
ITEM 6 IMPLEMENTATION & ASSESSMENT BRANCH
PRELIMINARY APPROVAL FOR MAKING A MATERIAL CHANGE OF USE (IMPACT ASSESSMENT) TO OVERRIDE THE PLANNING SCHEME FOR INDUSTRY USES - LOT 4 ON RP6843, LOT 1 ON RP6882 AND LOT 240 ON W31320 – 31 YELLOWWOOD ROAD, 60 STAPYLTON JACOBS WELL ROAD AND 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1

Refer 39 page attachment

BRIEF SUMMARY

Council is in receipt of a Preliminary Approval for making a Material Change of Use (Impact Assessment) application to override the Planning Scheme for Industry uses at property located at 31 Yellowwood Road, 60 Stapylton Jacobs Well Road and 82 Christensen Road, Stapylton.

The proposed Preliminary Approval will establish the 'Generations Industrial Park Place Code' which will specify the requirements and development assessment criteria for development within the subject area of lot 1 on RP6882 and lot 240 W31320. In accordance with the proposed Code, the development site is separated into four (4) individual Precincts. The corresponding proposed Plan of Development demonstrates the entire development area will be developed over four (4) stages. Lot 4 on RP6843 is included in the application for the purposes of future earthworks associated with the development of lot 1 on RP6882 and lot 240 W31320.

The subject site is located within the Future Business and Industry Precinct (4) and Open Space Precinct (6) of the Yatala Enterprise Area Local Area Plan (YEA LAP) of the current 'Our Living City' Gold Coast Planning Scheme 2003 V1.2 (Amended November 2011).

The proposed 'Generations Industrial Park Place Code' would seek to establish new land use classifications over the site, similar to the General Impact Business and Industry Precinct of the YEA LAP. Of particular note, a variety of land uses are proposed within the new Place Code including Manufacturer's Shop, Service Industry, Food Industry, Outdoor Storage, Warehouse, Motor Vehicle Repairs and Service Station.

In accordance with the provisions of the *Sustainable Planning Act 2009 (SPA)*, the Department of Natural Resources and Mines, the Department of Transport and Main Roads and the Department of State Development and Infrastructure Planning are identified as referral agencies for the application. The Departments have provided comments in accordance with the relevant referral jurisdictions, which are discussed herein.

Five (5) objections were received in response to public advertising. The points of objection relate to the impact of the proposed development on the existing adjoining industrial landuses, the absence of a conservation link along the northern property boundary, the anticipated negative amenity impacts on the operations of the adjoining Drive-In Theatre, the provision of a road connection to the north, the anticipated negative traffic impacts and the anticipated negative impacts on the existing rural and residential properties in the area. The submitters concerns have been addressed in this report and where appropriate, reasonable conditions have been included in the Officers Recommendation to address such concerns. It is considered that the concerns raised do not warrant refusal of the application.

As discussed herein, it is considered that the proposed development achieves the relevant Performance Criteria, higher order elements of the Planning Scheme and exhibits sufficient planning merit to warrant favourable consideration. The applicant proposes to stage the development of the site for industrial purposes, in general accordance with the ultimate precinct of General Impact and Business Industry, while providing adequate servicing to the development. The application is recommended for approval subject to the imposition of reasonable and relevant conditions.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

BASIC INFORMATION

Title Details	Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320
Address	31 Yellowwood Road, 60 Stapylton Jacobs Well Road and 82 Christensen Road, Stapylton
Applicant	Patricia Hester and William Hester C/- Gassman Development Perspectives
Owner At Time Of Lodgement	Patricia Ann Hester and William Arthur Hester & William Arthur Hester
Current Owner	Patricia Ann Hester and William Arthur Hester & William Arthur Hester
Site Area	771,610m²
Date Application Received	9 November 2011
Date Entered Decision	23 November 2012
Decision Due Date	4 March 2013
Domain	N/A
LAP & Precinct	Future Industry Precinct and Open Space Precinct of the Yatala Local Area Plan
State Planning Policies	N/A
Decision Type	Preliminary Approval
Submissions	Five (5) submissions

BACKGROUND**Subject site for the purposes of this report**

It is noted that the development application was lodged over three allotments, being Lot 1 on RP6882, Lot 240 on W31320 and Lot 4 on RP6843. Pursuant to the Generations Industrial Park Place Code Plan (Plan no. 5093 P 00 12A dated 06/11/12) the proposed Industrial landuses are contained within Lot 1 on RP6882 and Lot 240 on W31320. The applicant submits that Lot 4 will be utilised for the earthworks associated with the development of lots 1 and 240. The earthworks on lot 4 are subject to future operational works applications. For the purposes of this report, Lot 1 on RP6882 and Lot 240 on W31320 are referred to as the 'subject site' (total area of 73.114Ha.) It is noted that the assessing Hydraulics Officer provides comment in relation to works on Lot 4 on RP6882.

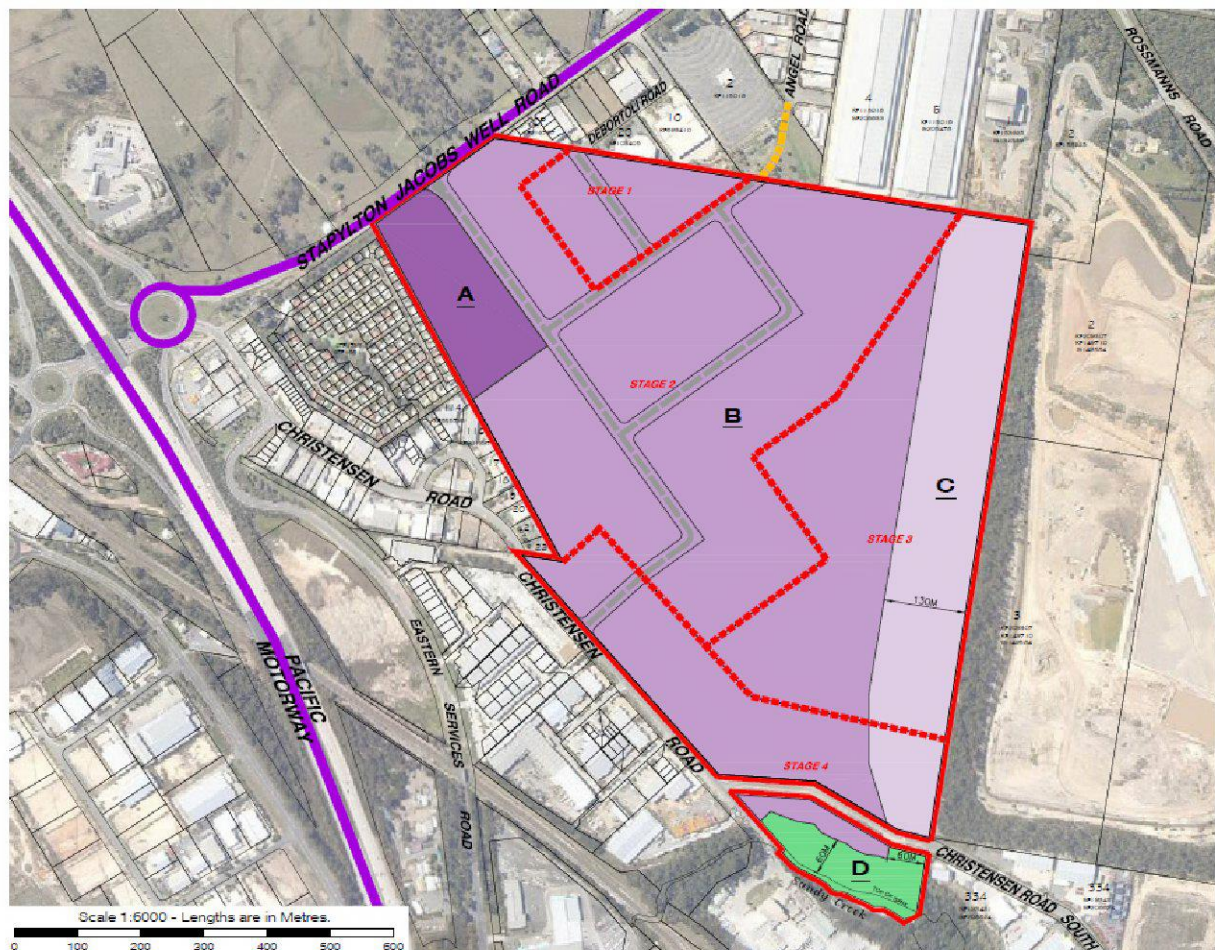
ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

PROPOSAL

The applicant seeks a Preliminary Approval for making a Material Change of Use to override the Planning Scheme in accordance with section 242 of the *Sustainable Planning Act 2009* for Industry uses at 31 Yellowwood Road, 60 Stapylton Jacobs Well Road and 82 Christensen Road, Stapylton. It is proposed to establish the 'Generations Industrial Park Place Code' which will specify the requirements and development assessment criteria for development within the subject area of Lot 1 and Lot 240.

Figure 1: Proposed Land Use Classification and Staging Plan (Plan of Development)



In accordance with the proposed 'Generations Industrial Park Place Code', the development site is separated into four (4) individual Precincts. The corresponding proposed Plan of Development demonstrates the entire development area will be developed over four (4) stages.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

The proposed Precincts are described as follows:

- **Precinct A (Low Impact and Service Industry)**

Precinct A is located adjoining the residential community (relocatable home-park) to the west of the site. Precinct A is intended to provide for low impact industrial landuses with specific building and operational restrictions in regards to building design, building construction, hours of operation, delivery and collection activities, to mitigate the negative impacts on the adjoining residential development.

In accordance with the proposed Statement of Landscape Intent the development would provide for a ten (10) metre wide landscaped buffer along the western property boundary of Precinct A to minimise the potential detrimental impacts of development on the adjoining residential development. The Statement of Landscape Intent includes a cross section of the intended heavy landscaping and earth mounding proposed within this landscaped buffer. Further, the proposed 'Generations Industrial Park Place Code' reflects the intended treatment of the landscaped buffer (see Acceptable Solution AS4.1(c), AS21.6 and AS22.1.2 of the 'Generations Industrial Park Place Code'.)

- **Precinct B (General Impact and Business Industry)**

Precinct B is the largest Precinct within the proposed 'Generations Industrial Park Place Code.' The land uses and lot sizes envisaged within Precinct B are generally consistent with those included with the Precinct 1 of the YEA LAP and benefit the future development prospects of the subject site.

- **Precinct C (Limited General Impact Business and Industry)**

Precinct C would allow for Industrial development (similar in nature to Precinct B), except the type of Industrial development is restricted due to the likely odour impacts from the adjacent Stapylton Landfill on the development within Precinct C.

- **Precinct D (Open Space/Reserve)**

Precinct D is located at the southern most point of the subject site adjoining Sandy Creek. Precinct D will serve as an area of environmental conservation to be rehabilitated and dedicated to Council.

The submitted 'Generations Industrial Park Place Code' includes subdivision requirements for Precincts A, B and C as per those referenced in the YEA LAP for Precinct 1 and requirements for Precinct D as per those referenced in the YEA LAP for Precinct 6.

Staging

The proposed development stages are described as follows:

- **Stage1**

Stage 1 encompasses an area of land in the northern pocket of the site adjoining De Bortoli Street. This stage is the smallest in area, with an area of 4.015ha. As per the requirements of the Department of Transport and Main Roads, this stage involves the upgrade of the Stapylton Jacobs Well Road and De Bortoli Street intersection to include a Channelized Right Turn.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- **Stage 2**

Stage 2 includes land within the western and central pocket of the site. This stage has a total area of 36.404ha. As per the requirements of the Department of Transport and Main Roads, this stage involves the provision of a signalised intersection between Stapylton Jacobs Well Road and Lot 1 on RP6882.

- **Stage 3**

Stage 3 includes land within the eastern portion of the site and encompasses an area of 21.552ha.

- **Stage 4**

Stage 4 encompasses the area of land in the southern portion of the site adjoining Christensen Road. This final stage has a total area of 9.785ha.

SITE & ENVIRONMENT

Characteristics of Site

The subject site is located approximately 0.5kms east of the M1 Motorway, with direct access from Stapylton Jacobs Well Road and Christensen Road. The subject site is currently used for residential purposes and for the Industrial operations of a soil and fertilizer reconditioning and distribution business. The subject site contains a Detached Dwelling and associated sheds, Industrial and Warehouse buildings, ancillary offices, mixing mounds and basins, which form part of the soil and fertiliser operations on site.

The subject site maintains two road frontages to Stapylton-Jacobs Well Road and Christensen Road (no-through road). The existing residential vehicle access is gained via one vehicle crossover from Stapylton Jacobs Well Road and the existing Industrial access servicing the soil and fertiliser operations is gained via three vehicle crossovers from Christensen Road. The street frontages of the site are signposted at a speed of 60km/h. No footpaths exist on either road frontage.

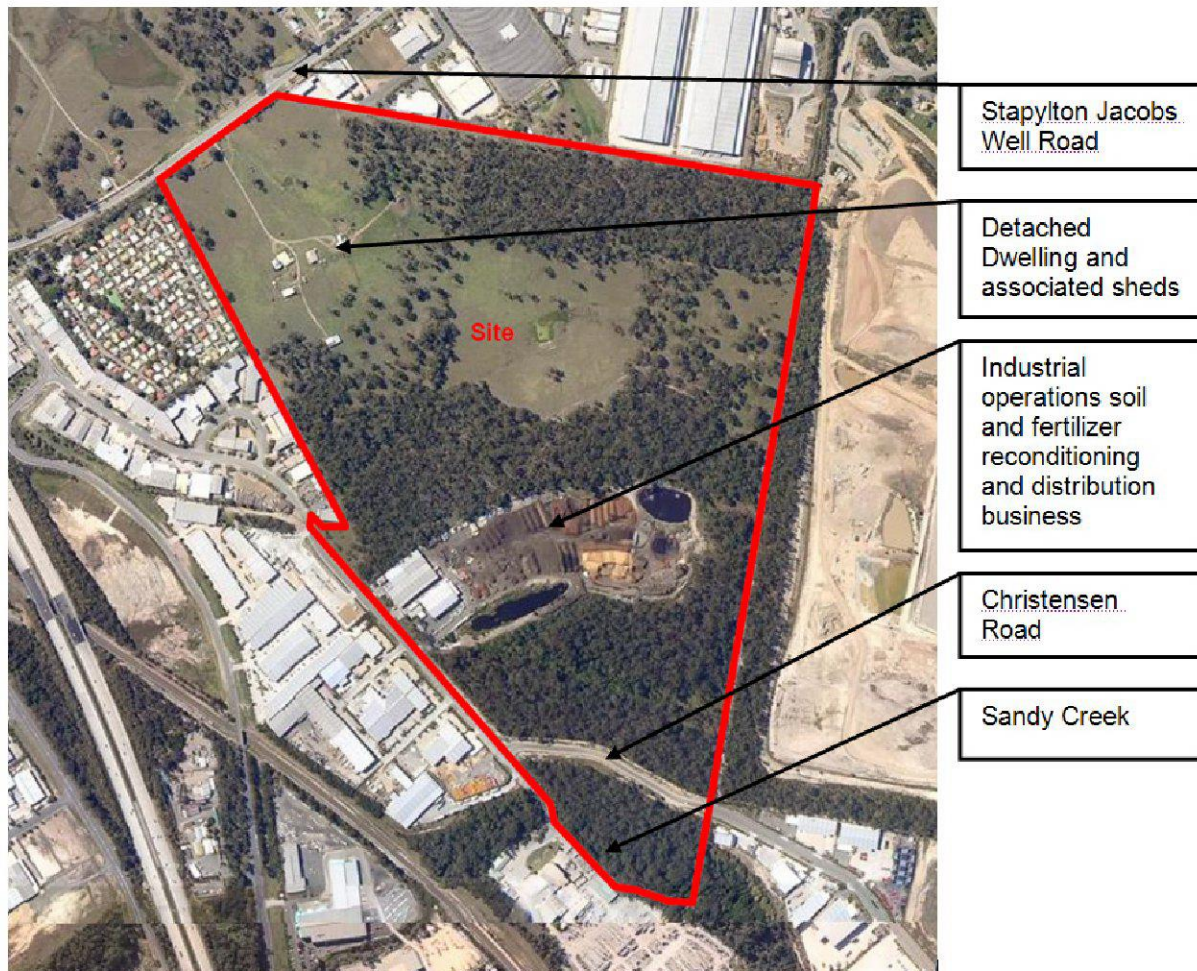
The submitted contour and detail survey plan demonstrates that the site ranges in topography from low points of between 3 and 6 metres AHD and high points of between 20 and 23 metres AHD. The site generally grades down to the west (Stapylton Jacobs Well frontage) and a gully is formed to the east towards the eastern boundary and south-east near Christensen Road. The southern area of lot 240 is located on the southern side of Christensen Road and abuts Sandy Creek.

The site contains areas of dense vegetation, predominantly within the southern and northern areas of the site. The assessing Environmental Planner advised that the subject site contains 1994 existing remnant vegetation and other natural waterways (Overlay Map 11 Natural Wetlands and Water Bodies). Sandy Creek runs through an area of the site south of Christensen Road.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Figure 2: Aerial view of subject site



Characteristics of Surrounding Environment

In reference to the surrounding Planning Scheme landuse designations, the land adjoining the subject site to the north is within the Future Business and Industry Precinct (4), land to the south is within the General Impact Business and Industry Precinct (1), land to the east of the site is within the Extractive Industry Precinct (5) and land to the west of the site on Stapylton Jacobs Well Road is located within the Open Space Precinct (6) of the Yatala Enterprise Area Local Area Plan.

The existing development within the surrounding area is described as follows:

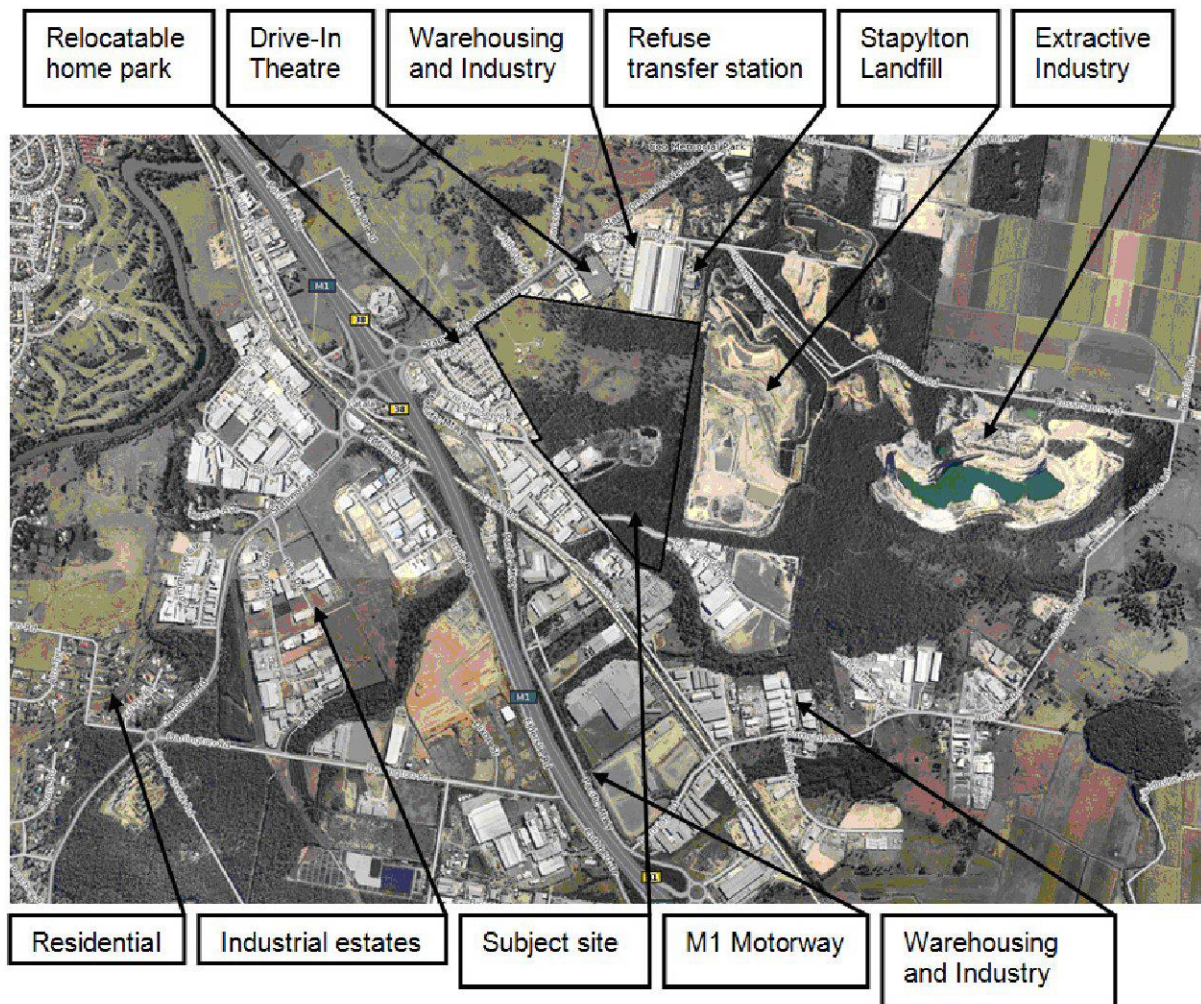
- North – Directly adjoining the subject site to the north (see aerial view of surrounding area) are Industry landuses, Warehousing, a Drive-In Theatre and Refuse Transfer Station (JJ Richards). North east of the site on Quarry and Rossmans Road is the development site location of the Motorcross Facility (PN284526/01/DA1). Further north on Stapylton Jacobs Well Road are various industrial and low-intensity rural activities.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- South – Various Industrial landuses and warehousing is situated south of the site along Christenson Road. The train line and the M1 Motorway is located south of the site.
- East – Directly east of the subject site is the Council Stapylton Landfill and further east of the landfill is an Extractive Industry development (Boral) on Rossmans Road.
- West – Directly adjoining the subject site to the west is a residential community (relocatable home-park). Also to the west of the subject site exists a service station on the corner of the Pacific Motorway (service road) and Stapylton Jacobs Well Road and a Detached Dwelling and associated shed on Stapylton Jacobs Well Road.

Figure 3: Aerial view of surrounding area



ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

DEVELOPMENT ASSESSMENT

Section 314 of the *Sustainable Planning Act 2009* identifies what an assessment manager must consider when assessing an impact assessable application. In brief, the assessment manager must assess the part of the application against each of the following matters or things to the extent relevant:

the State planning regulatory provisions	See discussions herein
the regional plan for a designated region	See discussions herein
State planning policies (unless appropriately reflected in any relevant regional plan or planning scheme)	See discussions herein
a structure plan	N/A
for development in a declared master planned area—all master plans for the area	N/A
a temporary local planning instrument	N/A
an earlier preliminary approval to which section 242 applies	N/A
a Planning Scheme	See discussions herein
the adopted infrastructure charges resolution or the priority infrastructure plan.	N/A

In addition, the assessment manager must assess the part of the application having regard to:

the common material	See discussions herein
any development approval for, and any lawful use of, premises the subject of the application or adjacent premises	See discussions herein
any referral agency's response for the application	See discussions herein

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Relationship to the South East Queensland Regional Plan (2009-2031)

The South East Queensland Regional Plan was developed by the Office of Urban Management (OUM) in response to the high and sustained population growth being experienced in the region. A key objective of the Regional Plan is to manage regional growth and associated change in a sustainable way for the efficient use of resources and to protect and enhance the quality of life in the region.

The primary purpose of the Regional Plan is to provide a sustainable growth management strategy for SEQ to the year 2031. This Strategy seeks to establish sound urban development principles that support a compact, well serviced and efficient urban form that makes efficient use of resources and infrastructure while ensuring that the Region's natural environment, biodiversity and natural resources are protected.

The goals of the Plan are to be achieved through the regional land use pattern, which defines the spatial framework for the region. Three (3) regional land use categories (Regional Landscape and Rural Production Area, Urban Footprint and Rural Living Area) have been formulated and are identified spatially across the region on the SEQ Regional land use category map.

The subject site is located within the 'Urban Footprint' land use category. The Urban Footprint includes established urban areas and broadacre and remnant broadacre areas potentially suitable for future urban development. The Urban Footprint focuses urban growth in areas that:

- Provide reliable and effective transportation choices;
- Physically connect to existing communities wherever possible;
- Promote cohesive communities which support a wide range of services and facilities; and
- Have access to existing or planned employment centres.

Further to the above, the SEQRP identifies Yatala as an 'Enterprise Opportunity Area – Employment'. In accordance with the SEQRP Employment growth is required within Enterprise Opportunity Areas to support the projected population growth to 2031. The SEQRP specifically states that 'the growth of manufacturing, logistics and freight distribution on the Gold Coast will be located predominantly in Yatala.'

Officer comment

It is considered that the proposed development supports the key principles of the Regional Plan. The proposed development application is for industry type uses, which for the purposes of the South East Queensland Regional Plan 2009-2031 State Planning Regulatory Provisions (SEQRP) are considered Urban Activities.

It is noted that Lots 1 on RP6882 and Lot 240 on W31320 are in the Urban Footprint. However Lot 4 on RP6843 is within the Rural Landscape and Rural Production Area for the purposes of the SEQRP. The proposed plan (Plan no. 5093 P 00 12A dated 06/11/12) demonstrates that the Urban Activities are contained within Lot 1 on RP6882 and Lot 240 on W31320 and therefore the proposal is consistent with the SEQRP (see confirmation from the Department of State Development and Infrastructure Planning via correspondence dated 18 July 2012). It is considered that the proposed development supports and accords with the intent and purpose of the Regional Plan as it makes efficient use of the industrial land.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

As noted above the subject site is included within the Enterprise Opportunity Area - Employment. The Enterprise Opportunity Areas are identified within the SEQRP to ensure that these areas are not lost to other uses before having regard for their potential for economic development and employment. It is considered that the proposed Preliminary Approval is a mechanism to deliver industrial land that will help economic development and be a major employment location in the long term, thereby advancing the program of the SEQRP.

Relationship to Planning Strategy Maps

The Planning Strategy Maps form part of the Planning Strategy, which provides the context and policy foundation for the specific development requirements contained in the remaining parts of the Planning Scheme. The Planning Strategy Maps represent the geographic expression of the specific policy outcomes that have been identified. A number of Planning Strategy Maps are considered to be relevant to the proposed Preliminary Approval, these are identified below.

Land Use themes Planning Strategy Map PS1

In accordance with the Land Use themes Planning Strategy Map PS1 the subject site is designated within the Industrial landuse theme. As the proposed development is industrial in nature it is considered that the development is in keeping with the preferred location and broad planning intent for industrial development on the site.

Employment, Investment and Service Centres (Activity Centres) Planning Strategy Map PS4

In accordance with the Employment, Investment and Service Centres (Activity Centres) Planning Strategy Map PS4 the subject site is located within an Industrial Employment Cluster. As the proposed development is industrial in nature it is considered that the development is consistent with the strategic aim to create a concentration of industrial employment opportunities, provide a framework for the effective delivery of services, continuing investment and the generation of new employment in Gold Coast City's Activity Centres.

City Image Major Scenic Routes and Transitory Gateways Planning Stagey Map PS14

In accordance with the City Image Major Scenic Routes and Transitory Gateways Planning Stagey Map PS14 the Stapylton Jacobs Well Road is identified as a Scenic Route. It is considered that the proposed development and the recommended conditions of approval will ensure that the future built form, land use, aesthetics, siting and location associated with the proposed development will have regard to the character of the scenic route.

It is noted that the frontage of the development site to Stapylton Jacobs Well Road will be provided with landscaping as per the submitted landscape plan. It is recommended via a condition of approval in the Officers Recommendation that amended plans be submitted that demonstrate the provision of a six (6) metres wide for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage in accordance with the submitted Statement of Landscape Intent referenced within this Decision Notice. Further, it is recommended that a notation be included on the plan that '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.' It is noted that there are provisions included within the proposed Generations Industrial Park Place Code to ensure the future development is of a high standard of architectural presentation.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

It is considered that the abovementioned requirements will ensure the development will have regard to the character of the scenic route.

Relationship to Desired Environmental Outcomes (DEOs)

The following Desired Environmental Outcomes (DEOs), listed in the YEA LAP, are relevant to the assessment of the proposed development for a Preliminary Approval to override the Planning Scheme for Industry uses. It is considered that the proposal would not inhibit the achievement of the objectives as discussed below:

3.1 DEO 3.1 of the YEA LAP reads as follows:

"The development of the YEA as an integrated employment area, including the establishment of industrial and business development, having particular regard to:

- a) Regional population growth within the Brisbane/Gold Coast City corridor;*
- b) The availability of a regionally significant extractive industry resource in the Luscombe Hill area;*
- c) Emerging environmental industries related to recycling with a focus on Council's landfill and recycling centre at Stapylton;*
- d) The servicing needs of boat building and other marine industries in the northern Gold Coast City region; and*
- e) Tourism support industry needs (refer to DEO Econ.1)."*

Officer comment

It is considered that the subject site would accommodate a broad range of industries, warehouses and distribution centres of a general industrial nature that will result in significant growth in long term employment for the residents of the Gold Coast City and of the greater South East Queensland area.

The proposed development for a Preliminary Approval to override the Planning Scheme for Industry uses would enable the implementation of the 'ultimate precinct' (General Impact Business and Industry) intent for the site in accordance with the YEA LAP. The proposal would establish industrial land that would encourage employment and business opportunities from the construction phase and during the operational life of the industrial development on the site.

As the future industrial development of the site would encourage employment and business opportunities, it is considered that the development would respond to the regional population growth within the Brisbane/Gold Coast City corridor.

It is considered that the future industrial development of the site would not conflict with the availability of the extractive operations in the Luscombe Hill area.

Given the proximity of the site to the existing Council landfill and recycling centre, it is considered that the subject site is in a prime location to provide opportunities to synergise business with the use of the recycling centre.

It is considered that the proposed development would not impede the marine and tourism support industries included within the DEO.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

3.2 DEO 3.2 of the YEA LAP reads as follows:

“Establishment of a highly desirable industrial/business environment, featuring a range of locational opportunities with ancillary facilities and services which will facilitate the activities of business (refer to DEO Econ.3).”

Officer comment

It is considered that the proposed ‘Generations Industrial Park Place Code’ would provide for the development of Industry and ancillary facilities and services of an appropriate nature and scale that is in keeping with the ‘ultimate precinct’ designation for the subject site.

3.3 DEO 3.3 of the YEA LAP reads as follows:

“A planned land use and transport system that enables the efficient movement of people and goods within the YEA and provides for integration with existing and future transport systems operating in the region (refer to DEOs Econ.6 and Soc.6).”

Officer comment

As discussed herein, City Transport and the Department of Transport and Main Roads recommend approval of the development subject to conditions. It is considered that the proposed road layout provides for adequate integration and connectivity requirements and would not conflict with the existing or future road requirements for the site.

The assessing City Transport Officer advised that, for the purposes of the Preliminary Approval, the submitted staging plan and Traffic Impact Assessment (prepared by CRG Consulting and dated 5 November 2012) is acceptable. It was determined that the proposed road network will serve to spread the traffic demands of the development throughout the local road network. It was determined that detailed plans of future intersections will be provided at a later date.

In accordance with the requirements of the DTMR, the development is required to upgrade Stapylton Jacobs Well Road and De Bortoli Street intersection to include a Channelized Right Turn, provide a signalised intersection between Stapylton Jacobs Well Road and Lot 1 on RP6882 and provide a monetary contribution for all stages of the development towards mitigating the impact of the proposed development on the safety and efficiency of the state controlled road network.

It is considered that the development provide for efficient movement within the area and would provide for road upgrades to improve the trafficability of the major extractive haulage route of Stapylton Jacobs Well Road.

3.4 DEO 3.4 of the YEA LAP reads as follows:

“The sustainable management of the regionally significant extractive resources of the northern Darlington Range and Stapylton areas (refer to DEO Econ.5).”

Officer comment

It is considered that the proposed development would not conflict with the abovementioned DEO. DEO Econ 5 relates to ‘the prudent use of renewable and non-renewable natural resources, having regard to their sustainable management.’ It is considered that the proposed development would not restrict the sustainable management of renewable and non-renewable natural resources.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Planning Scheme assessment**Summary of relevant Planning Scheme Codes**

Place Code	Constraint Code	Specific Development Code
Yatala Enterprise Area Local Area Plan	Car Parking Access and Transport Integration Bushfire Management Areas Flood Affected Areas Nature Conservation Canals and Waterways	N/A

Relationship to the Yatala Enterprise Area Local Area Plan

The subject site is located in the Open Space Precinct (6) and the Future Business and Industry Precinct (4) of the Yatala Enterprise Area Local Area Plan.

Pursuant to the requirements of the Planning Scheme and the Sustainable Planning Act 2009, the proposed application for Preliminary Approval triggers Impact Assessment.

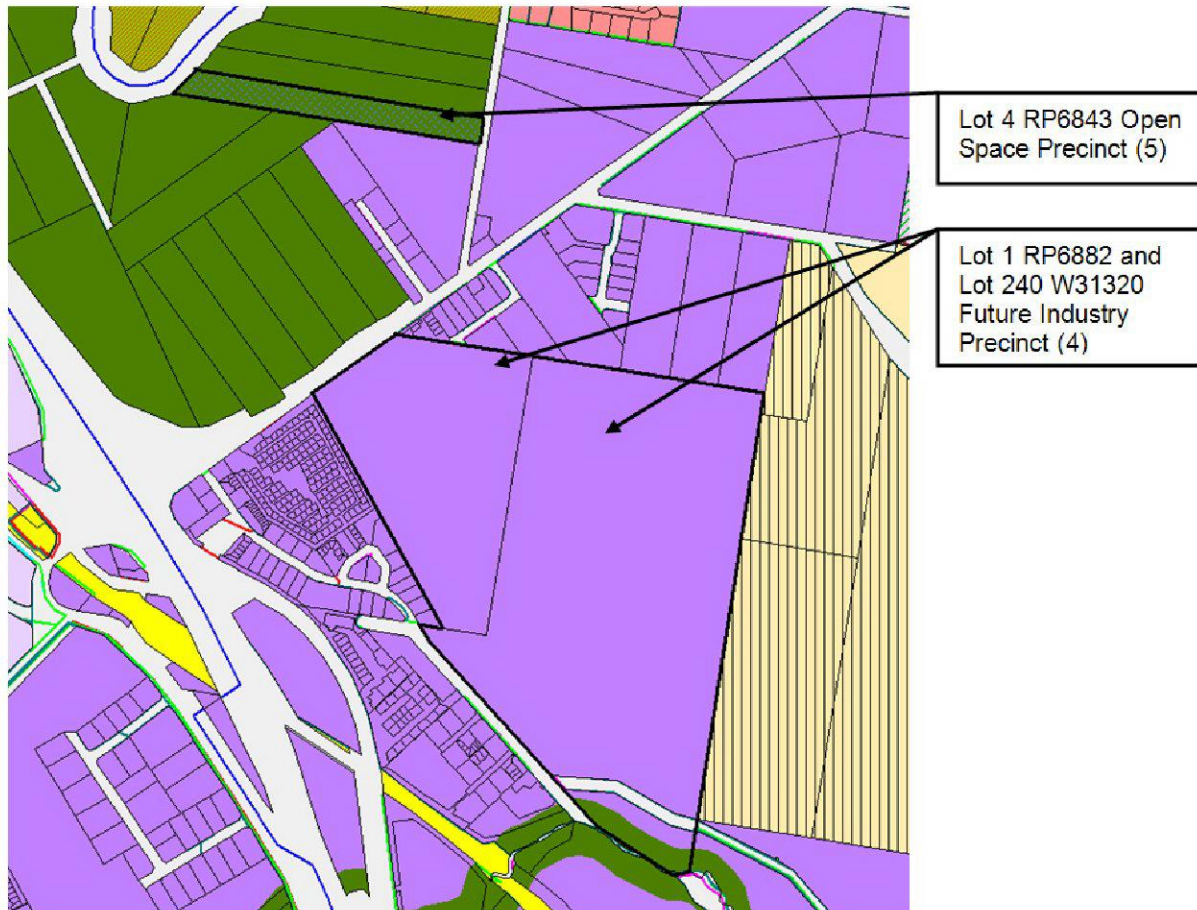
The intent statement of the Yatala Enterprise Area Local Area Plan is described as follows:

"The purpose of this Local Area Plan (LAP) is to provide for the detailed planning and development of the Yatala Enterprise Area (YEA). The YEA is a highly valuable resource for the City. There is an opportunity to create a dedicated area that could be a market leader in terms of innovative industrial development that would facilitate growth in long term employment in the 21st century. Therefore, the purpose of this LAP is to promote the orderly economic development of the YEA as a major industrial employment district for both the Gold Coast City and the South East Queensland region. The LAP provides locational and assessment criteria for the establishment of industrial activities in the defined Yatala/Stapylton area (refer Yatala Enterprise Area LAP Map 29.1 – Boundary)."

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Figure 4: Yatala Enterprise Area Local Area Plan LAP Map 29.2 Precincts



Future Business and Industry - Precinct 4

The intent statement of the Precinct 4 Intent for Future Business and Industry is described as follows:

"Ultimately, the Future Business and Industry Precinct is intended to be developed for industry purposes as an extension of the development that is contemplated for Precincts 1 and 2. Such development is not envisaged in the short term, due to the lack of adequate infrastructure. The only forms of development that are intended to be permitted in the meantime are those that will neither compromise the capacity of these areas to develop intensively for industry in the future nor compromise the development of other parts of the plan area for intended purposes.

This purpose does not preclude out of sequence business and industry development where the proponent is prepared to pay the full cost to offset the impact of out of sequence development, as determined by Council. This out of sequence development will be assessed by the criteria applicable for either Precincts 1 or 2, as determined by the ultimate development scenario illustrated by Yatala Enterprise Area LAP Map 29.4 – Ultimate Precincts.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

The Future Business and Industry Precinct to the east of the Pacific Motorway is expected to become General Impact Business and Industry. The area to the west of the Pacific Motorway, west of Stanmore and Sandy Creek Roads, will be appropriate for a mixture of General and Low Impact Business and Industry, depending on its proximity to residential areas.

Development that proposes to reconfigure allotments is not considered appropriate for the precinct, unless all allotments created have a minimum area of 20 hectares. This will facilitate future development of the area for major industrial development."

It is noted that Lots 1 on RP6882 and Lot 240 on W31320 are located within the Future Industry Precinct (4) of the Yatala LAP. An area adjoining Sandy Creek is located within the open Space Precinct (6). However, Lot 4 on RP6843 is located within the Open Space Precinct (6) (see Precinct Map below). Pursuant to the proposed 'Generations Industrial Park Place Code' plan (Plan no. 5093 P 00 12A dated 06/11/12) the proposed Industrial landuses are contained within Lot 1 on RP6882 and Lot 240 on W31320. The applicant submits that Lot 4 will be utilised for the earthworks associated with the development of lots 1 and 240. The earthworks on lot 4 are subject to future operational works applications. For the purposes of this report, Lot 1 on RP6882 and Lot 240 on W31320 are referred to as the 'subject site'.

Applicant comment

The applicant submits the following in relation to the Yatala LAP:

"It is considered important to note that the general guiding principles within the Yatala Enterprise Area LAP of the current Gold Coast Planning Scheme indicate that the site may be developed for industrial purposes if/when appropriate infrastructures services can be provided. The engineering information submitted in support of this application confirms that the subject site can be adequately serviced.

Importantly, an integrated and staged land release program is envisaged such that the progressive realisation of industrial pursuits on the subject site will not significantly impact on existing land supplies within Precincts 1 and 2 of the Yatala Enterprise Area LAP. This current land release staging is to effectively run for the next 11+ years to ensure existing Precincts 1 and 2 are effectively protected."

Officer comment

It is evident from the statement above that the Gold Coast Planning Scheme describes the intent for Precinct 4, as an area for future industry consistent with the current intent for Precincts 1 and 2. Due to constraints regarding the existing infrastructure, this designated area has been reserved for sequential development, intended to follow on from the expansion of development within the preceding precinct boundaries. The Ultimate Precinct designation for the subject site is Precinct 1 – General Impact and Business Industry (pursuant to Map 29.4 – Ultimate Precincts).

It is acknowledged within the intent statement that Precinct 4 does not preclude out of sequence business and industry development where the applicant is prepared to bear all costs for such development. However, the intent statement also states that 'the only forms of development intended in the meantime are those that will neither compromise the capacity to develop intensively for industry in the future, nor compromise that development of other parts of the plan areas.' Therefore, Council officers need to ensure that the proposal would not compromise the development of land designated as Precinct 1 or the future viability of this land.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Given the proposal is a divergence from the applicable Precinct 4, the applicant was requested to submit an Economic Impact Assessment (EIA) and amend the proposal in accordance with any recommendations of the Economic Impact Assessment. The applicant elected not to provide an EIA. The applicant states that the proposed development is not considered to represent a premature or inappropriate ultimate form of development on the site and, as such, an EIA has not been submitted.

After a detailed assessment of the submitted material it is considered that the proposed Preliminary Approval is a mechanism to provide for the timely delivery of industrial land in general accordance with the 'ultimate precinct' intent. As discussed in detail herein, it is considered that the applicant demonstrates sufficient information that confirms the subject site will be adequately serviced for Industry. In this regard the proposed development is not considered to represent a premature or inappropriate ultimate form of development on the site. As such, it is considered that the proposed Preliminary Approval demonstrates compliance with the intent of Future Business and Industry Precinct (4.) This is considered sufficient grounds to justify the approval, having regard to the purpose of the relevant Codes and the Planning Scheme in its entirety.

Notwithstanding the above, the proposed development involves an application for a Preliminary Approval to override the Planning Scheme for Industry uses. Weight should also be given to the intent statement of Precinct 1 and whether the proposed development would likely accommodate the type of development envisaged for Precinct 1. This is discussed in further detail below.

General Impact Business and Industry - Precinct 1

The proposed development involves an application for a Preliminary Approval to override the Planning Scheme for a Material Change of Use for Industry uses. The 'ultimate precinct' for the site as per LAP Map 29.4 Ultimate Precincts is General Impact Business and Industry Precinct (1). Therefore an assessment of the proposal against the Intent of Precinct 1 is considered relevant.

The intent of General Impact Business and Industry Precinct (1) is described as follows:

"The General Impact Business and Industry Precinct is intended to accommodate a broad range of manufacturing industries, warehouses and distribution centres of a general industrial nature that will result in significant growth in long term employment for the residents of the Gold Coast City and of the greater South East Queensland area.

Preferred activities will typically focus on the production, manufacture, construction or distribution of goods. Industries traditionally considered to be heavy may be suitable for this precinct, provided innovative technologies are employed to neutralise any potential detrimental impacts and provided the establishment of such uses does not have a detrimental impact on the ability of the precinct to attract preferred uses. Preferred activities will typically generate high levels of long term employment.

Overall, this precinct is well separated from existing and intended residential areas. The precinct provides the opportunity for the location of industries within the core areas which are of state and regional economic significance, particularly those which require a separation from residential and other sensitive uses. Physical features, road, drainage and open space corridors, and in part the Low Impact Business and Industry Precinct – Precinct 2 act to provide buffers to those industrial processes which are by their nature potentially hazardous or offensive or require large scale buildings and operations.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Whilst a relatively low level of restriction is intended to apply to development in these areas, site development will minimise external impacts within the threshold limits for safety and environmental protection established by the relevant state legislation and regulations. Developments are encouraged to employ best practice methods and innovative technologies that exceed the minimum standards and encourage market/industry leadership. No particular built form is envisaged. However, buildings will be purpose built to mitigate noise, odour and waste emission with use of landscaping, setbacks and building separation to provide reasonable landscape amenity, without compromising industrial production or processes. The physical appearance of the precinct is important to the marketing of this area for preferred uses that may consider locating in the YEA. Minor architectural details to improve the visual appearance of buildings, such as articulation of exterior walls, varied exterior colours and building materials, are considered appropriate and achievable without compromising industrial processes or economic viability.

The regional significance of the core area of this precinct needs to be protected. It will contain industries and processes operating at established environmental and safety thresholds that may have off-site impacts. Uses that could be sensitive to these impacts should not be located within this precinct. For these reasons, uses that are inconsistent with the purpose of this precinct, and that can be reasonably located elsewhere within smaller industrial and business estates or within the Low Impact Business and Industry Precinct, will not be encouraged.

Activities that might be considered to be incompatible with the purpose of this precinct include bulk retailing outlets, bulk garden supplies, service industries, factory units, residential and general commercial uses, etc. Uses that involve large land areas, significant employment creation, significant infrastructure commitments, and sufficient space for large-scale storage, production or high tech waste treatment or processing are to be facilitated within this precinct. Of particular suitability as 'core' activities are:

- storage and distribution centres for large scale building and construction material suppliers;*
- extractive industry support activities, including heavy vehicle and equipment servicing;*
- manufacturing and supply activities supporting the boat building and other marine industries, such as galvanising works, metal fabrication and extrusion, fibreglass and resin manufacturing and supply, and upholstery and plastics manufacturing and supply; and*
- regional support services for the tourism industry (such as large scale laundry and linen services, and events equipment hire and storage facilities).*

Uses directly serving other businesses and workers in the area (including convenience shopping, catering, childcare and recreational facilities) may be considered appropriate in this precinct, where there is a demonstrable need for such uses. It is preferred that such non-industrial uses be consolidated at identifiable local centres which are conveniently accessible to surrounding industries, for example, by being situated centrally or at an entry/gateway to the locality. The preferred location for such consolidation of facilities in this precinct is in the vicinity of Burnside Road, between the Pacific Motorway and the Brisbane-Robina railway line with, if possible, linkages provided to the railway station.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Development which proposes to reconfigure allotments in this precinct is required to establish large strategic allotments, with the minimum allotment size being considerably larger than is the standard requirement in other industrial estates. Reconfiguration layouts are required to demonstrate robustness in design, connectivity in road layout and sensitivity to the key environmental features of the area."

The Intent statement for Precinct 1 notes that the Precinct must accommodate a broad range of manufacturing industries, warehouses and distribution centres of a general industrial nature. It is evident from the proposed Tables of Development within the submitted Generations Industrial Park Place Code that the proposed Preliminary Approval would accommodate such land uses as specified in the Intent statement.

The Intent statement for Precinct 1 notes that development within this Precinct is well separated from existing and intended residential areas. As mentioned herein, the subject site is located adjoining a residential relocatable home park to the west of proposed Precinct A. The mitigation of the future industrial development on the adjoining residential development has been assessed in detail as part of the assessment of this Preliminary Approval. As discussed herein mitigation measures, surrounding noise, hours of operation and visual amenity are included in the Officers Recommendation.

As a result of the site constraints the Generations Industrial Park Place Code splits the subject area into different Precincts in an effort to buffer incompatible uses to adjoining development. Buildings within proposed Precinct A will be purpose built to mitigate noise, odour and waste emission with use of setback and building enclosures.

The Intent statement for Precinct 1 notes that the physical appearance of the precinct is important to the marketing potential of development within the area, and as such, architectural details such as articulation of exterior walls, varied colours and building materials are encouraged. It is noted that there are provisions included within the proposed Generations Industrial Park Place Code to ensure the future development is of a high standard of architectural presentation. It is considered that there is adequate provision within the proposed Code that would ensure the future development would be in keeping with the intent of the YEA Local Area Plan and appropriate to the character of the existing area.

The Intent statement for Precinct 1 notes that land uses that involve large scale developments should be facilitated within this precinct. Such uses include storage and distribution centres, heavy vehicle and equipment servicing and manufacturing and supply activities supporting the marine industry. The Generations Industrial Park Place Code would provide for such uses within the proposed Table of Developments.

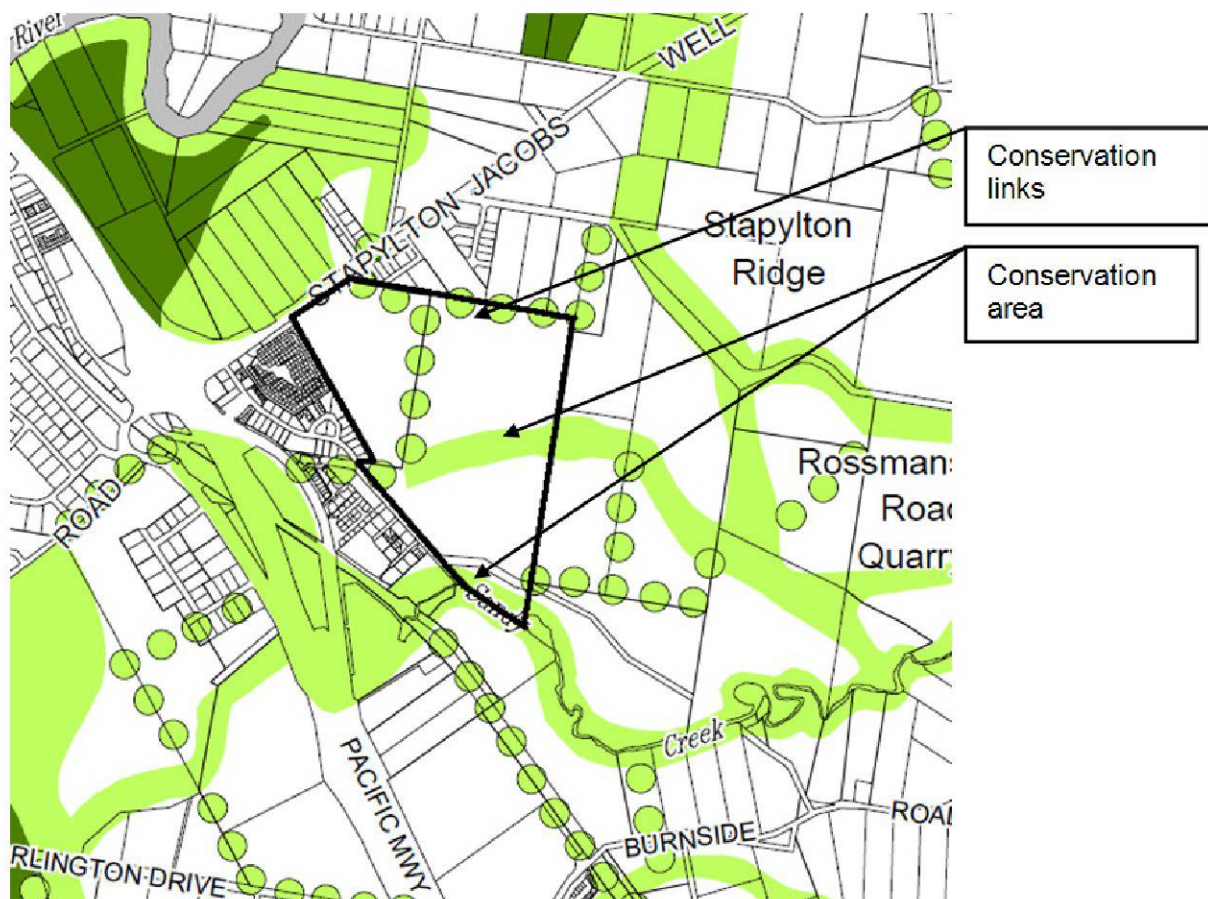
The Intent statement for Precinct 1 specifically nominates that large strategic allotments should be established for subdivision within Precinct 1. The submitted Generations Industrial Park Place Code includes subdivision requirements as per those referenced in the Yatala LAP for Precinct 1. Such reflects the 'ultimate precinct' requirements for any future subdivision for the site. It is recommended that the subdivision requirements of precinct C be amended within the Generations Industrial Park Place Code to encourage large allotments.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

After a detailed assessment of the submitted material it is considered that the proposed Preliminary Approval would provide for the development of the site in general accordance with the 'ultimate precinct' intent. As discussed in detail herein, it is considered that the applicant demonstrates sufficient information that confirms the subject site will be adequately serviced for Industry. The proposed Preliminary Approval will establish the 'Generations Industrial Park Place Code' which will enable the development of the subject area for Industrial purposes in accordance with the General Impact Business and Industry Precinct (1). This is considered sufficient grounds to justify the approval, having regard to the purpose of the relevant Codes and the Planning Scheme in its entirety.

Figure 5: Yatala Enterprise Area Local Area Plan – LAP Map 29.3 Conservation Area and Priorities



Applicant comment

The applicant submits the following in relation to the LAP Map29.3:

"...a north-south linkage which is 50m wide [note the current POD shows only a 10metre wide landscaped north south corridor] and traverses the length of the site north of Christensen Road is proposed as opposed to those generally indicated within the Yatala Enterprise LAP. This proposed vegetated section is considered to provide sufficient linkages for the site, and more so the links mapped on the adjacent landfill site are no longer present and an east-west link across the subject site is considered to be of little connectivity value.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Further, and as outlined in the ecological assessment report submitted with the original application, the 'other natural waterway' present in the southern portion of the site is a highly degraded and weed infested depression. Consequently, the identified waterway represents very low habitat values and the revegetation of the north-south corridor linkage is considered to adequately offset the potential adverse impact experienced by this waterway."

In relation to the Sandy Creek buffer area the applicant states as follows:

"...detailed and thorough site investigative work has ascertained that the provision of a 60m buffer would be consistent with that which is currently provided along this section of Sandy Creek and as a result will not result in a negative impact on the long-term ecological viability of Sandy Creek. Further, with the rehabilitation and weed management proposed within the buffer it is considered that the ecological values and viability of this section of Sandy Creek will be enhanced as opposed to compromised."

Officer comment

The subject site falls within the Conservation Area and Priorities Map 29.3 as the site contains areas of conservation priority and links. Not all areas identified as Conservation on the Map 29.3 are proposed by the applicant to be retained for conservation purposes.

The applicant proposes to retain and rehabilitate a 60metre wide buffer from Sandy Creek for the purposes of conservation link/area, which is considered to be in accordance with the requirements of Map29.3. The applicant proposes to provide a ten (10) metre wide north-south buffer along the eastern property boundary for the purposes of landscaping.

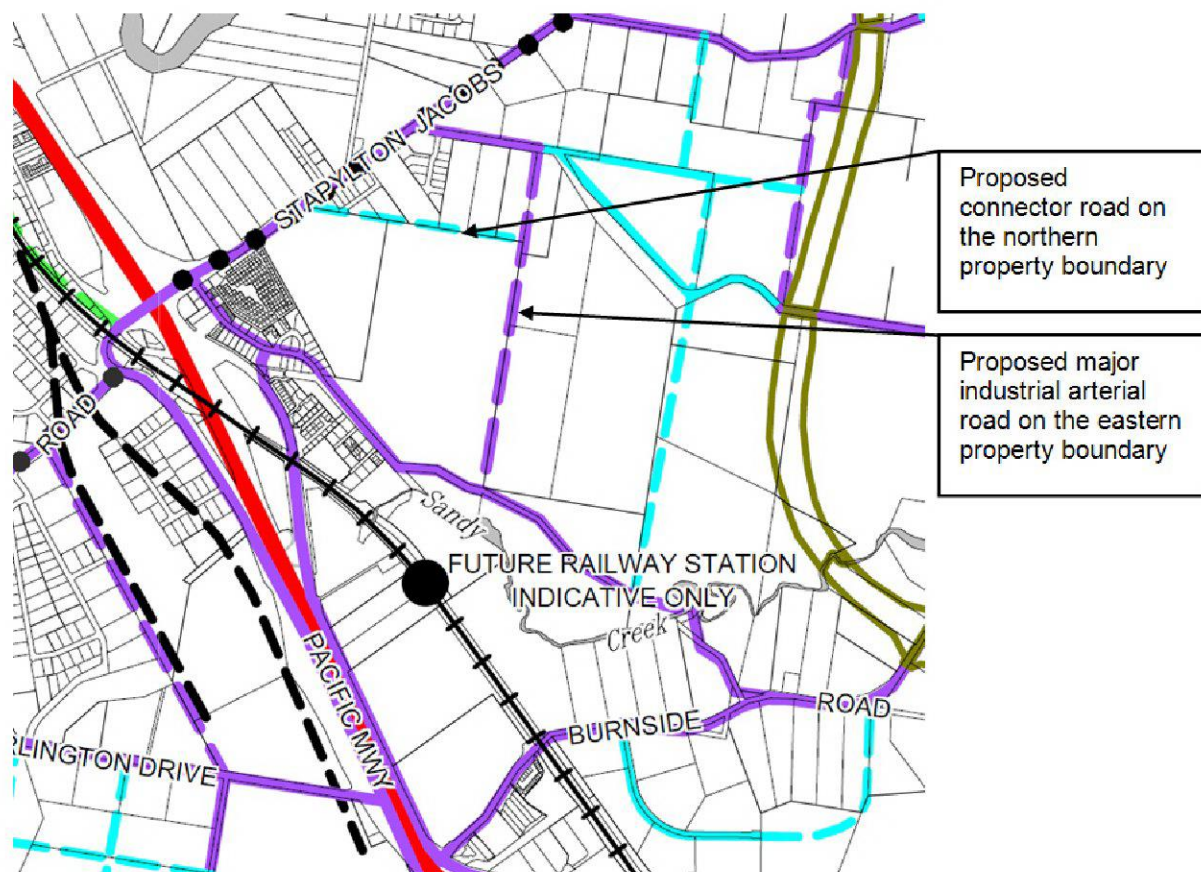
It is considered that, although the location of the north south buffer is acceptable to Officers the proposed buffer width and the proposed treatment of the buffer is not adequate and not in accordance with the intent of Map 29.3. It is considered that through reasonable conditions within the Officers Recommendation the development can provide for the provision of an adequate linkage throughout the site to provide connectivity value and compensate the loss of flora and fauna as a result of the proposed development, and thereby demonstrate compliance with the intent of Map 29.3.

It is considered that through an increase of the eastern vegetated buffer and the inclusion of this eastern vegetated buffer area within a covenant to retain an ecological corridor for the development, this will ensure the minimisation of ecological value loss.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Figure 6: Yatala Enterprise Area Local Area Plan – LAP Map 29.5 Transport Infrastructure



Officer comment

As per the Yatala LAP the local road hierarchy shows a proposed connector road on the northern property boundary and a proposed major industrial arterial road on the eastern property boundary. As per the advice of City Transport, the location of these roads are indicative only and provided appropriate north-south and east-west connections are provided for the development, it is considered that the development demonstrates compliance with the intent of the Map29.5. The proposed development provides for access through the site, although not in exact location as demonstrated on the above plan. However, the alternative solution enables the same traffic result, being sufficient access between Christensen Road and Stapylton Jacobs Well Road. Councils City Transport Officer advised that the proposed access location as demonstrated on the Landuse Classification and Staging Plan is acceptable and demonstrates compliance with the intent of Map29.5.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Compliance with the Relevant Place Code

The proposal complies with all of the Yatala Enterprise Area Local Area Plan Place Code's Acceptable Solutions and Performance Criteria, except as follows:

Performance Criteria	Acceptable Solution
PC5 Those developments visible from the Pacific Motorway or the Gold Coast City Rail Line must exhibit a high standard of architectural presentation.	AS5.1.1 Facades visible from the Pacific Motorway or the Gold Coast City Rail Line 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 roads/railway, as well as along a brief return or the full length of side walls. OR AS5.1.2 A landscaped buffer is provided to the Pacific Motorway or to the Rail Line. Where conservation areas or links are established along the relevant road/railway frontages, such that development behind will be largely screened by vegetation, the design requirements of AS5.1.1 need not be met.

The Generations Industrial Park Place Code does not include the exact wording of Acceptable Solution AS5.1.1, AS5.1.2 and Performance Criteria PC5 above. The proposed Code provides for the abovementioned provisions amended to reference the Stapylton Jacobs Well Road frontage. As such, the proposed Code provides for an alternative provision to address the intent of Performance Criteria PC5.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

The proposed Code includes the following provisions:

"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 roads/railway, as well as along a brief return or the full length of side walls.

These design features are to be applied to the main façade facing the relevant road, as well as along a brief return or the full length of the side walls."

Further to the above provisions, the submitted Landscape Intent Plan demonstrates the provision of a six (6) metre wide landscaped buffer to the Stapylton Jacobs Well Road frontage. It is recommended via a condition of approval in the Officers Recommendation that amended plans be submitted that demonstrate the provision of a six (6) metre wide landscaped area for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage in accordance with the submitted Statement of Landscape Intent. Further, it is recommended that a notation be included on the Land Use Classification and Staging Plan that '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.'

It is considered that the above provisions demonstrate compliance with the intent of Performance Criteria PC5.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Performance Criteria	Acceptable Solution
PC18 Identified conservation areas remain in a substantially undeveloped condition, with vegetation retained to the fullest extent possible and, where necessary, rehabilitated using local native species.	AS18.1 Areas identified as Conservation on Yatala Enterprise Area LAP Map 29.3 – Conservation Areas and Priorities are reserved for conservation purposes, through: a) transfer to Council; b) dedication of a conservation easement; or c) reservation of an area of the site as open space. AS18.2 Reserved Conservation Areas are managed in the following manner: a) the land remains largely undisturbed by any buildings, clearing and earthworks; b) rehabilitation of natural features is undertaken, where necessary, particularly by way of revegetation of any previously cleared areas and stabilisation of any eroding banks of watercourses. AS18.4 For linear Conservation Areas, any parallel roads or services are grouped on one side of the corridor to minimise disturbance. Fencing through Conservation Areas is avoided, wherever possible. Any breaks in the vegetation canopy, necessary for roads or services, are minimised by cutting through perpendicular to the corridor at a point where damage and discontinuity are minimised, such as where the canopy is already broken or sparse. AS18.5 On land adjacent to Conservation Areas, buildings, clearing and earthworks are sited as far away as practicable from reserved Conservation Areas, with the greatest possible separation in the case of ridges, gullies and watercourses. AS18.6 Existing trees are retained, and additional trees planted within a 40 metre wide band, generally along the lines of the links identified on Yatala Enterprise Area LAP Map 29.3 – Conservation Areas and Priorities: a) the links may form part of the landscape open space areas, associated with individual development proposals. If so, they should generally remain free of building and earthworks; additional tree planting utilises species similar to those existing naturally in the area; b) any parallel roads or services are grouped on one side of the link, to minimise disturbance; c) 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

PC20 Other areas within sites (not identified on Yatala Enterprise Area LAP Map 29.3 – Conservation Areas and Priorities), with natural features, such as strands of remnant vegetation, gullies/ridges and watercourses, are to be incorporated in the open space/landscape areas associated with individual development proposals. Other features of ecological and/or landscape value are to be protected and enhanced, where practicable.	AS20 In these areas, existing vegetation and natural drainage patterns are retained and rehabilitated using local native species, as far as practical.
---	--

A number of the areas identified as Conservation on Yatala Enterprise Area LAP Map 29.3 – Conservation Areas and Priorities are not proposed to be retained as part of the proposed application.

The applicant proposes to retain and rehabilitate a 60metre wide buffer from Sandy Creek for the purposes of conservation link/area, which is considered to be in accordance with the requirements of Map29.3. The applicant proposes to provide a ten (10) metre wide north-south buffer along the eastern property boundary for the purposes of landscaping. As such, the applicant proposes an alternative solution to address the requirements of Performance Criteria PC18, which states as follows:

"Identified conservation areas remain in a substantially undeveloped condition, with vegetation retained to the fullest extent possible and, where necessary, rehabilitated using local native species."

It is considered that, the location of the north-south buffer along the eastern property boundary is acceptable. However, the proposed buffer width and vegetation does not demonstrate compliance with the requirements of Performance Criteria PC18. It is considered that through reasonable conditions of approval in the Officers Recommendation the development can provide for the provision of an adequate linkage throughout the site to provide connectivity value and compensate the loss of flora and fauna as a result of the proposed development.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Officer Comment

Initially the proposed plans demonstrated the provision of a fifty (50) metre wide north-south buffer along the eastern property boundary. The applicant submitted two reports Ecological Assessment (prepared by Gassman Development Perspectives, dated September 2011) and the Open Space Management Plan and Rehabilitation Plan (prepared by Gassman Development Perspectives and dated June 2012) in support of the proposed width and location. The assessing Environmental Officer advised that the proposed north south corridor is acceptable as this provides greater connective potential than east west. It is noted that Open Space Officers do not want the dedication of the eastern buffer to Council.

However, during the course of the assessment, the proposed Plan of Development was amended by the applicant in response to the concerns raised by Waste Management (see relevant section herein). The applicant amended the Generations Industrial Park Place Code and Land Use Classification and Staging Plan to include a new development area, adjoining the Stapylton Landfill, labelled as 'Precinct C Limited General Impact Business and Industry'. In accordance with the proposed 'Precinct C', this area encompasses a restricted development area a distance of 130m wide into the Generations site. The applicant has agreed to impose a 50 metre wide building setback provision for all buildings adjoining the Stapylton Landfill (i.e. development within Precinct C). As a consequence of these changes, the vegetation corridor was reduced to a 10 metre wide landscaped area.

The Supervisor Environmental Planner assessed the amended plan and investigated the ecological significance of the site and the benefit of retaining areas on site for conservation. The Environmental Planner advised that the proposed 10m wide landscaped area would not demonstrate compliance with the requirements of PC18.

The location of the eastern buffer is a result of the recognition that 29.3 Yatala LAP mapping (ecological) is impractical to achieve and Environmental Planning transferred ecological requirements to the eastern boundary as a form of offset. The eastern buffer allows for the retention of some significant trees and Glossy Black Cockatoo habitat (potential feed trees), which is considered appropriate. The 20m wide area would also function as a landscape buffer.

The Environmental Planner advised that there is an active Wedge-tailed Eagles nest approximately 70m into the site from the eastern boundary and 50 metres down into the site from the northern property boundary. It is recommended that this eagles nest be relocated to the eastern vegetated buffer in accordance with the conservation requirements of Performance Criteria PC18.

In relation to the proposed reduced width for the entire length of the eastern property boundary the Environmental Planner notes that a reduction of the buffer width is supported provided that the Wedge-tailed Eagles nest is protected. As such, Council Officers accept a 20 metre wide vegetated buffer rather than the proposed 10m wide landscaped area. The 20 metre wide buffer would be protected via covenant.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

It is recommended via a condition of approval in the Officers Recommendation that a vegetated buffer of 20m wide be provided along the eastern property boundary to be protected by a covenant.

It is considered by the Assessment Officer that the north-south buffer, as amended via conditions of approval in the Officers Recommendation, in addition to the 60m wide buffer to Sandy Creek would compensate the loss of flora and fauna as a result of the proposed development, and demonstrates compliance with the intent of PC18 and Map 29.3.

Generations Industrial Park Place Code

The Generations Industrial Park Place Code does not include the abovementioned Performance Criteria PC18 and Acceptable Solutions. As such, the proposed Code provides for an alternative provision to address the intent of Performance Criteria PC18. The proposed Code includes the following provisions:

"PC20

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.

AS20.1

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.*

AS20.2

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.*

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

AS17.3

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:

- 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."*

It is considered that the abovementioned provisions and the proposed amendments to the north-south buffer will ensure an adequate area of the identified conservation areas and other areas remain in a substantially undeveloped condition, with vegetation retained and rehabilitated using local native species and incorporated in the open space/reserve areas in accordance with Performance Criteria PC18.

Performance Criteria	Acceptable Solution
PC23 Potentially obtrusive noise, odour and visual impacts are effectively buffered.	AS23.1.1 Development incorporates landscape buffers, earth mounds and acoustic fencing appropriate to the likely off-site impacts of particular developments. OR AS23.1.2 A landscape buffer of a 20 metre width, densely planted with shrubs and trees, is provided along the relevant frontage. A landscape buffer to a minimum width of ten metres may be acceptable, depending on the potential of proposed planting arrangements to effectively screen development behind. Species selection, use of mature or semi mature trees, and density of planting will be important in this respect.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

The proposed Generations Industrial Park Place Code does not include the abovementioned Acceptable Solution AS23.1.2. However, the proposed Code provides for an alternative provision to address the requirements of Performance Criteria PC23 above. The proposed Code includes the following provision:

"AS22.1.2

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. Species selection, use of mature or semi mature trees, and density of planting will be important in this respect."

The submitted Landscape Intent Plan demonstrates the provision of a landscaped buffer to the adjoining residential development and the Stapylton Jacobs Well Road frontage. It is considered necessary to reinforce the establishment of the landscape buffer within the Officers Recommendation. It is considered that the provision of the landscaped buffers can be reasonably conditioned within the Officers Recommendation.

The following conditions within the Officers Recommendation are relevant to note in relation to compliance with PC23:

- It is recommended via a condition of approval in the Officers Recommendation that amended plans be submitted that demonstrate the provision of a minimum ten (10) metre wide buffer for the length of the western property boundary of Precinct A.

The applicants submitted Acoustic Report, prepared by 'TTM Group', dated 20 April 2011 (Ref: 34418 R03 Hester Land Stapylton Acoustic Report.doc) recommends the provision of the ten (10) metre buffer for noise attenuation purposes.

Also, it is noted that the provision of the ten (10) metre buffer will provide for visual amenity importance.
- It is recommended via a condition of approval in the Officers Recommendation that amended plans be submitted that demonstrate the provision of a ten (10) metre vegetation buffer for the length of the eastern property boundary adjoining the Stapylton Landfill site.
- It is recommended via a condition of approval in the Officers Recommendation that amended plans be submitted that demonstrate the provision of a six (6) metre wide landscape buffer for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage in accordance with the submitted Statement of Landscape Intent. Further, it is recommended that a notation be included on the plan that '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.'

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- It is recommended via a condition of approval in the officers recommendation that the Generations Industrial Park Place Code include within section 6.3 Development Requirements for Development that is self assessable, code assessable or impact assessable, an Acceptable Solution that states that 'the building design and construction of development within Precinct A shall be in accordance with the approved Acoustic Report prepared by TTM Group dated 20 April 2011 (reference: 34418 R03)' and a corresponding Performance Criteria that states that 'All buildings within Precinct A must be acoustically treated, to minimise nuisance to the adjoining and surrounding residential development.'
- It is recommended via a condition of approval in the officers recommendation that the Generations Industrial Park Place Code include within section 6.3 Development Requirements for Development that is self assessable, code assessable or impact assessable, an Acceptable Solution that states that 'the hours of operation and the delivery and collection activities for development within Precinct A are restricted to between 7:00am and 10:00pm Monday to Friday' and a corresponding Performance Criteria that states that 'All activities within Precinct A must be undertaken within appropriate hours, to minimise nuisance to the adjoining and surrounding residential development'.

It is considered that the abovementioned requirements will give Council Officers assurance that appropriate visual and acoustic buffers are provided and maintained to the adjoining residential area and the Stapylton Jacobs Well frontage and that the operations of proposed Precinct A are managed effectively.

Through the implementation of the abovementioned conditions it is considered that the development demonstrates compliance with the requirements of PC23.

Performance Criteria	Acceptable Solution
PC39 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.	AS39.1 Bus routes are located along the major industrial roads shown on Yatala Enterprise Area LAP Map 29.5 – Transport Infrastructure, or as specified by Council's City Transport Plan. AS39.2 Road design and construction incorporates bus lay-bys and sheltered passenger waiting areas at regular intervals along bus routes, or as specified in any relevant Council strategy.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

The proposed Generations Industrial Park Place Code does not include the abovementioned Acceptable Solutions AS39.1 and AS39.2. However, the proposed Code provides for an alternative provision to address the requirements of Performance Criteria PC39 above. The proposed Code includes the following provision:

“AS38

For major industrial roads, constructed to a Industrial Collector standard, a minimum 3.5 m parking lane is to be line marked and maintained to allow for future bus routes/stops.”

It is considered that the alternative solution meets the requirements of the Performance Criteria PC39.

The assessing City Transport Officer provides the following comments:

“The proposed POD provides no provision of reference to bus facilities. Currently the existing bus routes in the area go up to the Stapylton-Jacobs Well Road interchange and no further. It is considered at this time, given the application is for a Preliminary Approval, it is considered there is no need for Council to specifically indicate the location of bus facilities. The major roads in this development and Christensen Road are to be to an Industrial Collector Standard, which can allow for bus stop facilities without modifications to be road profile. Should DTMR or Translink require any facilities at this time it is for them to determine.”

It is considered that the future road network will be 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 in accordance with the requirements of Performance Criteria PC39.

Performance Criteria	Acceptable Solution
PC43 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.	AS43 No acceptable solution provided.

It is considered that the proposed development has the potential to create undesirable impacts on the amenity of the local area and therefore an assessment against the requirements of the Performance Criteria PC43 is required.

The abovementioned Performance Criteria is included within the proposed Generations Industrial Park Place Code. However, relevant conditions are included in the Officers Recommendation to give Council Officers assurance that the development will not detract from the amenity of the local area. The following is noted in relation to compliance with the requirements of Performance Criteria PC43:

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- **Noise**

It is recommended via a condition of approval in the officers recommendation that the Land Use Classification and Staging Plan demonstrate the provision of a minimum ten (10) metre wide buffer for the length of the western property boundary of Precinct A and six (6) metres wide for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage in accordance with the submitted Statement of Landscape Intent referenced within this Decision Notice. Both buffers will provide for visual amenity importance and the proposed ten (10) metre buffer will also have an acoustic buffering function, as per the requirements of the submitted Acoustic Report.

It is recommended via a condition of approval in the officers recommendation that the Generations Industrial Park Place Code include within section 6.3 Development Requirements for Development that is self assessable, code assessable or impact assessable, an Acceptable Solution that states that 'the building design and construction of development within Precinct A shall be in accordance with the approved Acoustic Report prepared by TTM Group dated 20 April 2011 (reference: 34418 R03)' and a corresponding Performance Criteria that states that 'All buildings within Precinct A must be acoustically treated, to minimise nuisance to the adjoining and surrounding residential development.' The inclusion of this provision within the Code will ensure any development proposing an alternative solution will trigger a Material Change of Use application requiring detailed assessment of acoustic impacts.

- **Hours of operation**

It is recommended via a condition of approval in the officers recommendation that the Generations Industrial Park Place Code include within section 6.3 Development Requirements for Development that is self assessable, code assessable or impact assessable, an Acceptable Solution that states that 'the hours of operation and the delivery and collection activities for development within Precinct A are restricted to between 7:00am and 10:00pm Monday to Friday' and a corresponding Performance Criteria that states that 'All activities within Precinct A must be undertaken within appropriate hours, to minimise nuisance to the adjoining and surrounding residential development'. The inclusion of this provision within the Code will ensure any development proposing an alternative solution will trigger a Material Change of Use application requiring detailed assessment of acoustic impacts.

- **Traffic**

As discussed herein, the impacts of the proposed development on traffic has been assessed by Councils City Transport section and the Department of Transport and Main Roads (within the referral jurisdiction role.) City Transport advised that, for the purposes of the Preliminary Approval, the submitted staging plan and Traffic Impact Assessment (prepared by CRG Consulting and dated 5 November 2012) is acceptable. It was determined that the proposed local road network will serve to spread the traffic demands of the development throughout the local road network. It was determined that detailed plans of future intersections will be provided at a later date.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

The Department of Transport and Main Roads have provided conditions of approval to be included in the Officers Recommendation in relation to the upgrade of the Stapylton Jacobs Well Road and De Bortoli Street intersection as part of stage 1 of the development, the provision of a signalised intersection between Stapylton Jacobs Well Road and Lot 1 on RP6882 as part of Stage 2 of the development and the provision of a monetary contribution for all stages of the development towards mitigating the impact of the proposed development on the safety and efficiency of the state controlled road network.

- **Lighting**

In accordance with the conditions of approval 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 residents and motorists.

- **Signage**

The relevant signage provisions (Advertising Devices) of the YEA LAP are included within the proposed Generations Industrial Park Place Code. The signage requirements for development within the Generations Park will be in accordance with the signage requirements for the Yatala Local Area Plan.

- **Visual amenity**

It is noted that the frontage treatments of the development site to Stapylton Jacobs Well Road and the landscape buffer adjoining Precinct A will be provided as per the submitted Landscape Intent Plan. It is recommended via a condition of approval in the Officers Recommendation that a notation be included on the plan that states '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.' The inclusion of this notation on the Land Use Classification and Staging Plan will ensure the location and intention for the landscape buffer is clear. It is noted that there are provisions included within the proposed Generations Industrial Park Place Code to ensure the future development is of a high standard of architectural presentation. It is considered that the abovementioned requirements will ensure the future built form, land use, aesthetics, siting and location associated with the proposed development will have regard to the visual amenity of the site.

- **Privacy**

As mentioned above, it is recommended via a condition of approval in the Officer's recommendation that the Land Use Classification and Staging Plan demonstrate the provision of a minimum ten (10) metre wide buffer for the length of the western property boundary of Precinct A in accordance with the submitted Statement of Landscape Intent referenced within this Decision Notice. The buffer will provide for a level of privacy between the proposed development and the adjoining residential development.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- **Odour and Emissions**

The proposed Generations development provides for Precinct A Low Impact and Service Industry within the area directly neighbouring the residential development adjoining the western property boundary. The landuses promoted within this Precinct A are generally of a low impact industrial style, which are anticipated to have minimal external emissions and thereby be responsive to the adjoining residential development. It is noted that future applications may trigger assessment by Council and the DEHP for Environmentally Relevant Activities where odour and emissions can be assessed and impacts mitigated through conditions associated with the ERA.

It is considered that the abovementioned requirements/conditions will give Council Officers assurance that appropriate visual and acoustic buffers are provided and maintained to the adjoining residential area and the Stapylton Jacobs Well frontage and that the operations of Precinct A are managed effectively. Through the implementation of the abovementioned conditions it is considered that the development demonstrates compliance with the requirements of PC43.

Compliance with the Relevant Constraint Codes and Overlay Maps

The application requires assessment against the Car Parking Access and Transport Integration, Bushfire Management Areas, Flood Affected Areas, Nature Conservation and Canals and Waterways Constraint Codes.

Car Parking Access and Transport Integration Constraint Code

The assessing City Transport Officer assessed the proposed development against the requirements of the Car Parking, Access and Transport Integration Constraint Code and advised that the development complies with the relevant provisions of the Code. Comments from the assessing City Transport Officer are provided below (see Internal Referrals section herein).

Bushfire Management Areas Constraint Code

Overlay Map OM10 identifies that the subject site is affected by Low and Medium Potential Bushfire Risk. In response to Council's Information Request, the applicant submitted a site specific Low Potential Bushfire Hazard letter confirming that the ultimate bushfire hazard rating of the subject site is low. Councils assessing Bushfire Officer assessed the submitted information and deemed it to be worthy of approval. Bushfire conditions are not required to be included in the Officers Recommendation.

Flood Affected Areas Constraint Code

The assessing Hydraulics Officer assessed the proposed development against the requirements of the Flood Affected Areas Constraint Code and advised that the development complies with the relevant provisions of the Code. Comments from the assessing Hydraulics Officer are provided below (see Internal Referrals section herein).

Natural Wetland Areas and Waterways Constraint Code

The area adjacent to Sandy Creek is identified as a wetland (other natural waterways) when reference is given to Overlay Map OM11. As such, the Natural Wetland Areas and Waterways Constraint Code is applicable to the application.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

The proposal complies with all of the Constraint Code's Acceptable Solutions and Performance Criteria, except as follows:

Performance Criteria	Acceptable Solution
PC8 Buffers must be provided incorporating development setback/s of dimensions and characteristics that will ensure that the development does not result in a negative impact upon the long-term viability of the ecologically significant areas (including any wetland, aquatic and riparian communities) located on and/or adjacent to the site. Vegetated buffers should also include groundcover and shrubs, where the natural constraints of the site allow this.	AS8.1.1 Buffer/s of not less than 100 metres width, incorporating vegetated and degraded areas requiring rehabilitation, are provided between the development and a freshwater or tidal wetland and associated riparian communities, as identified on Overlay Map OM11 – Natural Wetland and Waterway Areas. OR AS8.1.2 Buffer/s are provided of dimensions and characteristics that will protect the long-term viability of any freshwater or tidal wetlands and their associated riparian communities, as identified on Overlay Map OM11 – Natural Wetland and Waterway Areas, in accordance with expert ecological advice provided as part of the Ecological Site Assessment.

Overlay Map OM11 (Natural Wetlands and Waterway Areas) indicates that the subject site contains a natural waterway and the wetlands of Sandy Creek. Contrary to Acceptable Solution AS8.1.1 the development would provide for a sixty (60) metre buffer to Sandy Creek. As such, the applicant proposes an alternative solution to address the requirements of Performance Criteria PC8 above.

Performance Criteria PC8 requires the provision of a buffer that will ensure that the development does not result in a negative impact upon the long-term viability of the ecologically significant areas (including any wetland, aquatic and riparian communities). In response to Council's Information Request the applicant details that a spatial analysis was undertaken to determine a consistent buffer distance to Sandy Creek with adjacent buffers. The applicant provides for a 60 metre buffer from the high bank of Sandy Creek which is consistent with the adjacent buffer distances.

The assessing Environmental Planner advised that the proposed 60metre buffer is reasonable and demonstrates compliance with the requirements of Performance Criteria PC8. As such, it is recommended via a condition of approval in the Officers Recommendation that the buffer of 60 metres from the high bank of Sandy Creek be rehabilitated and dedicated to Council as Open Space.

Nature Conservation Constraint Code

Overlay Map OM20 (Nature Conservation Strategy) indicates that the subject site contains remnant 1994 bushland, with a large portion of the site is designated as Committed to Development. As such, the Nature Conservation Constraint Code is applicable to the application.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

The proposal complies with all of the Constraint Code's Acceptable Solutions and Performance Criteria, except as follows:

Performance Criteria	Acceptable Solution
PC2 Prior to commencing the development design: a) the ecological features and functions located on and/or adjacent to the site must be identified and assessed; b) any ecologically significant areas, and degraded areas suitable for rehabilitation to become ecologically significant, located on and/or adjacent to the site must be identified.	AS2 An approved Ecological Site Assessment which is prepared in a manner consistent with Planning Scheme Policy 8 – Guidelines for Ecological Assessments identifies any ecologically significant areas located on and/or adjacent to the site. The development complies fully with the recommendations of that Ecological Site Assessment.

The submitted Ecological Assessment refers to a fifty (50) metre wide buffer along the eastern property boundary. The current Plan of Development shows a ten (10) metre wide landscaped area along the eastern property boundary. The applicant proposes an alternative solution to address the requirements of the Performance Criteria which states as follows:

"Prior to commencing the development design the ecological features and functions located on and/or adjacent to the site must be identified and assessed; any ecologically significant areas, and degraded areas suitable for rehabilitation to become ecologically significant, located on and/or adjacent to the site must be identified."

Although not compliant with the Ecological Site Assessment information submitted by the applicant, it is considered that the development can be conditioned to comply.

Officer Comment

Initially the proposed plans demonstrated the provision of a fifty (50) metre wide buffer along the eastern property boundary (this area containing a 45 metre wide vegetation area and a 5 metre wide access track). The applicant submitted two reports in support of the proposed width and location of this buffer, being Ecological Assessment (prepared by Gassman Development Perspectives and dated September 2011) and the Open Space Management Plan and Rehabilitation Plan (prepared by Gassman Development Perspectives and dated June 2012.) The assessing Environmental Officer advised that the proposed fifty (50) metre wide buffer is acceptable and that the proposed north south corridor is acceptable as this provides greater connective potential than east west.

During the course of the assessment, the proposed Plan of Development was amended by the applicant in response to the concerns raised by Waste Management (see relevant section herein). The applicant amended the Generations Industrial Park Place Code and Land Use Classification and Staging Plan to include a new development area, adjoining the Stapylton Landfill, labelled as 'Precinct C Limited General Impact Business and Industry'. In accordance with the proposed 'Precinct C', this area encompasses a restricted development area a distance of 130m wide into the Generations site. The applicant has agreed to impose a 50 metre wide building setback provision for all buildings adjoining the Stapylton Landfill (i.e. development within Precinct C). As a consequence of these changes, the vegetation corridor was reduced to a 10 metre wide landscaped area.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

The Supervisor Environmental Planner assessed the amended plan and investigated the ecological significance of the site and the benefit of retaining areas on site for conservation. The Environmental Planner advised that the proposed 10m wide landscaped area would not demonstrate compliance with the requirements of PC2.

The Environmental Planner advised that there is an active Wedge-tailed Eagles nest approximately 70m into the site from the eastern boundary and 50 metres down into the site from the northern property boundary. It is recommended that the eagles nest be relocated into the eastern buffer.

In relation to the proposed reduced width for the entire length of the eastern property boundary the Environmental Planner notes that a reduction of the buffer width is supported provided that the Wedge-tailed Eagles nest is protected. Officers support a 20m wide vegetated buffer rather than the proposed 10m wide landscaped area.

The location of the eastern buffer is a result of the recognition that 29.3 Yatala LAP mapping (ecological) is impractical to achieve and Environmental Planning transferred ecological requirements to the eastern boundary as a form of offset. The eastern buffer allows for the retention of some significant trees and Glossy Black Cockatoo habitat (potential feed trees) and the area would also function as a landscape buffer.

It is recommended via a condition of approval in the Officers Recommendation that a vegetated buffer of 20m be provided along the eastern property boundary for the purposes of retaining significant trees and for landscape purposes and that this are be protected via a covenant.

It is recommended that the vegetated buffer as conditioned is sufficient to Council Officers and demonstrates compliance with the requirements of Performance Criteria PC2.

Canals and Waterways Constraint Code

The assessing Hydraulics Officer assessed the proposed development against the requirements of the Canals and Waterways Constraint Code and advised that the development complies with the relevant provisions of the Code. Comments from the assessing Hydraulics Officer are provided herein (see Internal Referrals section).

Compliance with the Relevant Specific Development Codes

The proposed Generations Industrial Park Place Code requires all future development to be assessed against the requirements of the relevant Specific Development Codes referenced in the 'Our Living City' Gold Coast Planning Scheme.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Assessment of other aspects of DevelopmentStapylton Landfill

Directly east of the subject site is Gold Coast City Council's primary putrescibles Stapylton Landfill facility. The Stapylton landfill facility is located within the Extractive Industry Precinct of the Yatala Enterprise Area Local Area Plan. The facility is designated as community infrastructure pursuant to the SPA and this designation is noted on the YEA LAP Maps and within the Planning Scheme Schedules (Part 10, Division 4).

Council currently operates from two cells (cells 1 and 4) on the landfill site which are located on the north-east of the Stapylton landfill site (Council also has approval to operate out of cell 8.) Council plans to expand its landfill operations into the additional cells (ERA required). Three of these cells adjoin the proposed Generations Industrial Park and be separated from the Industrial Park by a vegetated buffer on the Landfill site.

Whilst the Stapylton landfill facility is exempt from assessment against Council's Planning Scheme as a consequence of the community infrastructure designation on the land, any expansion of the landfill beyond that currently approved in Council's existing development approval will require a development approval for Material Change of Use involving an ERA.

The layout of the Stapylton Landfill cells are provided in the figure below.

Figure 7: Stapylton Landfill cells



ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Waste Management concerns

During the assessment of the application issues were raised with Council's Town Planning Officers by Council's Waste Management section regarding the impacts of the proposed Generations Industrial Park on the waste disposal operations of the adjoining Stapylton Landfill.

The Waste Management Officer provides the following comments:

"Gold Coast Waste Management (GCWM) has significant concerns with the potential impacts on the future waste disposal operations as a result of proposed development.

The development has the potential to constrain both development plans and operating parameters for Council's Stapylton landfill. It is noted that Stapylton landfill is Council's only landfill accepting putrescible waste including household waste, and therefore has considerable economic value to the City.

The constraints arise due to the fact that the Department of Environment and Heritage Protection (DEHP), when administering the Stapylton landfill development approval or assessing development applications for future landfill cells, will view the proposed development (albeit an industrial estate) as a sensitive land-use. This means that DEHP will adopt thresholds for odour, noise and dust emissions relevant to minimising potential environmental harm and nuisance to sensitive land-uses rather than less stringent thresholds for non-sensitive receptors. DEHP's definition for sensitive land-uses includes a place used as an office or business or commercial purpose and importantly, the curtilage of these places. DEHP has previously made it clear that this definition also relates to an industrial use.

The consequence of having a sensitive land-use directly adjacent to the landfill is considerable and has the potential to significantly constrain the current operation of the landfill as well as limiting the ability to utilise the Stapylton landfill to its full potential. The flow on effects of this may lead to significant economic costs to the Gold Coast community and it is important that any development assessment of the application takes into account the potential costs to the City and potential impact on the operations of the landfill due to these constraints."

Gold Coast City Council is in possession of a report, commissioned by Council's Waste Management section, which assesses the potential odour impacts of the planned expansion of the Stapylton Landfill. The report identifies that development of four of the planned landfill cells will result in exceeding the DEHP's odour guideline on the proposed Generations Industrial Park site. Dispersion modelling undertaken within this report demonstrates that a 250-300 metre buffer is required on the Generations Industrial Park site for Gold Coast City Council to be able to meet the Department's odour guideline during the proposed expansion.

The buffer is determined through the measurement of 2.5 odour units. Waste Management provide the following description of this measurement:

"The odour guideline of 2.5 odour units is generally accepted as a level, above which, complaints of an odour nuisance would be expected. In a development planning sense, if the modelled odour concentrations at the most exposed existing or likely future off-site sensitive receptors are less than the guideline value of 2.5 odour units, then adverse chronic odour impacts are not likely in most cases."

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Waste Management also provide the following notes regarding the interpretation of the definition of a 'sensitive receptor' by the DEHP:

"The important point to note is that DEHP define any place used as an office or for business or commercial purposes, including the curtilage of any such place, as a sensitive place/receptor. The extension of this is that DEHP interpret that an office used as part of an industrial facility is a sensitive place as is any business or commercial purpose (i.e. industry use) and also the external yard area of these places."

As such, when administering the Stapylton landfill development approval or assessing development applications for future landfill cells, the DEHP will view the proposed Generations Industrial Park development as a sensitive land-use.

Based on the findings of the abovementioned report, Waste Management Officers are concerned that the proposed development will compromise the efficient and economic operation of the Stapylton landfill and prevent the expansion of the Stapylton landfill.

Development Assessment Officers outsourced the assessment of the abovementioned report. This assessment of the report incorporated site-specific data to define the areas of unacceptable odour impacts. The specific information included the following:

- Spatially dynamic source location based on filling plans for both current and future operations;
- Emission rates from existing research modulated according to site activity;
- Incorporation of local meteorology; and
- Incorporation of local terrain.

This assessment identified that a north-south buffer of 130m width from the eastern site property boundary to be acceptable. The assessment determined that this 130m wide buffer could be either free of all development or that this buffer area could allow for some development to occur that is restricted in the operational capacity and that would exclude odour sensitive landuses (such as Food Industry, Café etc.)

Development Assessment Officers met with the applicant regarding the issues raised by Waste Management and the findings of both reports. Consequently, the applicant amended the Generations Industrial Park Place Code and Land Use Classification and Staging Plan to include a new development area, labelled as 'Precinct C Limited General Impact Business and Industry'. In accordance with the proposed 'Precinct C', this area encompasses a restricted development area a distance of 130m wide into the Generations site. Further, the applicant has agreed to impose a 50 metre wide building setback provision for all buildings adjoining the Stapylton Landfill (i.e. development within Precinct C). As a consequence of these changes, the vegetation corridor was reduced to a 10 metre wide landscaped area.

Suggested conditions of approval from Waste Management

Waste Management Officers reviewed the amended Generations Industrial Park Place Code and Land Use Classification and Staging Plan and advised that further changes would be required to satisfy their concerns.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Waste Management Officers advised that the only self assessable uses within Precinct C should be outdoor storage and temporary use all other uses should be impact assessable or removed from the table of development. The intent being that Council would then have the opportunity to assess proposals and implement mitigation measures on development to protect the development from the impacts of the adjoining landfill. Waste Management Officers advise that should the proposed landuses remain self assessable within Precinct C there is a high risk that illegal development will occur and future non-compliance issues will not be rectified due to potential significant costs to bring the development into compliance.

Waste Management Officers provide the following comments:

"Landuses within the Impact column [of Precinct C] which have a public presence or are sensitive to odour/dust should be left out of the Table of Development, making these uses 'not in accordance with the [Generations Industrial Park Place Code] Scheme.' The Department of Environment and Heritage Protection define these types of uses as 'sensitive receptors' and as such, these uses are not suitable adjacent to a landfill. A similar argument is raised where unsuitable landuses that are defined as either exempt/self/or code assessable should be subject to a higher level of assessment (or removed from the table) to ensure that the future applicant is made to demonstrate in an application how Performance Criteria PC43 and the Intent of Precinct C is met. Specifically, how the proposed development is planned to be 'responsive to the established nearby heavy industrial uses and mindful of likely odour impacts.'

Landuses such as Café, Convenience Store, Food Industry, Milk Depot, Motor Vehicle Repairs, Service Station and Take-Away Food Premises should be removed from the Table of Development.

The following amendments are also requested by Waste Management:

- Amend Warehouse from Self Assessable to Impact, previous history has shown that Warehouse development is not suitable adjacent to the landfill. This amendment allows Gold Coast City Council to receive an application and assess the application against the Code prior to construction.*
- Amend Low Impact Industry from Self to Impact Assessable, incompatible use due to the public presence associated with Low Impact Industry.*
- Amend Manufacturer's Shop from Self to Impact Assessable, incompatible use due to public presence associated with Manufacturer's Shop.*
- Amend Service Industry from Self to Impact Assessable, incompatible use due to public presence.*
- Remove Park from the Table of Development as a Park is a sensitive receptor...*
- Remove Caretaker's Residence from the Table of Development, incompatible use due to public presence and it is a sensitive receptor.*
- Amend Industry from Self Assessable to Code Assessable, as this allows Gold Coast City Council to receive an application and assess against the Code prior to construction.*
- Include 'dust' and 'vibration' within the Performance Criteria PC43 of the Generations Industrial Park Place Code.*

ITEM 6 (Continued)

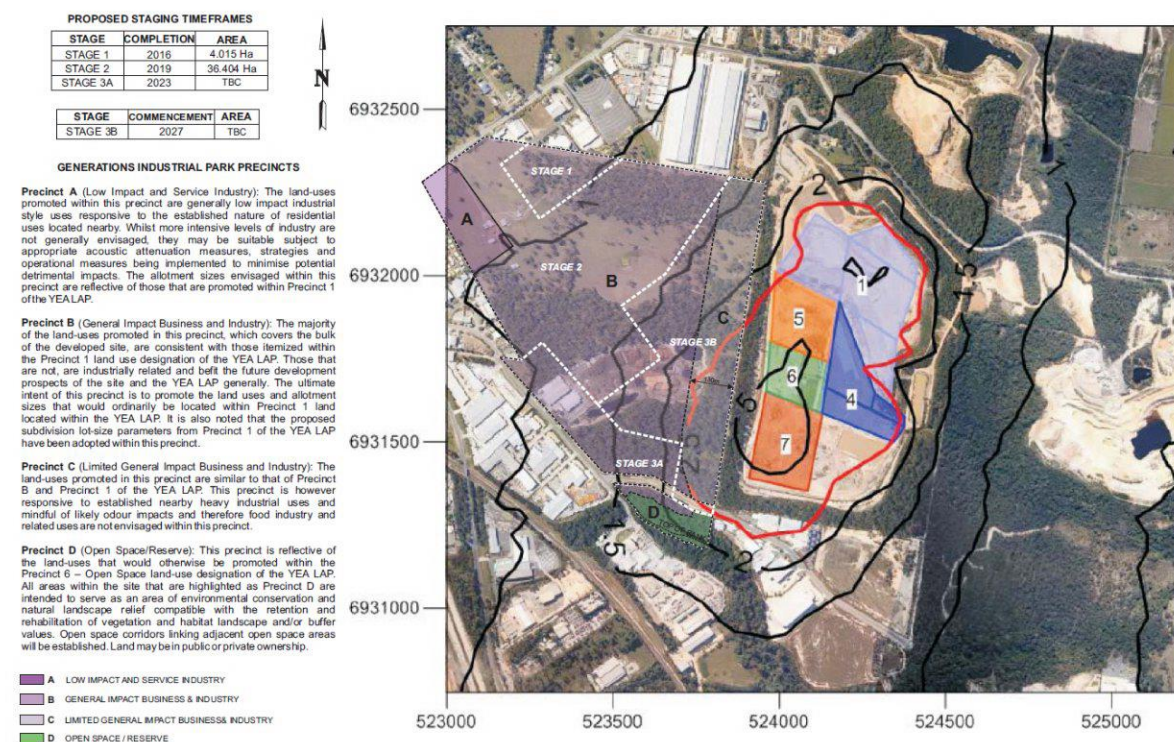
**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

In relation to the Code Assessable listed size of new lots within Precinct C, Performance Criteria PC28 of the Generations Place Code nominates a minimum lot size of 4000m², which is considered to be a small area that would increase the number of potentially incompatible landuses within Precinct C. It is recommended that this lot size be amended to reference one (1) hectare minimum area...

Further to the above Waste Management Officers request that the staging of the development be amended to encompass an area adjoining the Stapylton Landfill within the last stage of the development and that this last stage not be developed until 15 years after the date the Development Approval is granted (see Figure 5 Suggested Staging Plan below). The proposed last stage 3B would encompass an area that spreads from the eastern property boundary to the west to encompass Precinct C. Waste Management Officers provide the following comments in relation to the proposed amended staging plan:

"The proposed staging plan indicates the preferred staging of the development so as to minimise odour impacts of the Stapylton Landfill on the proposed development. The proposed staging has been developed in consideration of critical odour contour modelling with respect to the Stapylton Landfill development program."

Figure 8: Suggested Staging Plan as proposed by Waste Management



As an alternative to the suggested change by GCWM, to require Impact Assessable development for the majority of landuses within the Table of Development for Precinct C, Town Planning Officers suggest that a new provision be included within the Generations Industrial Park Place Code requiring the submission and approval of an Environmental Management Plan (EMP) for development within Precinct C.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

An Acceptable Solution could require the EMP to demonstrate that the individual developments within Precinct C would implement mitigation measures to limit the impact of the adjoining landfill operations on the development within Precinct C (i.e. offices can be fitted with air-conditioning, building entrances and windows face away from the landfill site etc.) Such a provision could allow development to remain self assessable but be required to implement measures to ameliorate any negative aspects of the existing amenity of the local area. Non compliance with the provision would necessitate the provision of an MCU for those uses listed as self assessable within the Table of Development for Precinct C.

GCWM advised that a requirement for an EMP is supported. However, to reduce the risk associated with allowing self assessable development within Precinct C it is the recommendation of GCWM that the landuses within Precinct C should be a minimum Code Assessable.

Officer Comment

Development Assessment Officers have reviewed the concerns of Waste Management. Officers are unable to support the inclusion of all of the suggested conditions of approval due to the lack of sufficient Planning grounds to support the inclusion of such conditions.

The following is noted in relation to sufficient Planning grounds:

- As Council does not have the development approval it requires for the expansion onto cells 5, 6 and 7, section 314(3)(b) of the SPA does not enable Council to consider this part of its expansion plans. Section 314(3)(b) of the SPA provides for the following:

"In addition to the matters or things against which the assessment manager must assess the application under subsection (2), the assessment manager must assess the part of the application having regard to the following –

...(a) any development approval for, and any lawful use of, premises the subject of the application or adjacent premises..."

Council has a development approval for a Material Change of Use involving an ERA for the existing configuration of the landfill and the expansion of the landfill into two cells located in the southeast corner of the site (cells 4 and 8.) It is noted that Council does not have the development approval required for the expansion into cells 5, 6 and 7.

As such, in accordance with the SPA Planning Officers can not consider the proposed expansion plans as part of the assessment of this application.

- It is considered that the proposed conditions are not reasonable or relevant. Section 345(1) of the SPA provides for the following:

"A condition must –

(a) be relevant to, but not an unreasonable imposition on, the development or use of premises as a consequence of the development; or

(b) be reasonably required in relation to the development or use of premises as a consequence of the development."

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

The conditions are not reasonably required by the proposed development as the conditions are not responding to impacts generated by the development, but rather are provided to ensure development that is planned to occur on Councils Stapylton landfill facility in the future does not cause an odour nuisance to odour sensitive uses on the Generations Industrial Park.

- The Yatala Enterprise Area LAP does not contain any direct statements which specifically reference the need to protect the Stapylton Landfill from encroachment by incompatible land uses.

Notwithstanding the above, the applicant has agreed to provide some changes to the development in response to the concerns of Waste Management and in an effort to reduce the potential for future environmental nuisance type issues arising.

Following discussions with the applicant, the applicant amended the Generations Industrial Park Place Code and Land Use Classification and Staging Plan to:

- Include a new development area, labelled as 'Precinct C Limited General Impact Business and Industry'. In accordance with the proposed 'Precinct C', this area encompasses a restricted development area a distance of 130m wide into the Generations site;
- Remove food related and odour sensitive landuses from proposed Precinct C (such as Park, Café, Convenience Shop and Food Industry);
- Impose a 50metre building setback provision for all buildings adjoining the Stapylton Landfill site;
- Amend within section 6.3 Development Requirements, Performance Criteria PC43 to include reference to dust and vibration;
- Develop Precinct C at the last stage of the Generations Industrial Park; and
- Impose subdivision restrictions on Precinct C to encourage large allotments within Precinct C.

Town Planning Officers have included the above measures within the Officers Recommendation. Further to the above it is recommended that the following provision be included within the Generations Code:

- Amend within section 6.3 Development Requirements, to include a new Acceptable Solution and associated Performance Criteria for Development that is self assessable, code assessable or impact assessable. The AS is to state '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 be prepared in accordance with the Planning Scheme Policy 10 – Guidelines for Preparing Management Plans and Plans of Development.' The associated PC is to state 'The environmental mitigation methods for the development as detailed within an 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.'

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

It is considered that the above provision will allow for Industrial development rights within Precinct C and mitigate the impacts of the existing amenity on the development within Precinct C.

Vegetated buffer adjoining Precinct A

It is noted that the proposed Generations Industrial Park Place Code would provide for a greater building setback between proposed Precinct A and the southern property boundary, than for other Precincts within the Generations POD area. The proposed Acceptable Solution AS4.1 of the Generations Industrial Park Place Code allows for a 10 metre setback from the western boundary adjoining the existing residential uses. It is considered that the proposed setback is relevant and reasonable to the proposed development given the proximity of the subject site to the adjoining residential development and the need for visual and acoustic buffer between the proposed Industry and existing residential uses. In accordance with the requirements of Performance Criteria PC4, the increased building setback will ensure generous landscaping can be provided to enable a good visual outcome.

Further to visual amenity reasons, the proposed 10 metre buffer to the adjoining residential development is provided for acoustic purposes (see discussions in relation to Performance Criteria PC23).

The provision of the landscape buffer is reinforced within the Officers Recommendation. It is recommended that a condition be included in the Officers Recommendation that requires the applicant to submit an amended POD demonstrating the provision of the landscaped buffer. It is considered that should the buffer not be shown on the POD, there would be opportunity for future MCU applications to encroach into this buffer area.

It is considered that such conditions will give Council Officers assurance that appropriate buffers are maintained to the adjoining residential area and the Stapylton Jacobs Well frontage.

Reference to 'completion year' on the submitted Staging Plan

It is noted that the submitted Land Use Classification and Staging Plan includes a table that lists the anticipated 'completion year' for each proposed stage of the development. It is recommended via a condition of approval in the Officers Recommendation that the reference to 'completion year' be deleted from the Plan. It is considered that this wording creates uncertainty regarding the interpretation of this reference.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

REFERRALS

Internal Referrals

The subject application was made available for referral to representatives from the following departments, at the Development Assessment Review Team (DART) meeting on Thursday 7 July 2011:

- | | |
|----------------------------------|----------------------------------|
| • Health and Regulatory Services | • Environmental Assessment |
| • City Transport | • Operational Works |
| • Engineering | • Hydraulic Engineering |
| • Open Space Assessment | • Qld Fire and Rescue (Bushfire) |
| • City Architect | • Road Services |
| • Gold Coast Water | • Landscape Assessment |
| • Social Planning | • Geotechnical |
| • Plumbing and Drainage | • Stormwater Services |

The application was referred to Health Regulatory and Lifeguard Services, City Transport, Open Space, Architect, Gold Coast Water, Environmental Planning, Hydraulics and Water Quality, Bushfire, Geotechnical and Landscaping.

Health Regulatory and Lifeguard Services

Council's Health Regulatory and Lifeguard Services Officer assessed the submitted material and deemed it to be worthy of approval subject to conditions. The applicant submitted an Acoustic Report, prepared by 'TTM Group', dated 20 April 2011 (Ref: 34418 R03 Hester Land Stapylton Acoustic Report.doc). The assessing Health Officer provides the following comments in relation to the proposed application:

"In response to Council's Information Request, the applicant made a number of key amendments to the originally proposed 'Generations Industrial Park Place Code'. For the sake of clarity, the applicant's response to issues raised by Health are summarised below:

- The area of the site directly adjoining the residential community relocatable home-park is to be within Precinct A, which will support 'Low Impact and Service Industry' uses with the view to promote low-impact industrial style uses;*
- To reflect the envisaged intent of Precinct A, the relevant industrial use definitions and table of development of the Place Code have been amended;*
- Definitions of 'service' and 'low impact industry' are to be utilised and sit separate to the current general 'industry' definition as currently contained within the Planning Scheme;*
- Uses not considered consistent with 'service' or 'low-impact industry' fall under the definition of 'Industry' as contained in the Gold Coast Planning Scheme;*
- The table of development for 'Precinct A' has been amended such that heavier forms of industry are consistent with the definition of 'Industry' and are to be Code Assessable as opposed to the original self-assessable category;*

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- *No amended Acoustic report has been provided as the applicant advises this strategic land use approach is in accordance with previous discussions held with Council and will enable assurance as to the preservation of the existing amenity;*
- *The applicant considers that the strategic land use approach restricting the ability for 'heavy' impact industrial uses to be established adjacent to the residential community relocatable home-park provides certainty to Council that the amenity of the adjoining residents will be maintained.*

The applicant's response to issues raised by Town Planning but also of relevance to Health, Regulatory and Lifeguard Services Branch are summarised as follows:

- *The Detached Dwelling land use has been removed from the proposed Table of Development for the Precincts. However, the Family Accommodation landuse has been retained within 'Precinct A – Low Impact and Service Industry';*
- *The Code Tables have not been amended to remove reference to the Detached Dwelling Code;*
- *The Table of Development for Precinct A has been amended to remove the ability for Self Assessable industry uses to be established. Any use that is not 'low-impact' will require Code Assessment;*
- *Acceptable Solution AS4.1 has been amended to reflect the building setbacks within proposed Precinct A where adjoining the existing residential uses to the west (i.e. the residential community relocatable home-park);*
- *The applicant advises that as per the Landscape Intent Plan submitted with the initial application that a ten (10) metre wide landscaped buffer is to be provided along the western boundary adjoining the residential community relocatable home-park.*

With regard to the subject application and associated information response, Health, Regulatory and Lifeguard Services have concerns regarding the following:

- *The Generations Place Code Table of Development retains 'Family Accommodation' as Code Assessable. Due to the likely amenity issues/impacts from Industry, it is considered that such a use should not be promoted within the same development area;*
- *Plant and equipment noise assessment was not undertaken within the Acoustic Report prepared by 'TTM Group' and submitted with the initial application. The submitted Acoustic Report advised that plant selections are not available at this stage, 'consequently it is not possible to carry out detailed examination of any measures that may be required to achieve compliance with the noise targets'. Considering the nature of activities contemplated within Precinct A of the development, the assessment of such noise sources is necessary."*

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

As such, Conditions are included in the Officers Recommendation addressing the abovementioned concerns and reiterating the recommendations of the submitted Acoustic Report. Conditions are included in the Officers Recommendation requiring the submission of an amended 'Generations Industry Park Place Code' showing the following:

- The deletion of 'Family Accommodation' from the Table of Development.
- The deletion of Detached Dwelling, Working from Home, Low Rise Commercial tourist Accommodation, Child Care Centres and Ecotourism Facility Specific Development Codes from the 'Relevant Code' tables listed in the Generations Industrial Park Place Code.
- The inclusion within section 6.3 Development Requirements, for development that is self assessable, code assessable or impact assessable, under the heading of 'Refuse Facilities' a Performance Criteria that states 'Refuse facilities must be provided on site to service the needs of the development' and corresponding Acceptable Solutions that state as follows:
 - 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;'
 - b) '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;'
 - c) 'The refuse storage area is enclosed on three sides, with a screen wall extending 0.2 metres above the height of the refuse receptacles;'
 - d) 'The refuse storage area is effectively screened from view with landscaping.'
- The inclusion within section 6.3 Development Requirements, for development that is self assessable, code assessable or impact assessable, an Acceptable Solution that states that 'the building design and construction of development within Precinct A shall be in accordance with the approved Acoustic Report prepared by TTM Group dated 20 April 2011 (reference: 34418 R03)' and a corresponding Performance Criteria that states that 'All buildings within Precinct A must be acoustically treated, to minimise nuisance to the adjoining and surrounding residential development.'
- The inclusion within section 6.3 Development Requirements, for development that is self assessable, code assessable or impact assessable, an Acceptable Solution that states that 'the hours of operation and the delivery and collection activities for development within Precinct A are restricted to between 7:00am and 10:00pm Monday to Friday' and a corresponding Performance Criteria that states that 'All activities within Precinct A must be undertaken within appropriate hours, to minimise nuisance to the adjoining and surrounding residential development'.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Further to the above, it is recommended via a condition of approval in the Officers Recommendation that the development be designed and constructed in accordance with the recommendations of the approved Acoustic Report, including a continuous line of buildings adjacent to the full extent of the western property boundary adjoining the residential development, the provision of a ten (10) metre wide landscape buffer along the western property boundary, restricted hours of operation within Precinct A and restricted delivery and collection activities within Precinct A. It is a condition of approval also that for all future Material Change of Use applications a further acoustic report be submitted for development within 'Precinct A' detailing mechanical plant and equipment noise on nearby noise sensitive dwellings.

City Transport

Council's City Transport Officer assessed the submitted material and deemed it to be worthy of approval subject to conditions. The assessing City Transport Officer advised that the submitted 'Generations Industrial Park Place Code' has been prepared in general accordance with the Yatala Enterprise Area LAP and the Car Parking, Access and Transport Integration Constraint Code, in regards to the car parking provisions.

The assessing City Transport Officer provides the following comments in relation to the application:

"In response to Councils Information Request the applicant has submitted an updated staging plan and traffic impact assessment report, dated 5 November and prepared by CRG Consulting.

As per the staging plan, access will be achieved as follows:

- *Stage 1: via DeBortoli Street to Stapylton-Jacobs Well Road;*
- *Stage 2: via DeBortoli Street (through stage 1) and a new road connection to Stapylton-Jacobs Well Road;*
- *Stage 3: as above; and*
- *Stage 4: new connection and intersection with Christensen Road and existing Stapylton-Jacobs Well Road and DeBortoli Street connections.*

Based on these changes to the staging plan, the traffic demand on Christensen Road will be substantially reduced from what was previously proposed by the applicant. The majority of vehicles will connect with Stapylton-Jacobs Well Road via the proposed internal road network of the Generations Industrial Park. Subject to future traffic impact assessment and roadworks, that have been conditioned to occur in stage 4, it is considered that the conditions will ensure that the traffic impacts of the development does not have a negative impact on the local amenity and the operation of the local street network.

Though the applicant has submitted some preliminary design plans for the site's intersection with Christensen Road and the modified intersection of Christensen Road/Christensen Road South, it is considered that the information request items on this matter have not been adequately addressed. To fit in the signalised intersection of Christensen Road and Road 1 may require land dedication and corner truncations, which have not been identified on the submitted plans.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

This is also the case for the intersection of Christensen Road and Christensen Road South. The existing intersection design provides priority to a road stub, over the future through road connection of Christensen Road South. In the future it is likely this intersection will need to be realigned, which will affect the existing lot boundaries. It is expected these matters can be dealt with when subsequent applications for stage 4 are submitted with a detailed design.

Notations on preliminary approval plans are required to specify such requirements. Conditions of approval have been provided requiring these notations and for the timing of detailed design plans for intersection/roadworks associated with stage 4."

As such, it is recommended via a condition of approval in the Officers Recommendation that notations be placed on the Landuse Classification Plan stating that roadworks, land dedication and lot access to the southern side of Christensen Road South is subject to future detailed designs as part of the development of Stage 4. It is also recommended via conditions of approval in the Officers Recommendation that the staging plan is approved and that the detailed design for roadworks is submitted for the development of Stage 4.

Open Space

The assessing Open Space Officer assessed the submitted material and deemed it to be worthy of approval subject to conditions. The assessing Open Space Officer provides the following comments:

"The southern-most area of Lot 240 on W31320 is located partially within Future Industry Precinct 4 and Open Space Precinct 6 of the Yatala Enterprise Area Local Area Plan. The applicant has proposed the dedication of a 60 metre wide ecological buffer to Council as public open space, as part of any future development application to subdivide the land. The ecological buffer in question makes up a significant portion of the southern-most area of Lot 240 W31320, comprising the buffer to Sandy Creek and forms part of a critical ecological link with the existing Christensen Road Reserve (west) and surrounding open space area's earmarked for dedication as part of future development applications".

As such, it is recommended via a condition of approval in the Officers Recommendation that the area shown on the Generations Industrial Park Place Code as 'Precinct D Open Space Reserve' be dedicated to Council as part of Stage 4 of the development.

Architect

Council's Architect assessed the submitted information and deemed it to be worthy of approval.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Gold Coast Water

Council's Gold Coast Water Officer assessed the submitted material and deemed it to be worthy of approval subject to conditions. The assessing Gold Coast Water Officer provides the following comments in relation to the application:

"Wastewater comments

Following bulk earthworks, there will be four wastewater catchments within the development site. The northern catchment, Stage 1 and 2 as shown on the Staging Plan, drain towards Council's infrastructure. A new pump station will be constructed at Stapylton-Jacobs Well Road as part of the development. Gold Coast Water have conditioned that the wastewater from the remainder of the development, Stage 3 and 4, gravitate to Council's future infrastructure in Christensen Road. The recommended conditions of approval include a provision for a temporary pump station to service Stage 3 and 4 if required.

The existing wastewater infrastructure along Stapylton Jacobs Well Road is to be augmented to accommodate the total demand from the development site. Gold Coast Water has programmed the augmentation works under the Priority Infrastructure Planning (PIP) between 2026-2056. However, this infrastructure planning is subject to changes depending on the location of the wastewater treatment plant for treating the wastewater. Gold Coast Water is currently reviewing the strategy for the treatment of wastewater from the Stapylton catchments. Therefore the connectivity of wastewater from Stage 2 and 3 will depend the location of the wastewater treatment plant, which must be considered as a medium-long term development.

Recycled Water comments

The development site must be connected to Council's recycled water reticulation system, when it becomes available for the connection. To ensure the future take up of recycled water, the subdivision should have recycled water infrastructure installed as it develops. This leaves only the external infrastructure to be provided by Council."

Gold Coast Water recommends the inclusion of conditions of approval within the Officers Recommendation from potable water supply, recycled water supply and wastewater perspectives.

Environmental Assessment

The assessing Environmental Planner assessed the submitted material and deemed it to be worthy of approval subject to conditions.

The Environmental Planner identifies that the following is applicable to the subject site:

- The subject site contains 1994 existing remnant vegetation and other natural waterways (Overlay Map OM11 Natural Wetlands and Water Bodies);
- When reference is given to the Queensland Herbarium Mapping the site contains (12.11.5 Not of Concern) and (12.3.11 of concern) vegetation. Mapping produced in response to the SEQ Regional Nature Conservation Strategy (Map – Overall Significant) designates the remnant vegetation communities on site as being of Local Significance;
- The Gold Coast Conservation Strategy (Map 3) further defines this vegetation as Spotted Gum/Ironbark woodland on Metasediments (Vegetation Type 4);

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- With reference to Overlay Map OM20 (Nature Conservation Strategy) the subject site is designated as Committed to Development;
- With reference to mapping 29.3 Conservation Area and Priorities the site contains areas of conservation priority and links; and
- In accordance with Performance Criteria PC18, PC20 and PC21 of YEA Local Area Plan the development is required to provide ecological linkage throughout the site to protect flora and fauna.

The applicant has provided a basic ecological assessment being 'Ecological Assessment', dated September 2011 and prepared by Gassman Development Perspectives, which details that two manmade dams exist in the north of the site, with an ephemeral waterway located in the south east of the site. The applicant submits an Open Space Management Statement and Rehabilitation Management Plan, dated June 2012 and prepared by Gassman Development Perspectives. The Environmental Planner advised that there is an active Wedge-tailed Eagles nest approximately 70m into the site from the eastern boundary and 50 metres down into the site from the northern property boundary.

The assessing Environmental Planner provides the following comments:

"The area adjacent to Sandy Creek is identified as a wetland (other natural waterways) when reference is given to Overlay Map OM11. The Natural Wetlands and Waterways Constraint Code references an Acceptable Solution requiring a 100 metre buffer from wetland areas. The applicant was requested via Councils Information Request to rehabilitate and protect all areas between Sandy Creek and Christensen Road. In response to Council's Information Request the applicant details that a spatial analysis was undertaken to determine a consistent buffer distance to Sandy Creek with adjacent buffers. The applicant provides for a 60 metre buffer (from high bank) from Sandy Creek which is consistent with the adjacent buffer distances.

The site falls under Yatala Enterprise Area Local Area Plan with reference to mapping 29.3 Conservation Area and Priorities; the site contains areas of conservation priority and links. In accordance with Performance Criteria PC18, PC20 and PC21 of the Yatala Enterprise Area Local Area Plan the applicant is required to provide linkage throughout the site to protect flora and fauna. In addition, the south of the site contains an 'other natural waterway' and the Natural Wetlands and Waterways Constraint Code requires protection and buffering of onsite waterways.

It was requested of the applicant within Council's Information Request that the applicant provide a vegetative linkage buffer moving east west within the south of the site and provide detail of protection and buffering of the sites 'Other natural waterway'.

In response to Council's Information Request, the applicant detailed that an east west connective link is no longer viable due to surrounding development and the applicant has provided a north south link. With regard to the onsite waterway the applicant details this area to be weed infested and of low value. Environmental Assessment Officers accept the location of the north-south corridor as this provides greater connective potential than east west.

However, during the Decision Stage the applicant removed the north south open space conservation link, which the applicant originally proposed as a substitute for protecting the waterway and the required 29.3 mapped linkage (it is noted that a ten (10) metre wide landscaped link is shown on the submitted Landscape Intent Plan)."

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

It is recommended via a condition of approval in the Officers Recommendation that the buffer of 60 metres from the high bank of Sandy Creek be rehabilitated and dedicated to Council as Open Space (Precinct D Open Space/ Reserve).

The original submission from the applicant detailed a requirement for a 50 metre wide north south corridor and requirements for the rehabilitation to be undertaken within this north south corridor, which would be dedicated to Council. The Environmental Planner notes that a reduction of the buffer width is supported by Environmental Planning provided that the Wedge-tailed Eagles nest on site is protected. It is considered that a 20m wide vegetated buffer along the eastern property boundary be provided rather than the proposed 10m wide landscaped area and that this area be protected via covenant. It is recommended via conditions in the Officers Recommendation that the eagles nest be relocated to the eastern buffer.

It is considered that the provision of the 60 metre wide buffer adjoining Sandy Creek and the eastern buffer is reasonable and acceptable to enable adequate retention and enhancement of the existing vegetation to ensure that some corridor and fauna habitat values of the site are maintained.

Hydraulics and Water Quality

Council's Hydraulics and Water Quality Officer assessed the submitted material and deemed it to be worthy of approval subject to conditions. The Hydraulics and Water Quality Officer provides the following comments in relation to the application:

"The site is partially flood affected with a designated flood level of 8.6m AHD. In response to Council's Information Request, the applicant has submitted a revised stormwater management plan, being 'Generations Industrial Park – Stormwater Management Plan', dated 20 June 2012 and prepared by Hyder Consulting Pty Ltd. The above plan has proposed 10 rainwater tanks of total volume 160.5kL, three bio-retention basin of total filter area 7,280m², a grassed swale of length 100m and two GPTs (a CDS unit and a First Defence unit) for stormwater treatment purposes. Sediment forebays have been proposed in all bio-retention basins.

However, the above plan has modelled higher pollutant removal efficiency for CDS units compared to the Gold Coast City Council's acceptable values. First Defence GPT unit is a proprietary device that is not listed in Council's approved product list. Stormwater detention has been proposed over all of the three bio-retention basins. In addition, a separate stormwater detention basin has been proposed for peak flow mitigation purposes.

The applicant has proposed to fill the entire flood affected area within the proposed Generations Industrial Park site. However, a compensatory cut has been proposed on a separate lot (Lot 4 on RP6843, 31 Yellowwood Road, Stapylton) owned by the applicant adjacent to Albert River (to the north of proposed Generations Industrial Park)."

Conditions of approval are included in the Officers Recommendation in relation to certification of earthworks, compliance with the hydraulic report, the use of lot 4 on RP6843 for flood storage purposes, the provision of a flood storage covenant, the submission and approval of an amended stormwater management plan, the submission of certification that the stormwater management treatment train be implemented, the submission for approval a SQID Maintenance Management Plan and the implementation of erosion and sediment control measures.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Bushfire

In response to Council's Information Request, the applicant submitted a site specific Low Potential Bushfire Hazard letter confirming that the ultimate bushfire hazard rating of the subject site is 'low'. Councils assessing Bushfire Officer assessed the submitted information and deemed it to be worthy of approval.

Geotechnical

Councils assessing Geotechnical Officer assessed the submitted information and deemed it to be worthy of approval subject to conditions. The Geotechnical Officer provides the following comments in relation to the application:

"Council's maps identify the site with a 'Low/Very Low' hazard rating of slope instability. The submitted drawings indicate that the proposed development is associated with extensive bulk earthworks (batters and high retaining walls). One submitted drawing (Drawing No. C016-AA003837 Issue 03, by Hyder Consulting Pty Ltd, dated 19.08.11) shows a 6m high boulder wall in a single step. However, Council's Land Development Guidelines generally allows maximum 5m high retaining walls for industrial/commercial sites without any supporting structural/geotechnical certifications.

In support of the proposed development, the applicant provides the following geotechnical report.

'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.

The abovementioned report provides geotechnical information of the site based on subsurface drilling, sampling and field testing. The subsurface profile generally consists of top soils and slopewash soils overlying residual soils, followed by weathered rocks at a varying depth of 0.4-2.0m. Groundwater was not encountered during the investigation. The report discusses general site preparation, earthworks procedures and compaction requirements, and provides preliminary foundation options for the intended future buildings. It provides safe cut/fill batter profiles for the site. The report also provides a slope instability hazard risk assessment of the site and designates the site with a "Low/Very Low" hazard rating of slope instability.

However, the report does not provide any stability assessment of the proposed or selected cut/fill batters and retaining structures associated with the proposed development. The report also does not include any certification confirming that all cut/fill batters and retaining structures associated with the proposed development will achieve a long-term factor of safety greater than 1.5 against geotechnical failures.

Based on the above geotechnical information of the site, this Section is of the opinion that from a geotechnical point of view, the application can be approved subject to conditions."

Conditions are included in the Officers recommendation in relation to compliance with the geotechnical report, the design of retaining structures (including a requirement that retaining structures not exceed 5.0 metres in height) and the design of cut/fill batters.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Landscape Assessment

Councils Landscape Officer assessed the submitted material and deemed it to be worthy of approval subject to conditions. The assessing Landscape Officer advised that the submitted Generations Industrial Park Place Code has been prepared in general accordance with the Yatala Enterprise Area LAP, in regards to the landscaping provisions. Further to the provisions within the Generations Industrial Park Place Code, the applicant also provides a Landscape Intent plan, which is provided in part below.

Figure 6: Landscape Intent Plan (in part)



The submitted Landscape Intent Plan shows a landscape buffer to Stapylton Jacobs Well Road frontage and provides details of the entry statement from Stapylton Jacobs Well Road into the proposed Generations Industrial Park. The Plan also shows a ten (10) metre vegetated area along the western property boundary adjoining the residential community for the length of Precinct A and a ten (10) metre vegetated area along the eastern property boundary adjoining the Stapylton Landfill site.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Conditions of approval are included in the Officers Recommendation in regards to the establishment of the proposed landscaped buffers to the Stapylton Jacobs Well Road frontage and the western boundary.

It is recommended via a condition of approval in the Officers Recommendation that the establishment of the six (6) metre buffer to the Stapylton Jacobs Well Road frontage and the ten (10) metre buffer area to the western property boundary adjoining the residential community (for the length of Precinct A) occur prior to any works commencing within Stage 2 of the proposed development.

It is recommended via a condition of approval in the Officers Recommendation that the eastern property boundary be provided with a twenty (20) metre wide vegetated buffer to be established as part of an Environmental Covenant during the establishment of Precinct C.

It is considered that these conditions will ensure that the landscaped buffers and the entry statement are established at the appropriate time to visually enhance the Generations Industrial Park from the Stapylton Jacobs Well Road streetscape perspective and the adjoining residential development on the western property boundary.

Statutory referrals

In accordance with the provisions of the *Sustainable Planning Act 2009 (SPA)*, the Department of Natural Resources and Mines, the Department of Transport and Main Roads and the Department of State Development and Infrastructure Planning are identified as Concurrence Agencies for the application. The Department of Natural Resources and Mines are also identified as an Advice Agency for the application.

Department of Transport and Main Roads

The Department of Transport and Main Roads is identified as a Concurrence Agency for the application. As such, the Department has assessed the development in accordance with s285 of the SPA and have provided correspondence dated 22 November 2012. The correspondence details conditions of approval, which are included in the Officer's Recommendation. The conditions require the following:

- The upgrade of the Stapylton Jacobs Well Road and De Bortoli Street intersection to include a Channelized Right Turn as part of Stage 1;
- The provision of a signalised intersection between Stapylton Jacobs Well Road and Lot 1 on RP6882 as part of Stage 2 of the development;
- An amendment to the submitted Stormwater Management Plan to remove the existing cattle underpass in Stapylton Jacobs Well Road and replace with a drainage pipeline; and
- A monetary contribution for all stages of the development towards mitigating the impact of the proposed development on the safety and efficiency of the state controlled road network.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Department of Natural Resources and Mines

The Department of Natural Resources and Mines is identified as a Concurrence and Advice Agency for the application. The Department has assessed the development in accordance with the relevant referral jurisdictions and provided correspondence dated 14 August 2012. The Department provides conditions of approval, which are included in the Officers Recommendation.

Department of State Development and Infrastructure Planning

The Department of State Development and Infrastructure Planning is identified as a Concurrence Agency for the application. As such, the Department has assessed the development in accordance with s285 of the SPA and have provided correspondence dated 18 July 2012 stating that no conditions are required to be included in the Decision Notice.

INFRASTRUCTURE CHARGES CALCULATIONS

No Infrastructure Charges are applicable for the proposed Preliminary Approval. Infrastructure charges will be assessed and charged at the time of subsequent development permit/s for material change of use or building work.

ADVERTISING

The applicant has submitted a written notice dated 27 August 2012 stating that public notification of the application has been completed in accordance with the requirements of the *Sustainable Planning Act 2009*.

In response to advertising, five (5) submissions were received. The main points of objection are listed below, followed by the Officer's comment.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Point of Objection	Officer's Comment
1) The development does not take into proper consideration the existing adjoining high impact industry landuses to ensure that the existing industrial developments are not adversely affected by way of sensitive landuses.	The provision of a conservation link and incompatible landuses to the adjoining development to the north and east of the site is raised in one objection, due to concerns regarding the impact of the proposed development introducing 'sensitive landuses' next to industries and processes operating at established environmental and safety threshold that have off-site impacts (such as the JJ Richards and Stapylton Landfill developments). The submitter also states that certain landuses listed as 'self assessable' within the vicinity of the abovementioned sites, such as Food Industry and Low Impact Industry, may be 'incompatible' with the adjoining sites. The submitter states that such an outcome is inconsistent with the ultimate precinct intent for the site and would adversely affect the rights of JJ Richards as a submitter for following applications given the lack of detail regarding the final land uses, form, scale and potential impacts provided in the application. In response to this issue, the applicant provided an amended 'Generations Industrial Park Place Code' and Plan of Development that provides for a further precinct. The additional precinct titled 'Precinct C – Limited General Impact Business and Industry' is proposed to be located along the eastern and north-eastern property boundaries, which adjoin the established JJ Richards and Stapylton Landfill sites. Proposed 'Precinct C' is provided by the applicant to discourage the development of landuses (such as food manufacturing landuses and landuses that have a public presence or are sensitive to odour and dust) that may be incompatible landuses with the surrounding established uses. It is included in the Officers Recommendation that further amendments be made to the Material Change of Use Table of Development and the Table for Reconfiguration of a lot for 'Precinct C' in order to stringently discourage incompatible uses within this area. It is considered that the provision of 'Precinct C' addresses the concerns raised by the submitter.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

2) The absence of a conservation link maintained along the northern boundary of the subject site in accordance with LAP Map 29.3 Conservation Area and Priorities is not in keeping with the LAP Map.	The provision of the conservation link is raised in one objection due to concerns regarding the removal of vegetation identified for conservation purposes/environmental corridors. The submitter requests that an environmental buffer be provided between the proposed development and the northern property boundary. As discussed herein, the development will provide for a north-south 20 metre wide buffer. Officers believe that this buffer is adequate and is in accordance with the requirements of the intent of the Map 29.3 and the relevant ecological provisions of the Planning Scheme.
3) There will be negative amenity impacts on the operations of the adjoining Drive-In Theatre at 100 Stapylton Jacobs Well Road.	It is submitted by one objector that the application be conditioned to ensure the safe secure and unhindered continuing of night screening of films at the adjoining Yatala Drive-In Theatre. The objector identifies that the night lighting of the proposed development has the potential to interfere with the night screening of movies at the Drive-In Theatre, which adjoins the site to the north. It is recommended via a condition of approval in the Officers Recommendation that 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. It is considered that this condition will ensure the proposed development does not interfere with the night screening of movies.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

4) The proposed development should not develop a road through the adjoining site at 100 Stapylton Jacobs Well Road. However, the proposed development should be required to pay towards this road.	A previous Development Permit on the adjoining northern site at 100 Stapylton Jacobs Well Road requires the development of a road through 100 Stapylton Jacobs Well Road (see Council reference PN118880/01/DA1). One objection requests that the road connection to Angel Street and Penny Lane through the Yatala Drive-In Theatre site should not be required of the proposed application, as the Drive-In Theatre will continue to operate into the foreseeable future. The Submission also requests that an approval must require that the costs of any such road construction are apportioned commensurately between adjoining land interests. The applicant does not propose that an unconstructed road connection be utilised to service the development. It is considered that the existing constructed roads of DeBortoli Street, Stapylton Jacobs Well Road and Christensen Road will be sufficient to service the proposed development (subject to the relevant upgrades as mentioned herein). An indicative road connection is provided on the Plan of Development to illustrate the possible ultimate connection from the site to Angel Street and Penny Lane. As discussed herein, City Transport and the Department of Transport and Main Roads recommend approval of the development subject to conditions.
---	---

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

5) The development will cause negative traffic impacts on exit 38 and roundabout	Three objections state that the proposed development will cause negative traffic impacts on the nearby exit 38 and roundabout. As discussed herein, City Transport and the Department of Transport and Main Roads recommend approval of the development subject to conditions. City Transport determined that the proposed development would provide for a (new) sufficient local road network to serve to spread the traffic demands around rather than forcing all traffic through existing intersections and roundabouts. The development demonstrates compliance with the relevant requirements of the Planning Scheme in relation to traffic. In support of the application the applicant has undertaken an amount of transport/traffic analysis and design works with the DTMR. In accordance with the requirements of the DTMR, the development is required to upgrade Stapylton Jacobs Well Road and De Bortoli Street intersection to include a Channelized Right Turn, provide a signalised intersection between Stapylton Jacobs Well Road and Lot 1 on RP6882 and provide a monetary contribution for all stages of the development towards mitigating the impact of the proposed development on the safety and efficiency of the state controlled road network.
6) The development will cause negative impact on rural and residential properties	One objection states that the development will negatively impact on the rural and residential properties. As discussed herein the proposed four (4) individual Precincts are reflective of the site constraints, including the proximity of the site to the adjoining residential relocatable home park to the west of the site. It is considered that Precinct A will provide for development that is responsive to the established nature of the residential uses located nearby. Further conditions are included in the Officers Recommendation in relation to the provision of a landscaped buffer along the western property boundary of Precinct A, the inclusion of provisions within the 'Generations Code' that restrict the hours of operation and restrict delivery and collection activities within Precinct A. Such conditions will ensure that the potential detrimental impacts of the development are minimised.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

CONCLUSION

Council is in receipt of a Preliminary Approval for making a Material Change of Use to override the Planning Scheme for Industry uses at 31 Yellowwood Road, 60 Stapylton Jacobs Well Road and 82 Christensen Road, Stapylton.

The proposed Preliminary Approval will establish the 'Generations Industrial Park Place Code' which will specify the requirements and development assessment criteria for development within the subject area. The applicant proposes to stage the development of the site for industrial purposes, in general accordance with the ultimate precinct General Impact and Business Industry, while providing adequate servicing to the development. It has been demonstrated that the development can connect to sewage and the potable water supply.

The subject site is located within the Future Business and Industry Precinct (4) and Open Space Precinct (6) of the Yatala Enterprise Area Local Area Plan of the current 'Our Living City' Gold Coast Planning Scheme 2003 V1.2 (Amended November 2011).

In accordance with the provisions of the *Sustainable Planning Act 2009 (SPA)*, the Department of Natural Resources and Mines, Department of Transport and Main Roads and the Department of State Development and Infrastructure Planning are identified as referral agencies for the application. In accordance with the relevant referral jurisdiction the Departments have provided comments, which are discussed herein.

Five (5) objections were received in response to public advertising. The points of objection relate to the impact of the development on the existing adjoining high impact industry landuses, the absence of a conservation link along the northern property boundary, the anticipated negative amenity impacts on the operations of the adjoining Drive-In Theatre, the provision of a road connection to the north, the anticipated negative traffic impacts and the anticipated negative impacts on the existing rural and residential properties in the area. The submitters concerns have been addressed in this report and where appropriate, reasonable conditions have been included in the Officers Recommendation to address such concerns. It is considered that the concerns raised do not warrant refusal of the application.

As discussed herein, it is considered that the proposed development achieves the relevant Performance Criteria, higher order elements of the Planning Scheme and exhibits sufficient planning merit to warrant favourable consideration. The application is recommended for approval subject to the imposition of reasonable and relevant conditions.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

NOTIFICATIONS

The following notifications should be registered on the rates cards in relation to this resolution:

Building Design and Setback

There are development approval conditions applicable in relation to Building Design and Building Setbacks on this lot and all subsequent lots. All property owner(s) must ensure compliance with these conditions. Please refer to Gold Coast City Council's PN163781/01/DA1 file and Decision Notice for further information.

Noise/Acoustic

There are development approval conditions applicable in relation to Acoustic issues on this lot and all subsequent lots. All property owner(s) must ensure compliance with these conditions. Please refer to Gold Coast City Council's PN163781/01/DA1 file and Decision Notice for further information.

Plan of Development

Future development on this land, including building construction, may be restricted by the requirements of an approved Plan of Development (POD). Please refer to Gold Coast City Council's PN163781/01/DA1 file for the Plan of Development.

Stormwater (Management Plans)

There is a Stormwater Management Plan in regard to this lot. All property owner(s) must ensure compliance with the Stormwater Management Plan. Please refer to Gold Coast City Council's PN163781/01/DA1 file and Decision Notice for further information.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

RECOMMENDATION

It is recommended Council resolve:

Real Property Description	Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320
Address of Property	31 Yellowwood Road, 60 Stapylton Jacobs Well Road and 82 Christensen Road, Stapylton
Area of Property	771,610m²
Decision Type	Preliminary Approval for making a Material Change of Use to override the Planning Scheme for Industry Uses
Further Development Permits	Operational Works
Further Compliance Permits	Nil
Compliance Assessment required for documents or works	Covenant Area Management Plan and Open Space Management Plan

NATURE OF DECISION

A Council approves:

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

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:

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

A: Material Change of Use

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

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Precinct B (General Impact Business and Industry)

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

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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	

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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 m ² 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	

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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 (<i>Aquila audax</i>) 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.	

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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 4,000m ² ; 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 10,000m ² .	

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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.

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

APPROVED PLANS/DRAWINGS/DOCUMENTS

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

1 Amended plans/drawings/documents to be submitted

a Amended plans/drawings must be submitted generally in accordance with:

Plan No.	Title	Date	Prepared by
5093 P 00 12A	Landuse Classification and Staging Plan	06/11/2012	Gassman Development Perspectives
N/A	Generations Industrial Park Place Code	November 2012	Gassman Development Perspectives

Showing the following amendments to the Landuse Classification and Staging Plan;

- i Demonstrate the provision of a reserve area 20metres wide for the length of the eastern property boundary. This area is to be labelled as 'Covenant Area' on the Landuse Classification and Staging Plan;
- ii Demonstrate the provision of a minimum ten (10) metre wide buffer for the length of the western property boundary of Precinct A and six (6) metres wide for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage;
- iii Include a notation on the Landuse Classification and Staging Plan that states '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;'
- iv Include a notation on the Landuse Classification and Staging Plan that states 'roadworks and land dedication associated with Road 1, Christensen Road, Eastern Service Road and Christensen Road South will be subject to the detailed design for Stage 4 of the development;'
- v Include a notation on the Landuse Classification and Staging Plan that states 'lot access on the southern side of Christensen Road South is subject to further evaluation and approval following the detailed design of roadworks in Stage 4 of the development;'
- vi Delete the reference to 'completion year;' and
- vii Include a notation on the plan that states 'development within Precinct C shall not occur until all other development within the remaining area of the Generations Industrial Park is exhausted.'

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

Showing the following amendments to the Generations Industrial Park Place Code:

- viii The inclusion of the words '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';
- ix The inclusion of the words 'Development within Precinct C shall not occur until all other development within the remaining area of the Generations Industrial Park is exhausted';
- x The inclusion of the following within the Precinct A Place Code Intent statement of the Generations Industrial Park Place Code:
 - A '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;'
- xi Deletion of the reference to Service Station from the Low Impact Industry definitions within the section 3.3 of the Generations Industrial Park Place Code;
- xii Deletion of the reference to 'Dangerous Goods' from the Low Impact Industry definitions within section 3.3 of the Generations Industrial Park Place Code;
- xiii The deletion of 'Family Accommodation' from the Table of Development as such a use is not considered appropriate;
- xiv The deletion of Detached Dwelling, Working from Home, Low Rise Commercial tourist Accommodation, Child Care Centres and Ecotourism Facility Specific Development Codes from the 'Relevant Code' tables listed in the Generations Industrial Park Place Code;
- xv Amend within section 6.3 Development Requirements, to include a new Acceptable Solution in association with PC4 that states that '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;
- xvi Amend within section 6.3 Development Requirements, Acceptable Solution AS4.3 to replace the reference to dot-points with lettering;

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- xvii Amend within section 6.3 Development Requirements, to include a new Acceptable Solution and associated Performance Criteria for Development that is self assessable, code assessable or impact assessable. The AS is to state '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 be prepared in accordance with the Planning Scheme Policy 10 – Guidelines for Preparing Management Plans and Plans of Development.' The associated PC is to state 'The environmental mitigation methods for the development as detailed within an 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';
- xviii Amend within section 6.3 Development Requirements, Acceptable Solution AS21.6 of the Generations Code to reference a twenty (20) metre wide north-south buffer;
- xix Amend within section 6.3 Development Requirements, Acceptable Solution AS28 to state that the minimum area for subdivision within Precinct C is one (1) hectare;
- xx Amend within section 6.3 Development Requirements, to include an additional Acceptable Solution in relation to Performance Criteria PC28 to state 'The number of allotments and tenancies located within Precinct C is minimised';
- xxi Amend within section 6.3 Development Requirements, Performance Criteria PC28 to include the statement 'The number of allotments within Precinct C is controlled to minimise the number of premises exposed to any environmental nuisance from the nearby landfill and associated heavy industrial uses';
- xxii Amend within section 6.3 Development Requirements, Performance Criteria PC43 to include reference to dust and vibration;
- xxiii Include within section 6.3 Development Requirements, for development that is self assessable, code assessable or impact assessable, under the heading of 'Refuse Facilities' a Performance Criteria that states 'Refuse facilities must be provided on site to service the needs of the development' and corresponding Acceptable Solutions that state as follows:
 - 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;'
 - B '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;'
 - C '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
 - D 'The refuse storage area is effectively screened from view with landscaping.'

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- xxiv Include within section 6.3 Development Requirements, for development that is self assessable, code assessable or impact assessable, an Acceptable Solution that states that 'the building design and construction of development within Precinct A shall be in accordance with the approved Acoustic Report prepared by TTM Group dated 20 April 2011 (reference: 34418 R03)' and a corresponding Performance Criteria that states that 'All buildings within Precinct A must be acoustically treated, to minimise nuisance to the adjoining and surrounding residential development;' and
- xxv Include within section 6.3 Development Requirements, for development that is self assessable, code assessable or impact assessable, an Acceptable Solution that states that 'the hours of operation and the delivery and collection activities for development within Precinct A are restricted to between 7:00am and 10:00pm Monday to Friday' and a corresponding Performance Criteria that states that 'All activities within Precinct A must be undertaken within appropriate hours, to minimise nuisance to the adjoining and surrounding residential development'.
- b The amended plans/drawings are to be submitted to Council for approval by the Chief Executive Officer prior to the earlier of:
 - i Issue of a development approval for reconfiguring a lot.
 - ii Issue of a development approval for operational work.
 - iii Compliance assessment of the subdivision plan.
- c The amended plans/drawings, when approved by the Chief Executive Officer, will be the approved plans/drawings forming part of this approval and a stamped copy will be returned to the applicant. The development must be carried out in general accordance with the approved plans/drawings.

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 Landuse Classification and Staging Plan, drawing 5093 P 00 12A, dated 06/11/2012 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 Development within Precinct C shall not occur until all other development within the remaining area of the Generations Industrial Park is exhausted.
- d Any subsequent proposed amendments to the approved staging plan (including sequence of development must be approved 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

CITY TRANSPORT**9 Staged development**

Subject to the changes required by Condition 1 within section B of this Decision Notice the stages as shown on Proposal Plan / Staging Plan: 5093 P00 12A, Land Use Classification and Staging Plan, dated 06/11/12 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 Roadworks Design (Stage 4)

Prior to the issue of any development approval for Stage 4, detailed design for roadworks must be submitted for the following:

- a the upgrade of Christensen Road and Christensen Road South;
- b the intersection of Christensen Road and proposed Road 1;
- 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 designed works 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 associated with Stage 4.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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 2

- a In relation to the landscape buffer ten (10) metres wide for the length of the western property boundary of Precinct A and six (6) metres wide for the entire length of the subject site adjoining the Stapylton Jacobs Well Road frontage, 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 landscape work (adjoining Precinct A) must be obtained prior to the commencement of works relating to Stage 2 of this development. These approved landscape work must be constructed prior to the commencement of use of any part of Stage 2 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 5093 L LI 03 pages 1-3, Landscape Intent, dated 01/11/12 and prepared by Gassman Development Perspectives;
 - 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- d The required landscaping plan must demonstrate
 - i A landscape buffer ten (10) metres wide for the length of the western property boundary of Precinct A and 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.

COVENANT AREA – PROHIBITED ACTIVITIES, MANAGEMENT AND COVENANT

16 Covenant Area – prohibited activities

The area described as 'Covenant Area' on amended plan required by Condition 1 of this Decision Notice, is for the purpose of preserving native plants and animals. Within the Covenant Area, the following activities must not be undertaken:

- a Clearing, lopping or removal of any native plants, whether existing at the date of this approval or planted pursuant to conditions of this approval;
- b Erection of any fixtures or improvements, including buildings or structures;
- c Construction of any trails or paths;
- d Depositing of any fill, soil, rock, rubbish, ashes, garbage, waste or other material foreign to the protected area;
- e Keeping or permitting the entry of domestic animals or any other animals that are not indigenous to the Covenant Area; and
- f Performance of any other acts which may have detrimental impact on the values of the Covenant Area.

17 Preparation of Covenant Area management plan

A covenant management plan must be prepared, detailing all management measures and monitoring to be undertaken in the Covenant Area for the life of the development and the use of the premises so as to ensure the preservation of the environmental integrity of the Covenant Area. The covenant management plan must include the following information:

- a Description of the approved development including a plan showing the location of the covenant areas.
- b Purpose of the document relating to relevant conditions of approval.
- c A description of how the document is to be read, including the purpose of the covenant area and general requirements at each phase of the development (i.e. developer's and landowners' responsibilities as covenantor).

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- d Detailed descriptions for the covenant areas including:
 - i Topography;
 - ii Waterways, flow paths, gullies;
 - iii Vegetation communities and significant species;
 - iv Fauna habitat and significant species; and
 - v Other significant features.
- e Requirements to be fulfilled by the developer (as covenantor) as to the following:
 - i Prohibited and permitted actions during construction;
 - ii Infrastructure requirements (including essential, unavoidable services, stormwater etc);
 - iii Rehabilitation, including summaries of rehabilitation activities (based on the approved Rehabilitation Plan and/or Landscaping Plans) in accordance with Appendix 1 (Guideline for the preparation of a Rehabilitation Plan) of Council's Open Space Management Guidelines: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007: Version 1);
 - iv Maintenance requirements including activities, timeframes and standards to be achieved prior to off-maintenance in accordance with relevant sections of Appendix 1 (Guideline for the preparation of a Rehabilitation Plan) of Council's Open Space Management Guidelines: Guideline for the preparation of Reports and Plans associated with the dedication of Public Open Space (November 2007: Version 1);
 - v Monitoring details including baseline data/photographs; and
 - vi Compliance/certification.
- f Requirements to be fulfilled by landowners (as covenantors) as to the following:
 - i Purpose of the covenant;
 - ii Prohibited and permitted actions/activities;
 - iii Detailed landowner requirements and responsibilities; and
 - iv Detailed methods relating to maintenance and enhancement of the covenant area, including weed removal methods, revegetation methods and species lists, monitoring requirements and useful resources and contacts.
- g General information, including:
 - i Duration of requirements / responsibilities;
 - ii Information on who to contact for approvals for any activities required that are not permitted within the covenant area;
 - iii Baseline data; and
 - iv Checklists for Council (as the covenantee) to assess compliance with the covenant (including remedial actions for non-compliance).

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- h The covenant management plan must include and be consistent with:
 - i The approved management and rehabilitation plans for the site and the Covenant Area, including any amendments to those plans required by the conditions of this approval;
 - ii Any stormwater quality management components within the Covenant Area; and
 - iii Full details of any approved landscape plans for the Covenant Area.

18 Compliance assessment of covenant area management plan

The covenant management plan 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: • Conservation Domain Place Code; • Natural Wetland Areas and Natural Waterways Constraint Code; and • Nature Conservation Constraint Code.
Compliance assessor	Gold Coast City Council
When the request for compliance assessment must be made	Before the earlier of: • A development application for operational work (inclusive of change to ground level, works for infrastructure, vegetation clearing/tree works or landscape work) within Precinct C; or • Any works commencing within Precinct C.

The covenant management plan is not an approved plan until a compliance certificate has been issued in respect of it.

19 Compliance certificate with future operational work development applications

A copy of the compliance certificate for the covenant management plan must be provided with any future operational work development applications within Precinct C.

20 Ongoing compliance with the approved covenant management plan

The management measures and monitoring required by the approved covenant management plan and any conditions imposed on the compliance certificate must be complied with for the life of the development and the use of the premises.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

21 Amendment of the covenant management plan

The covenant management plan may be amended with the written agreement of Council but only if the amendment:

- a Is consistent with the purpose of the covenant (being the statutory covenant required to be registered pursuant to the conditions of this approval);
- b Does not alter the covenant area; and
- c Does not add or remove a party to the covenant.

22 Covenant Area – statutory covenant to be registered

At the same time as the lodgement of the subdivision plans for Precinct C, or if no subdivision plans are required, prior to the commencement of the use within Precinct C, an instrument of covenant must be registered on the title/s of the lot/s which contain/s the Covenant Area. 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)(b) of the Land Title Act 1994.
- c The Covenant Area must be shown and identified as a 'Covenant Area' on the face of the subdivision plan in addition to any covenant descriptor (e.g. Covenant 'A').
- d Council's standard covenant (Dealing number 711772071) must be used and 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 Covenant Area contains native plants and habitat for native animals that should be preserved;
 - ii That the covenant is aimed at directly preserving those features; and
 - iii That to ensure the Covenant Area and its values are preserved, it is critical that activities within the Covenant Area are limited and managed to ensure native plants, native animals, their habitat, & associated values are preserved.
- g The instrument must expressly set out, in full, as obligations of the covenantor each of the individual requirements set out in Condition 2
- 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.
- i The applicant must provide Council with evidence of the registration of the covenant within 30 days of the registration of the subdivision plan that shows the Covenant Area.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

23 Covenant Area - rehabilitation

The applicant must undertake and complete all rehabilitation works within the Covenant Area in accordance with these conditions of approval.

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 5093 P 0012A, prepared by Gassman Development Perspectives and dated 06/11/2012.

- 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 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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:
 - 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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 the recommendations outlined in 7.1 of the approved acoustic report prepared by 'TTM Group', dated 20 April 2011 (Ref: 34418 R03 Hester Land Stapylton Acoustic Report.doc).
- 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

31 Acoustic barrier

A continuous line of buildings adjacent to the full extent of the western property boundary adjoining the residential development as per Figure 4 of the approved acoustic report prepared by 'TTM Group', dated 20 April 2011 (Ref: 34418 R03 Hester Land Stapylton Acoustic Report.doc) 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, being drawing 5093 L LI 03 pages 1-3, Landscape Intent, dated 01/11/12 and 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 Section 7.1 and Figure 4 of the approved acoustic report, prepared by 'TTM Group' and dated 20 April 2011 (Ref: 34418 R03 Hester Land Stapylton Acoustic Report.doc).

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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 10:00pm Monday to Friday.

36 Delivery and Collection Activities within Precinct A

Delivery and collection activities within Precinct A are restricted to between 7:00am and 10:00pm Monday to Friday.

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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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).

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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).

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

- 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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 summary 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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.

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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

53 General wastewater servicing arrangement

Unless otherwise determined by Gold Coast 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).

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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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.

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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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 Dual water supply reticulation (potable and recycled)

The development must be connected to Council's dual water reticulation system (potable and recycled supply) at the applicant's cost.

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 Wall Road must be used as the potable water supply connection point, unless otherwise approved by Gold Coast Water.
- b The development site must be connected to Council's recycled water reticulation system when it becomes available for connections at no cost to Council.
- c The development site must provide a cross-connection between the potable and recycled water systems at the applicant's cost.
- d The applicant must submit to Gold Coast Water and obtain approval for a cross-connection.

64 Water reticulation schematic plan and network analysis

- a The applicant must submit to Gold Coast Water and obtain approval of a potable and recycled 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

65 Installation of property service, dual water meter box and meters

The applicant must, prior to a request for compliance assessment of the overall development:

- a Provide property service and dual water meter box at the boundary of the development site in accordance with Gold Coast City Council Planning Scheme Policy 11 – Land Development Guidelines, Standard Specifications and Drawings; and
- b A complete property service connection that includes the meter installation and tapping of the main shall be installed by the Council the time of the building application and at the cost of the applicant.
- c All development shall comply with Clause 4.2.7 of Gold Coast City Council Planning Scheme Policy 11 – Land Development Guidelines.

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 Rainwater tanks – dual reticulated water supply regions

To achieve water savings targets in dual reticulated water supply regions all:

- a "Commercial Building" or "Non-residential Building" must meet the requirements of Clause 7.3.2.4 (Rainwater Tanks) of Planning Scheme Policy 11- Land Development Guidelines 2005 as amended from time to time.

Advice Note: The terms 'Commercial Building' and 'Non-residential Building' are defined in the code.

REFERRAL AGENCY CONDITIONS**69 Concurrence agency conditions**

The applicant must comply with the conditions set out in the attached correspondence from the following concurrence agencies:

- a Concurrence Agency – Department of Natural Resources and Mines – Referral Agency Reference 5093-10-BG/BJW, dated 14 August 2012; and
Concurrence Agency – Department of Transport and Main Roads – Referral Agency Reference TMR11-000540, dated 22 November 2012.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

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*) located within the north eastern corner of Precinct C. The program shall detail the specific requirements for the relocation of the nest into the adjoining eastern boundary environmental covenant area. 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**C 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

D 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

E 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.

F 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.

ITEM 6 (Continued)

**Preliminary Approval for making a material change of use (impact assessment) to override the planning scheme for industry uses - Lot 4 on RP6843, Lot 1 on RP6882 and Lot 240 on W31320 – 31 Yellowwood road, 60 stapylton jacobs well road and 82 CHRISTENSEN ROAD STAPYLTON - DIVISION 1
PN163781/01/DA1**

G 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.

H 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.

I Infrastructure charges

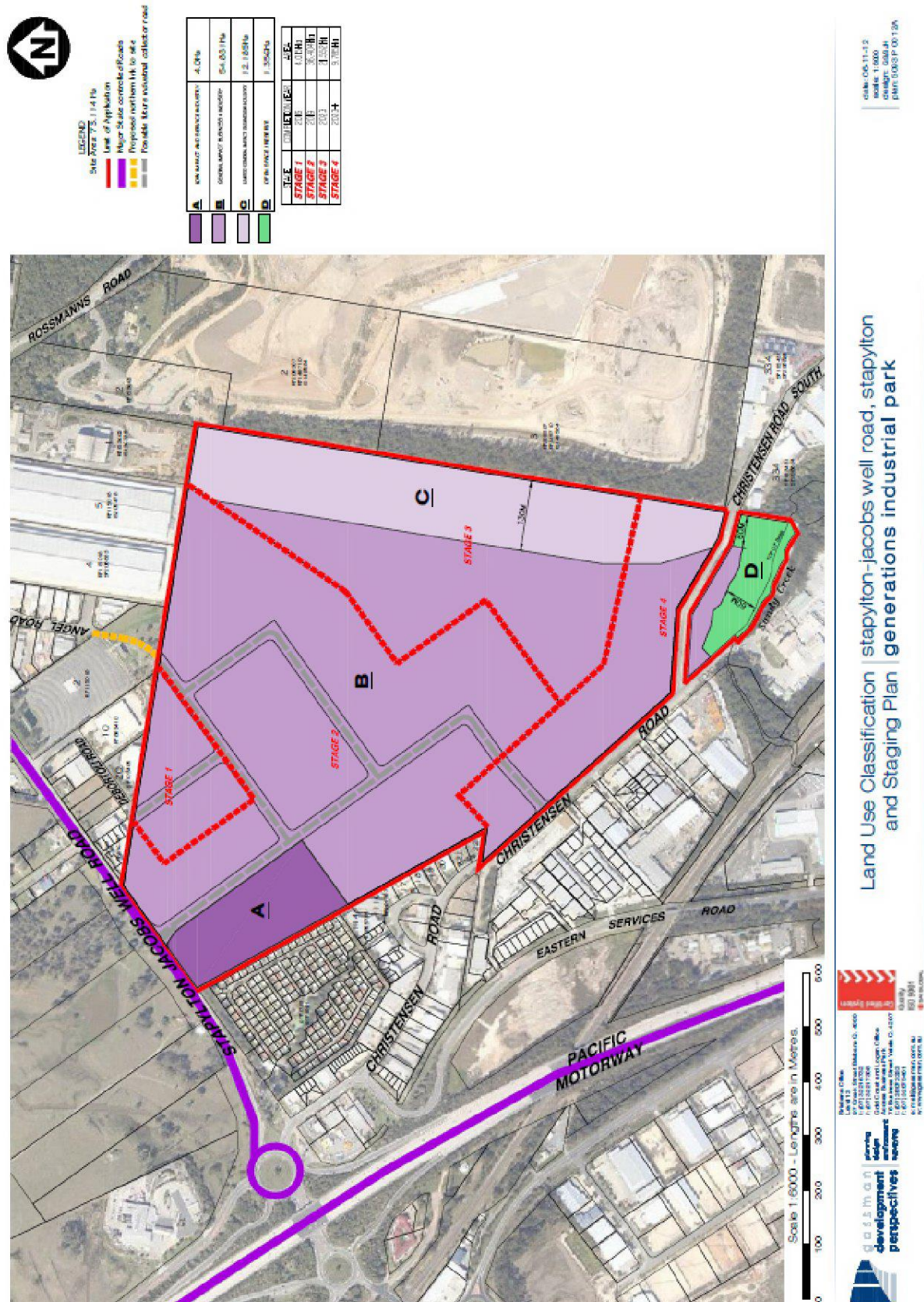
Infrastructure charges have not been calculated or imposed for this Material Change of Use, as it is a Preliminary Approval under Section 242 of the Sustainable Planning Act 2009. Infrastructure charges will be assessed and charged at the time of subsequent development permit/s for Material Change of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

Author:
Monique Anderson
Town Planner
February 2012

Authorised by:
Gail Connelly
Director Planning Environment & Transport

31 Yellowwood Road, 60 Stapylton Jacobs Well Road and 82 Christensen Road Stapylton





Landscape Intent



The landscape design intent for the industrial estate is underpinned by a number of overriding design principles that will promote legibility, create a sense of place and respond to the environmental values of the site.

Design details, finishes and materials will be complementary to provide visual consistency throughout the development. The design intent has been selected in response to the location of the site. Accompanied by an appropriate species list, the result will be a variety of landscape forms that meet both the needs of the estate and the local fauna.

The planting hierarchy throughout the development will reflect Crime Prevention through Environmental Design principles. By utilising plants with low heights and dense foliage, the design intent will provide surveillance as well as recognition of traffic and pedestrian movements. By increasing the planting areas and providing a shared network, the overall aesthetics of the estate will be greatly enhanced.

Water Sensitive Urban Design principles will be applied to the industrial estate where space allows. The principles will be incorporated into open space areas, allowing for water filtering and harvesting and other landscape purposes.

The scale and nature of the landscaping materials shall be appropriate to the size of the structures and the available space.

Planting has been selected for ease of maintenance as well as the suitability and tolerance to the varying conditions of the site.

The planting scheme used is predominantly native when space the built form, improves natural ecosystems and minimises water usage.

The design will respect the environmental aspects of responsible design, planning, and construction, which will respond to issues of bio diversity, natural processes and impacts on local waterways.



LANDSCAPE INTENT

Generations Industrial Park
Stapledon-Jacobus Vell Road, Stapledon

date: 01-11-12
scale: 1:1000
page 01 of 03
page 01 of 03
design 15

Landscape Intent



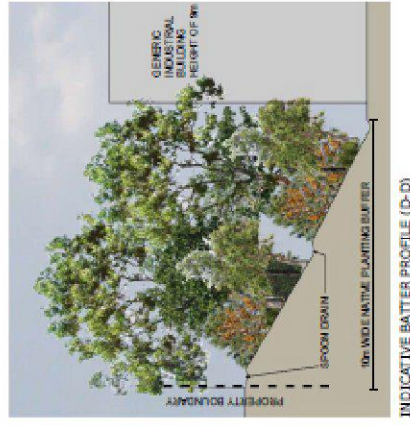
INDICATIVE ELEVATION OF THE INTERFACE BETWEEN THE PROPOSED INDUSTRIAL ESTATE AND EXISTING RESIDENTIAL VILLAGE (A-A)



OVERALL SITE PLAN



INDICATIVE DETENTION BASIN PROFILE (C-C)



INDICATIVE BATTER PROFILE (D-D)



ENTRY STATEMENT OPTIONS (E)



INDICATIVE ELEVATION OF THE DEVELOPMENT FROM STAPLTON JACOBS WELL ROAD (B-B)



Generations Industrial Park
Stapleton-Jacobs Well Road, Stapleton

LANDSCAPE INTENT

page 10 of 10
part 3003 LUMS
design 10

GENERATIONS INDUSTRIAL PARK 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)

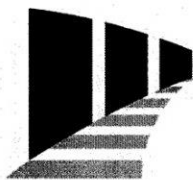
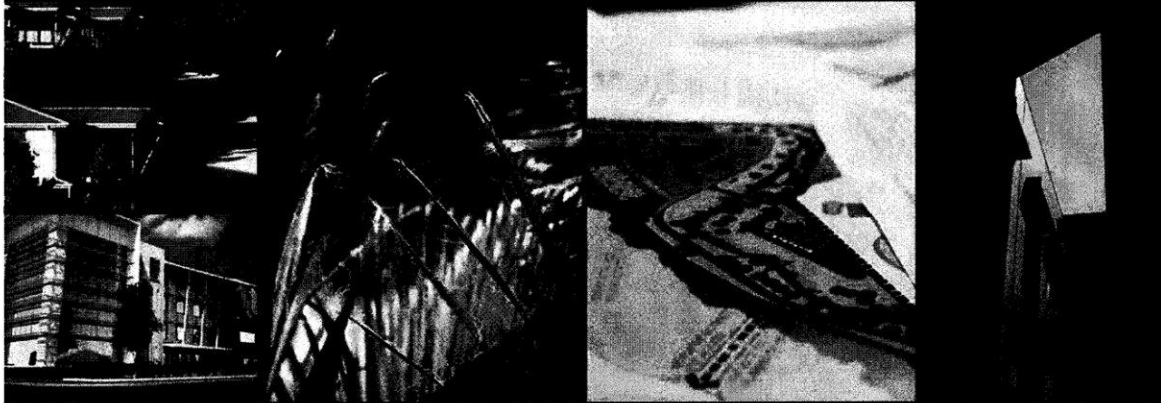
ADDRESS:

60 STAPYLTON-JACOBS WELL ROAD & 82 CHRISTENSEN ROAD,
STAPYLTON Q 4207 (LOTS 1 ON RP6882, 240 ON W31320 AND 4
ON RP6843)

PREPARED FOR:

PATRICIA AND WILLIAM HESTER

NOVEMBER 2012



gassman
**development
perspectives**

project coordination
urban + regional planning
landscape + urban design
environmental management
visualisation + spatial services
surveying services
advisory services



TABLE OF CONTENTS

1.0	GENERATIONS INDUSTRIAL PARK PLACE CODE INTENT.....	3
1.1	PLACE CODE INTENT.....	3
1.2	BACKGROUND	4
2.0	APPLICATION OF THE GENERATIONS INDUSTRIAL PARK PLACE CODE..	5
2.1	APPLICATION	5
3.0	DICTIONARY	6
3.1	APPLICATION OF DEFINITIONS	6
3.2	USE OR DEVELOPMENT DEFINITIONS	6
3.3	SPECIFIC USE OR DEVELOPMENT EXAMPLES	7
4.0	GENERATIONS INDUSTRIAL PARK PLACE CODE - TABLE OF DEVELOPMENT	8
4.1	TABLE OF DEVELOPMENT	8
5.0	GENERATIONS INDUSTRIAL PARK PLACE CODE - RELEVANT CODES FOR ASSESSMENT	14
5.1	RELEVANT CODES	14
5.2	PERFORMANCE CRITERIA AND ACCEPTABLE SOLUTIONS	17
5.3	CONFLICT BETWEEN PLACE CODE AND PLANNING SCHEME	18
6.0	GENERATIONS INDUSTRIAL PARK PLACE CODE - DEVELOPMENT REQUIREMENTS	19
6.1	PURPOSE	19
6.2	APPLICATION	19
6.3	DEVELOPMENT REQUIREMENTS.....	19
SCHEDULE 1 – GENERATIONS INDUSTRIAL PARK LAND USE CLASSIFICATION PLAN		37



1.0 GENERATIONS INDUSTRIAL PARK PLACE CODE INTENT

1.1 PLACE CODE INTENT

The Generations Industrial Park 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 Generations Industrial Park 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 Generations Industrial Park 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.
- **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 benefit 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 Generations Industrial Park 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 Generations Industrial Park 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 Generations Industrial Park 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 Plan: Please refer to the attached plan **5093 P 00 12A** (Schedule 1) specifying the part of the site that is affected by the Generations Industrial Park 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 GENERATIONS INDUSTRIAL PARK PLACE CODE

2.1 APPLICATION

- 2.1.1 The Generations Industrial Park Place Code applies to all proposed development located within the Place Code area, as indicated in the **Generations Industrial Park Land Use Classification Plan 5093 P 00 12A**.
- 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 **Generations Industrial Park 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 Generations Industrial Park 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 Generations Industrial Park 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 Generations Industrial Park 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 Generations Industrial Park 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; - Service station, not including above ground tanks of class 2.1 (flammable gasses) or class 3 (flammable liquids) dangerous goods greater than 18kL (Note-class 2.1 and class 3 dangerous goods are defined in the Australian Dangerous Goods Code); - Dangerous goods location not including the storage of toxic gases.	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 GENERATIONS INDUSTRIAL PARK 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 Generations Industrial Park 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				
Exempt	Self Assessable	Code Assessable	Impact Assessable	
Precinct A (Low Impact and Service Industry)				
Agriculture	Café	Bulk Supplies	Garden	Motor Vehicle Repairs n.e.i.
Animal Husbandry	Car Park	Caretakers Residence		Salvage Yard
Conservation (natural area management)	Convenience Shop	Estate Sales Office		Service Station
Low-Impact Telecommunications Facility	Low Impact Industry	Family Accommodation		Transport Terminal
Minor Change in the scale or intensity of an existing lawful use	Milk Depot	Food Industry		
Park	Service Industry	Industry		
Public Utility	Take-Away Premises	Manufacturer's Shop		
	Temporary Use	Outdoor Storage Area		
	Warehouse	Rural Industry		
		Telecommunications Facilities n.e.i.		



MATERIAL CHANGE OF USE incorporating or not incorporating BUILDING WORK				
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 Supplies Caretakers Residence Food Industry Rural Industry Telecommunications Facilities n.e.i. Transport Terminal	Garden	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 Supplies Caretakers Residence Rural Industry Telecommunications Facilities n.e.i. Transport Terminal	Garden	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	



TABLE B – 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 & C (Low Impact and Service Industry, General Impact Business and Industry & Limited General Impact Business and Industry)			
		Results in no lots with an area less than 4,000m ² ; 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	Results in one or more lots with an area less than 4,000m ²
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

TABLE C – 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:			



OPERATIONAL WORK – CHANGES TO GROUND LEVEL			
		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 D – 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 E – 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 F – 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	



5.0 GENERATIONS INDUSTRIAL PARK 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 **Generations Industrial Park 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
Generations Industrial Park Place Code	2 Advertising Devices 4 Animal Husbandry 10 Caretaker's Residence 13 Detached Dwelling 24 Office 25 Private Recreation 27 Retail and Related Establishments 34 Temporary Use 36 Vegetation Management 38 Working From Home	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
Generations Industrial Park Place Code	4 Animal Husbandry 10 Caretaker's Residence 12 Child Care Centres 13 Detached Dwellings 15 Ecotourism Facility 17 Farm Forestry 20 Kennels	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



PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
	21 Landscape Work 23 Low Rise Commercial Tourist Accommodation 24 Office 25 Private Recreation 27 Retail and Related Establishments 29 Rural Industry 30 Salvage Yards 31 Service Stations 33 Telecommunications Facilities 38 Working From Home 39 Works for Infrastructure	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

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
Generations Industrial Park 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
Generations Industrial Park 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
Generations Industrial Park 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
Generations Industrial Park 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 Generations Industrial Park 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 Generations Industrial Park *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 GENERATIONS INDUSTRIAL PARK PLACE Code – DEVELOPMENT REQUIREMENTS

6.1 PURPOSE

The Generations Industrial Park 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 Generations Industrial Park Land Use Classification Plan.

6.3 DEVELOPMENT REQUIREMENTS

GENERATIONS INDUSTRIAL PARK 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 two storeys.
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) 10 metres from the primary frontage; b) 7 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) 10 metres from the primary frontage; and c) 7 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 landscape buffer strip a minimum width of two metres; and - fencing of the common boundary between the private lot and public open space.
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. 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.



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
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: 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;	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 Transport Integration in the Gold Coast City Planning Scheme (version 1.1 Amended January 2007); OR AS8.1.2



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
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.	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.
DEVELOPMENT THAT IS CODE ASSESSABLE OR IMPACT ASSESSABLE	
BUILDING HEIGHT	
PC9 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.	AS9 The maximum height of buildings does not exceed three storeys.
SITING	
PC10 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.	AS10 No acceptable solution provided.
PC11 The layout of the site must provide a clear separation between the public access areas and the areas set aside for servicing the building.	AS11 No acceptable solution provided.
PC12 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.	AS12 No acceptable solution provided.
BUILDING AND LAYOUT DESIGN, SAFETY AND COMFORT	



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
PC13 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.	AS13.1 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. AS13.2 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).
PC14 Buildings are sited and designed to suit climatic conditions.	AS14.1 Wherever practicable, buildings are oriented to the north east to take advantage of summer breezes and winter sun. Western aspects are avoided, wherever possible. AS14.2 Where not air conditioned, buildings incorporate a maximum of openings (ie. louvring, windows, doorways) on eastern walls. AS14.3 Windows are minimised and trees are planted along west walls for protection from hot afternoon sun. AS14.4 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. AS14.5 Semi-enclosed workstations, where relatively strenuous manual labour takes place, are located in the cooler and more ventilated parts of the building.
PC15 All buildings must be designed and constructed to a high aesthetic standard and to complement or enhance the local character of the YEA.	AS15.1 The massing and proportions of new industrial buildings are consistent with those of adjoining industrial buildings. AS15.2 Building materials, patterns, textures and colours used in new buildings are complementary to those of nearby buildings.
PC16 Building design and appearance must be conducive to the safety and comfort of all building users.	AS16.1 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. AS16.2



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	Entrances to premises are clearly visible from the street, and are not obscured or dominated by car parking.
DESIGN OF CAR PARK AREAS	
PC17 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.	AS17.1 Significant trees are preserved and incorporated into car parking areas. AS17.2 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. AS17.3 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. AS17.4 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	
PC18 Advertising signage does not dominate the visual amenity of the area.	AS18 No advertising, freestanding or otherwise, is erected which would be readily visible from the Pacific Motorway of the Gold Coast City Rail Line.
PC19 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.	AS19.1 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. AS19.2 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 3m²; c) signs on facades have a maximum area of 5m²;



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	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. AS19.3 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	
PC20 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.	AS20.1 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. AS20.2 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. AS17.3 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: a) the land remains largely undisturbed by



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	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	
PC21 Landscape design is used to enhance the landscape character of the YEA.	AS21.1 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. AS21.2 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. AS21.3



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	Dwarf walls prevent vehicles breaching landscaped areas along frontages. AS21.4 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. AS21.5 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. AS21.6 A minimum ten metre wide 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 5093 L LI 03.
PC22 Potentially obtrusive noise, odour and visual impacts are effectively buffered.	AS22.1.1 Development incorporates landscape buffers, earth mounds and acoustic fencing appropriate to the likely off-site impacts of particular developments. OR AS22.1.2 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. Species selection, use of mature or semi mature trees, and density of planting will be important in this respect.
PC23 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.	AS23 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.



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS															
PC24 Public open spaces are developed to enhance their recreational amenity for workers and visitors to the Yatala area and the wider community.	AS24 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.															
PC25 Landscape design contributes to the creation of a distinctive, memorable and legible town centre, local centres and surrounding suburban areas for YEA.	AS25.1 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). AS25.2 Footpath paving treatments and street furniture integrate with adjoining development, and setback areas are integrated with public footpaths. AS25.3 Landscape plantings utilise local native species to promote a distinctive site character.															
PC26 Open space and pedestrian areas are to be designed to be both functional and safe.	AS26 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.															
PC27 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.	AS27 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.															
LOT SIZE (FOR SUBDIVISION ONLY)																
PC28 All lots are to be of sufficient size to comfortably accommodate the type of development envisaged in the LAP and the relevant precinct intent.	AS28 Any new lots created are sized in accordance with the following schedule: <table><tr><th>Precinct</th><th>Min Area</th><th>Ave Area</th></tr><tr><td>A</td><td>4000m²</td><td>1 hectare</td></tr><tr><td>B</td><td>4000m²</td><td>1 hectare</td></tr><tr><td>C</td><td>4000m²</td><td>1 hectare</td></tr><tr><td>D</td><td>20 hectares</td><td>20 hectares</td></tr></table>	Precinct	Min Area	Ave Area	A	4000m ²	1 hectare	B	4000m ²	1 hectare	C	4000m ²	1 hectare	D	20 hectares	20 hectares
Precinct	Min Area	Ave Area														
A	4000m ²	1 hectare														
B	4000m ²	1 hectare														
C	4000m ²	1 hectare														
D	20 hectares	20 hectares														
PC29 Allotments prior to development have suitable topography for industry.	AS29 Industrial allotments generally have a ground slope not greater than 10%, and access ways associated with battle axe allotments generally															



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	have a ground slope not greater than 16%.
PC30 Allotments are of regular shapes suited to the intended uses, and allowing design flexibility, efficient development and access.	AS30.1 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 AS30.2 Alternative allotment shapes are provided where warranted, due to: a) the special site requirements of particular industries; and/or b) exceptional physical constraints. OR AS30.3 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.).
PC31 Allotments are oriented to suit climatic conditions.	AS31 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.
PC32 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.	AS32.1 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. AS32.2 Reconfiguration proposals incorporate a plan showing street planting to be undertaken. Planting themes contribute to the overall streetscape character of the estate.
PC33 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.	AS33 Community Title subdivisions within Precincts A-C (Industrial) are provided, which: a) are consistent with the Acceptable Solutions for PCs 28-32 b) generally maintain a minimum lot size of 100-



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	200m² within a minimum overall site area of 2,000m²; c) are not used for heavy manufacturing, metal/food processing, or noxious, offensive or hazardous industries.
ROAD DESIGN	
PC34 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.	AS34.1 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. AS34.2 Concept plans submitted with reconfiguration and/or development applications identify road connections with adjacent allotments that will promote connectivity; and AS34.3 Proposed road hierarchies are generally consistent with the conceptual road hierarchy identified on the Generations Industrial Park Land Use Classification Plan.
PC35 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.	AS35.1 Road design and construction is in accordance with Planning Scheme Policy 11 - Land Development Guidelines and the Table to this Acceptable Solution. AS35.2 Distances between intersections are not less than 60 metres. AS35.3 Streets intersect at right angles, or as near as topography or other limiting factors permit. AS35.4 Various vehicle control devices are used to regulate traffic speed and enhance pedestrian safety (such as traffic lights and illuminated pedestrian crossings). AS35.5 Paving surfaces, landscape treatment and signage are used to define entrances to the estate and joint use areas within the estate AS35.6 Road pavements are designed and constructed for long life, hard wearing and suitability to the load capacity of expected vehicles. AS35.7 Median strips, roundabouts and footpaths are to be aesthetically treated and planted and paved accordingly; and



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	AS35.8 The design of road networks avoids the use of culs-de-sac.
PC36 The alignment of roads reflects the physical land characteristics, and provides adequate drainage and safety.	AS36.1 Road drainage is designed and situated along natural drainage courses. AS36.2 Road grades are established to avoid excessive grading, indiscriminate removal of ground cover and tree growth, and unnecessary topographical levelling.
PC37 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.	AS37.1 Footpaths are provided as follows: a) on both sides of all future major industrial roads. b) as specified in any relevant Council adopted strategy. AS37.2 Paths are designed and constructed in accordance with Council standards and AUSTROADS Part B. AS37.3 Features such as signs, road markings, lighting, paving, bollards and street furniture are provided to enhance the safety and amenity of foot/cycle paths. AS37.4 Bicycle end-of-trip facilities are provided in accordance with the requirements outlined in the Table to Acceptable Solution AS37.4.
PC38 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.	AS38 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	
PC39 Site access is designed and constructed to provide for the safe ingress/egress of vehicles to the site.	AS39 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;



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	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.
PC40 Treatment of access points to the site maintains appropriate sight distances and visually enhances its identification.	AS40 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.
PC41 Provision is made for safe pedestrian and disabled access.	AS41.1 Pedestrian paths designed for disabled access are provided between building entrances, public footpaths and car parking areas. AS41.2 Pedestrian paths are separated from vehicular driveways.
AMENITY PROTECTION	
PC42 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.	AS42 No acceptable solution provided.
PC43 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;	AS43 No acceptable solution provided.



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
g) privacy; h) odour and emissions.	
URBAN/RURAL USE CONFLICTS	
PC44 Conflicts between urban and rural uses are to be avoided by effective development design.	AS44 The development of land adjacent to the agricultural character areas includes a suitable buffer.
EXTRACTIVE INDUSTRY	
PC45 Extractive industry operations are managed to make effective use of the extractive resource, while containing any impacts on the subject site.	AS45 The extractive industry is managed and developed consistent with the Extractive Industry Domain Place Code.
ON-SITE VEHICLE PARKING AND MOVEMENT	
PC46 Internal driveways are provided for safe and easy maneuvering of vehicles.	AS46.1 Internal driveways are designed and constructed to enable all vehicles to enter and exit the site in a forward motion. AS46.2 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.
PC47 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.	AS47.1 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. AS47.2 Some parking may be located toward the front of the site convenient to the street, provided it is behind landscaping strips and treated aesthetically. AS47.3 Short term/high turnover visitor parking and disabled parking spaces are located close to the main building entrance and clearly signposted. AS47.4 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.
LOADING AND UNLOADING	



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
PC48 All loading and unloading activities take place onsite.	AS48 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.
PC49 Adequate provision is made for on-site manoeuvring of service vehicle/s.	AS49.1 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. AS49.2 It may be acceptable for two or more developments to share service vehicle/s turning areas.
SITE SERVICING	
PC50 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.	AS50.1 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). AS50.2 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.
PC51 Conflicts between pedestrians and vehicles at entrance points to parking areas are to be minimised.	AS51.1 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. AS51.2 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.
PC52 Development is to be designed to support the	AS52 Development is designed to support the functional operation of the local and regional

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
functional operation of the cycle network.	cycleway system. (Local cycle ways will be determined at time of subdivision of each development.)
PUBLIC CONVENIENCE FACILITIES WITHIN BUILDINGS	
PC53 Commercial developments are to include public convenience facilities, where there is a need for their provision.	AS53 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.

Figure to Acceptable Solution AS5.1

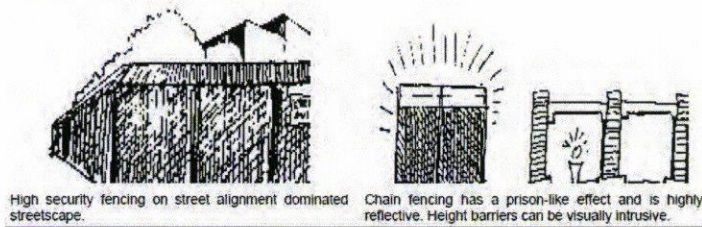
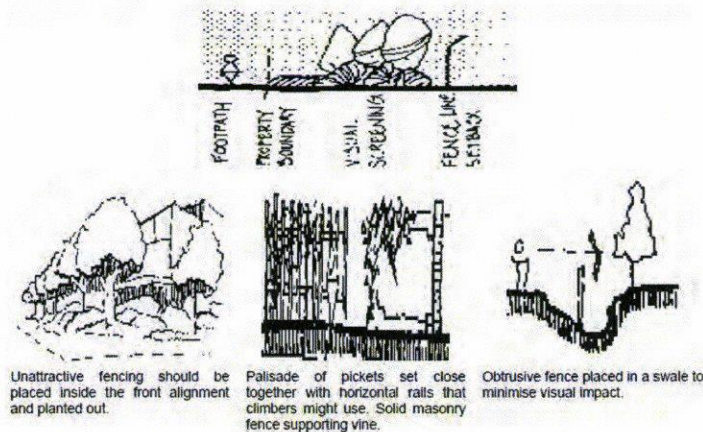
Negative Fences**Positive Fences**



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 AS37.4

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		