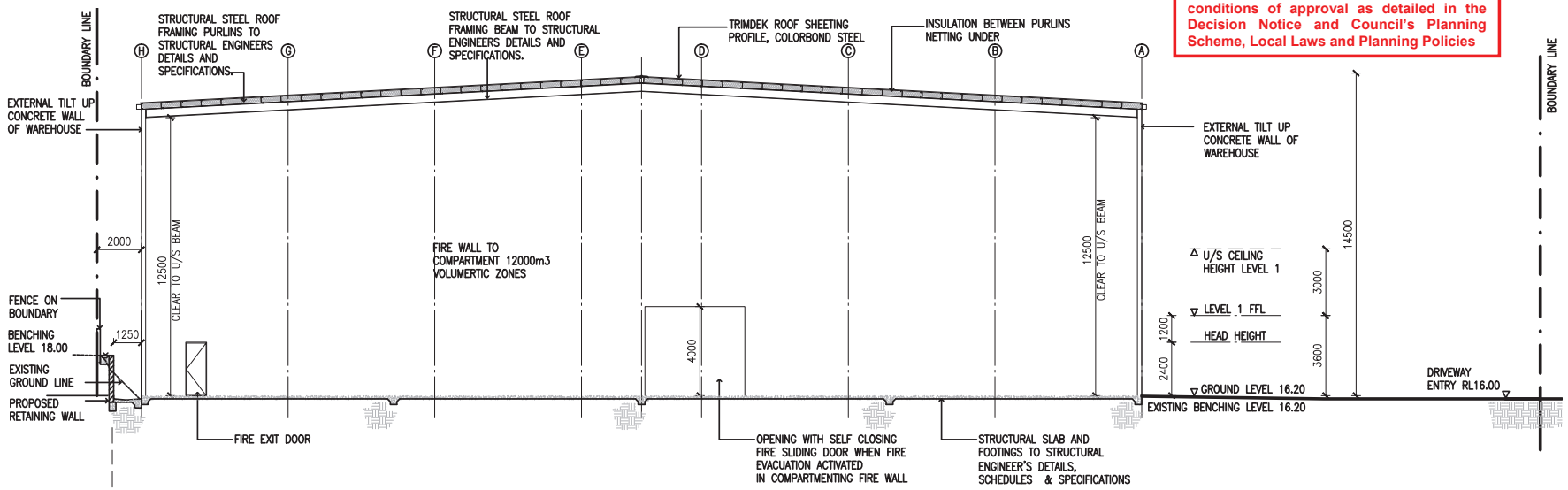


3 CROSS SECTION CNR EMERI ST

1:3 Grade Max. Landscape Buffer with retaining wall

SCALE: 1:200

1:3 Grade Max. Landscape Buffer



1 CROSS SECTION GRID 4

SCALE: 1:200

PLANS AND DOCUMENTS referred to in the DEVELOPMENT APPROVAL

Application No: MCU/2022/152

Dated: 17 March 2023

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

PROJECT

WAREHOUSE AGROBEST

ADDRESS

LOT 115 EMERI STREET STAPYLTON

DRAWING TITLE

PROPOSED SECTIONS

Date	Amt	Description	Drw.	Auth.
22.06.06	C	AMENDED DA ISSUE LANDSCAPE BUFFER SECTIONS ADDED TO EMERI ST	EM	AD
22.12.21	B	DA ISSUE	SLS	AD
05.11.21	A	ISSUED FOR INFORMATION	EM	AD

DRAWN BY	DATE	SCALE
EM	OCT 2021	1:200 @ A3
SHEET SIZE	PROJECT NUMBER	
A3	21013	
DRAWING NUMBER	AMENDMENT	
A06	C	

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ATTACHMENT 3

EXISTING PRELIMINARY APPROVAL MIN/2023/64



gassman development perspectives

1985

planning
environment
landscape
engineering
survey