

DELEGATED ITEM
CITY DEVELOPMENT BRANCH
REPORT ON RECONFIGURING A LOT FOR 1 INTO 17 COMMUNITY TITLE SCHEME LOTS
SUBDIVISION AT 84 – 160 CHRISTENSEN ROAD SOUTH, STAPYLTON
DIVISION 1
PN307555/02/DA11

1 APPLICATION SUMMARY

Application information		
Address	84 - 160 Christensen Road South, Stapylton	
Lot and plan	Lot 334 on SP193431	
Site area	251, 820m ²	
Properly made date	30 January 2018	
City Plan version	City Plan V3	
Zone / Precinct	High impact industry zone	
Overlays	• Acid sulfate soils overlay • Airport environs overlay • Bushfire hazard overlay • Environmental significance overlay • Extractive resources overlay • Industry, community infrastructure and agriculture land interface area overlay • Landslide hazard overlay	
Proposed use	1 into 17 lot subdivision	
Categories of development and assessment	Impact assessment	
Applicant and Applicant's consultancy team	Ms Projects Pty Ltd Iplan Town Planning Pty Ltd I ³ Consulting Pty Ltd AJS Surveys – Author of the plans Land and Environment Consultants – Bushfire hazard assessment	
Land owner	Burnside Developments Pty Ltd & Yellowstone Investments Pty Ltd	
Submissions	Objections	Support
	0	0
Key matters raised by submitters	No submissions were made.	
Decision due date	26 July 2018	
Referral agencies	SARA	
Officer's recommendation	Approval	

2 PROPOSAL

The purpose of this report is to assess an application for a development permit for reconfiguring a lot to subdivide 1 lot into 17 community title scheme lots at 84 – 160 Christensen Road South, Stapylton.

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Table 5.6.1 of the City Plan categorises the proposal as subject to impact assessment because the minimum lot size is less than 6000m² where access is proposed from an industrial collector road. The development parameters of the proposal are outlined in the table below:

Development parameters		
Proposed lot sizes	Lot 1 – 3.304ha ²	Lot 2 – 2.303ha ²
	Lot 3 – 1.862ha ²	Lot 4 – 1.198ha ²
	Lot 5 – 4553m ²	Lot 6 – 3461m ²
	Lot 7 – 2374m ²	Lot 8 – 5600m ²
	Lot 9 – 1.274ha ²	Lot 10 – 6000m ²
	Lot 11 – 5431m ²	Lot 12 – 6293m ²
	Lot 13 – 6230m ²	Lot 14 – 7500m ²
	Lot 15 – 1.097ha ²	Lot 16 – 1.235ha ²
	Lot 17 – 1.604ha ²	

The following plans provide an initial view of the proposed development.

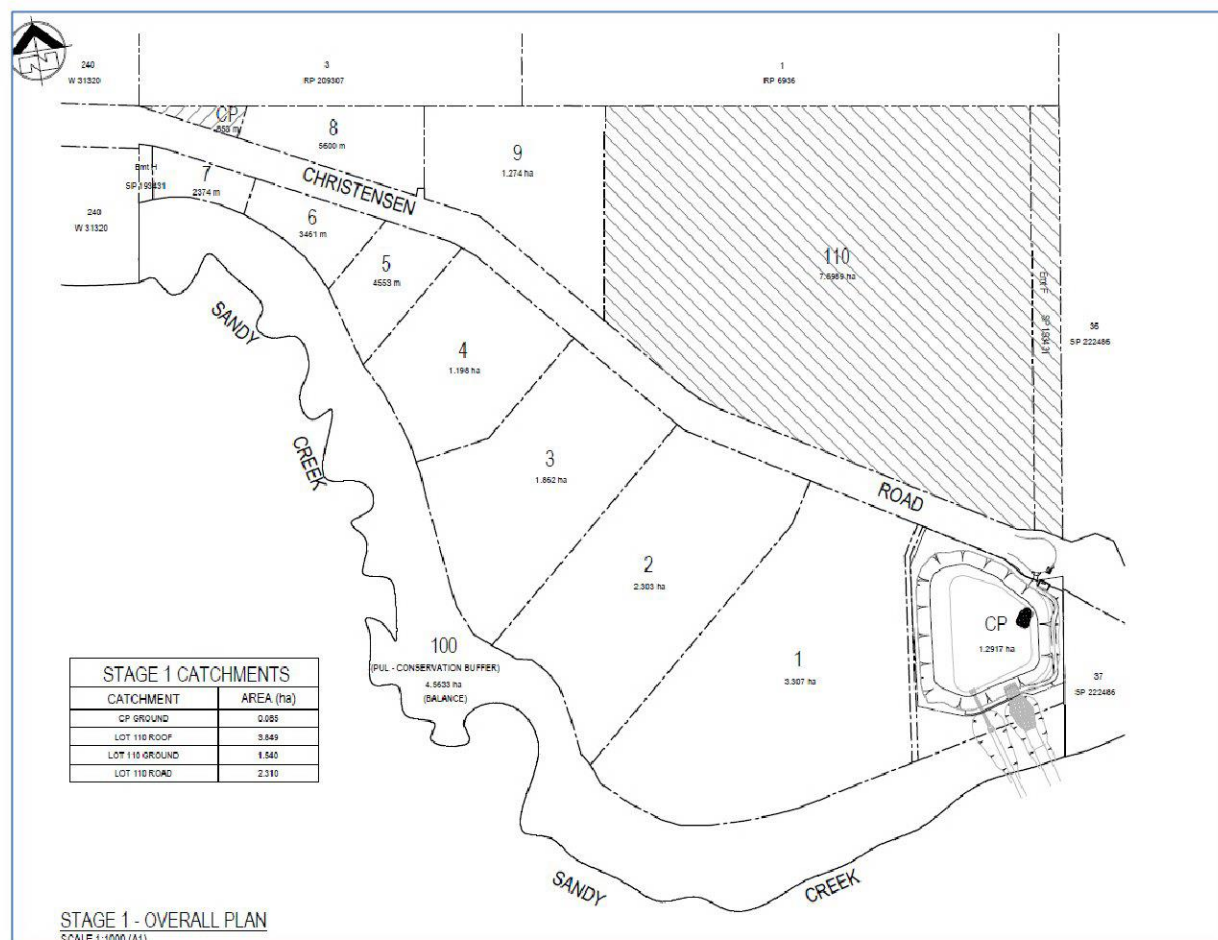


Figure 1: Stage 1 – Overall Plan

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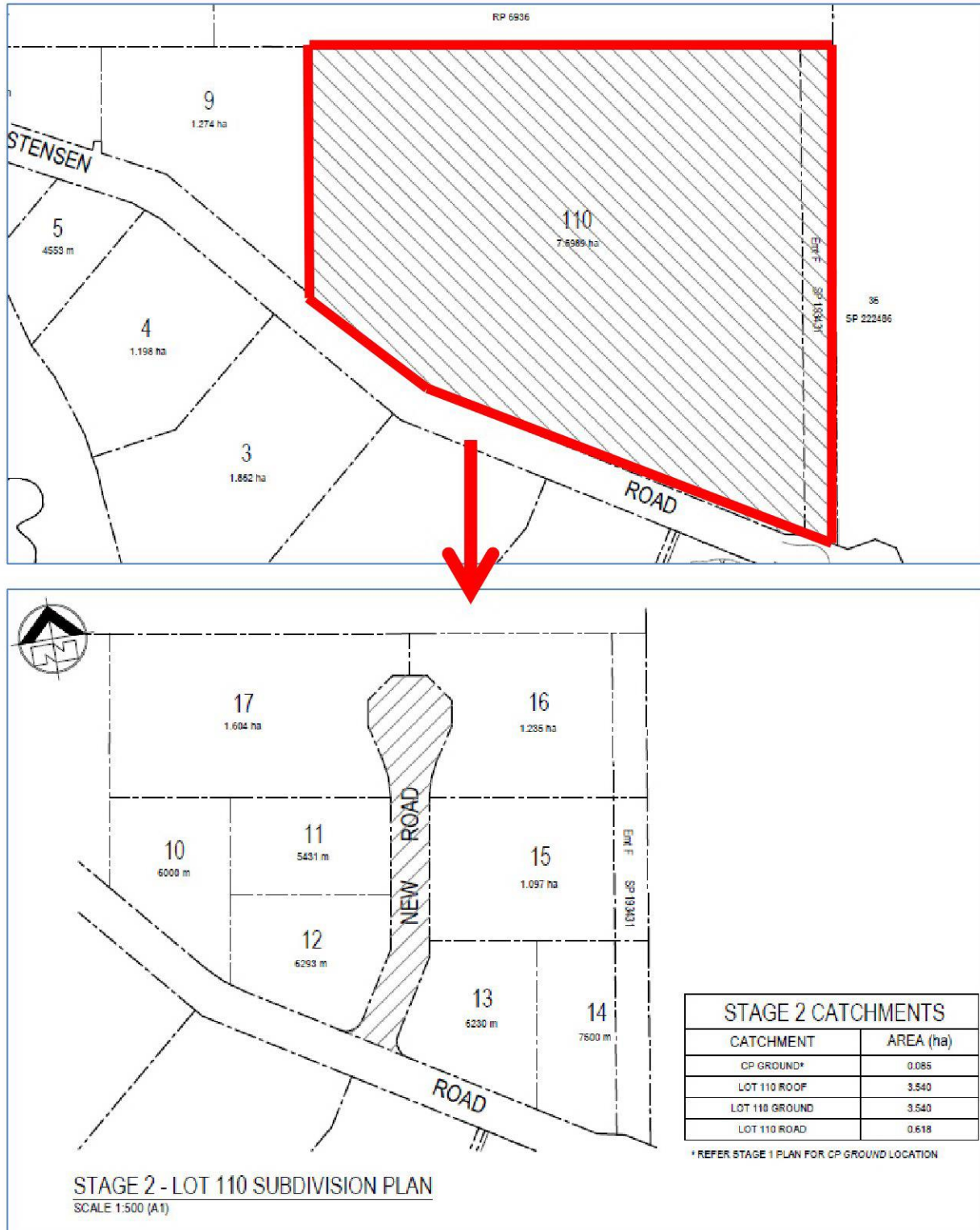


Figure 2: Stage 2 – Lot 110 Subdivision Plan

3 SITE CONTEXT

3.1 Subject site

The subject site comprises of 251, 820m² of net site and is irregular in shape. The site itself is separated by Christensen Road South, which has created two separate allotments with their own boundaries. The subject site has a number of established industrial land uses already in operation.

Immediate context

The immediate surrounding area of the site is characterised by high impact and medium impact industry land uses, bordered by Special purpose, which comprise of mining operations.

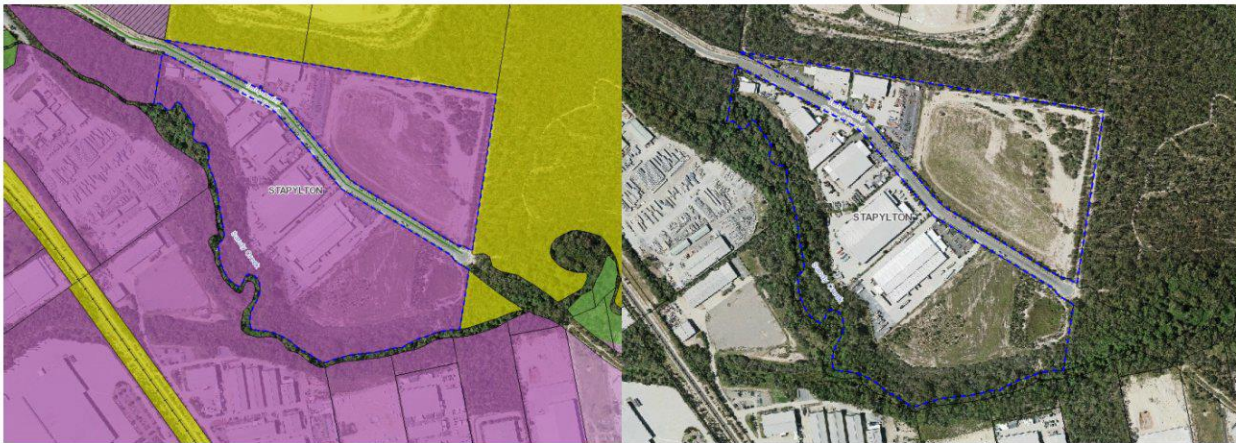


Figure 3: Immediate context (zoning/satellite images)

3.2 Local context

The subject site is located within the suburb of Stapylton approximately 880 metres to the east of the Pacific Motorway. Additionally, the proposed subject site is situated within a context that is heavily influenced by industrial and mining businesses.



Figure 4: Contextual map

4 PLANNING ASSESSMENT

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Section 45(5) of the *Planning Act 2016* identifies:

- (5) An **impact assessment** is an assessment that –
- (a) must be carried out -
 - (i) against the assessment benchmarks in a categorising instrument for the development; and
 - (ii) having regard to any matters prescribed by regulation for this subparagraph; and
 - (b) may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

The proposed development triggers impact assessment and has been assessed in accordance with Section 45(5) of the *Planning Act 2016*.

4.1 State Planning instruments

The application has been assessed against the following instruments:

Instrument	Comment
State Planning Policy	The City Plan appropriately reflects all aspects of the State Planning Policy apart from aspects relating to natural hazards, risk and resilience (coastal hazards). The proposal does not trigger assessment against any assessment benchmarks relating to natural hazards, risk and resilience (coastal hazards).
South East Queensland Regional Plan	The proposal is consistent with the goals, elements and strategies; and the Southern Sub-regional directions of the South East Queensland Regional Plan 2017 (ShapingSEQ).
Schedule 10 (Development assessment) of the <i>Planning Regulation 2017</i>	The proposal does not trigger assessment against any assessment benchmarks in Schedule 10 (Development assessment) of the <i>Planning Regulation 2017</i> .
Schedule 12 (Particular reconfiguring a lot requiring code assessment) of the <i>Planning Regulation 2017</i>	The proposal does not trigger assessment against any assessment benchmarks in Schedule 12 (Particular reconfiguring a lot requiring code assessment) of the <i>Planning Regulation 2017</i> .

4.2 Local categorising instruments

The application has been assessed against the following instruments:

Local categorising instrument	Comment
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Temporary Local Planning Instrument	The proposal does not trigger assessment against any temporary local planning instruments.
Local Government Infrastructure Plan	There is no new trunk infrastructure required as part of this development.
Variation approval	The proposal does not trigger assessment against a variation approval.

City Plan

The following is an assessment of the application against the City Plan.

Assessment against the Strategic framework

The strategic framework requires careful and balanced reading of the provisions to best achieve the purpose and objectives of the City Plan. The strategic framework sets the policy direction for the City Plan and has a planning horizon of 2031.

This Policy direction is structured in the following way:

- a The strategic intent describes the planning vision for the Gold Coast over the coming decades; in particular, what our city will look like and how it will function, potential for major development over the next 20 years and areas for growth and protection.
- b The following six city shaping themes play an important role in shaping future growth and managing change across the city, and collectively represent the policy intent of the City Plan:
 - i Creating liveable places;
 - ii Making modern centres;
 - iii Strengthening and diversifying the economy;
 - iv Improving transport outcomes;
 - v Living with nature; and
 - vi A safe, well designed city.
- c Strategic outcomes for each theme.
- d Elements that refine and further describe the strategic outcomes.
- e Specific outcomes sought for each of the elements.

Strategic intent

The Strategic intent flows through to the Themes (Strategic outcomes), Elements (Specific outcomes) and applicable codes. The Strategic intent is achieved through assessment against these outcomes.

Theme/s and Elements

The following is an assessment of the application against the relevant Theme/s and Elements of the strategic framework identified in the table below:

Theme/s	Related element	Maps
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Strengthening and diversifying the economy	• Industry and business areas Element	Strategic framework map - 5 • Focus areas for economic activity
A safe, well designed city	• Urban design, character and community identity Element • Environmental health and amenity Element	Strategic framework map - 7 • Strategic infrastructure sites and corridors

Officers Comment's

Theme 3 – 3.5 Strengthening and diversifying the economy

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Strategic Outcomes	Officer's Comment
(1) A strong and diverse economy is critical to the vision of becoming a world-class city.	The proposed subdivision is considered to contribute to a strong and diverse economy by providing smaller scale High impact industry zoned land.
(2) The city's settlement pattern accommodates a variety of business, education and employment choices in appropriate settings, scale and locations to underpin economic growth, including: (a) mixed use centres; (b) specialist centres, including health, education, knowledge and innovation areas; (c) industry and business areas; (d) unique character precincts; (e) tourism areas; (f) residential neighbourhoods, including home based business and neighbourhood centres; and (g) rural production areas.	The subject site is located within an industry and business area.
(3) The Gold Coast continues to support and promote its existing priority industries while moving towards more knowledge intensive, high value and internationally competitive economic sectors. Priority business and industry sectors include: (a) Existing priority sectors: (i) health and medical; (ii) education and training; (iii) information technology and communications; (iv) lifestyle and adventure related industries, including sport; (v) construction and building; (vi) marine-related industries (including craft and components manufacturing and servicing); (vii) general manufacturing industries (including food processing); (viii) transport, storage and distribution industries; and (ix) tourism and tourism products;	The proposed development is considered to contribute to providing competitive economic sectors within the Gold Coast. The proposed development is within a High impact industry zone area and will provide opportunities for uses envisaged in this area.
3.5.2 Industry and business areas Element	

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Specific Outcomes	Officer's Comment
(1) Industry and business areas support single use or concentrations of related economic activities and are locations for major employment, investment and production activity. The orderly, sequenced, consolidated and attractive growth of these locations maximises economic advantage and public and private investment. Industry and business areas are categorised as: (a) business areas; (b) general industry areas, including the regionally significant Yatala/Stapyltyon enterprise area; and (c) marine industry areas.	The subject site is identified within a general industry area, specifically the regionally significant Yatala/Stapyltyon enterprise area. The proposed development does not compromise the ability to accommodate a concentration of related economic activities as anticipated for the High Impact Industry Zone. The proposed development will provide a mix of land parcel sizes to accommodate a range of envisaged High Impact Industry uses.
(8) General industry areas support a range of industrial activities, including manufacturing, processing, repair and storage. They are categorised as low impact industry areas, medium impact industry areas and high impact industry areas. They are visually attractive and provide an acceptable level of amenity. Low impact industry areas can be adjacent to residential neighbourhoods to act as a buffer to medium impact industry areas and high impact industry areas.	The proposed development does not restrict the ability to provide for envisaged general industry uses and more specifically high impact industry uses. The subject site is located within the High Impact Industry Zone and appropriately separated from existing and future planned sensitive land uses.
(9) While land in general industry areas is protected from encroachment, these areas accommodate a limited range of complementary uses that support the immediate industrial area. Other uses not readily catered for within other areas due to their scale or nature may also be established if these activities do not compromise the long-term use of general industry land for its intended purpose. These may include: (a) manufacturer's shop; (b) service industries; (c) creative industries; (d) kennels; (e) veterinary hospitals; (f) crematoriums; (g) medium-to-large scale places of worship; and (h) showrooms and indoor recreation or the like where directly fronting Brisbane Road, Labrador, Reedy Creek Road, Burleigh and Spencer Road (north of Pappas Way), Nerang.	The proposed development is not for a material change of use. Any future development on proposed lots will be subject to <i>City Plan</i> provisions at the time of lodgement. The proposed subdivision does not restrict the ability to accommodate envisaged land uses within the High Impact Industry Zone.

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(11) Parts of the Yatala/Stapylton enterprise area and Reedy Creek industrial area are suitable for major manufacturing and processing operations. These areas are protected from incompatible activities (including encroachment of sensitive uses) so that high impact industry uses may continue to be accommodated within the city.	The subject site is located within the Yatala/Stapylton enterprise area. The proposed development does not introduce sensitive land uses which would compromise the intent of the area to accommodate industrial activities. The proposed subdivision allows for the ability to accommodate high impact industry uses, and any future development of proposed lots would be subject to further applications which would determine the appropriateness of any specific use.
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Theme 5 – 3.8 A safe, well designed city	
Strategic Outcomes	Officer's Comment
(2) Important elements of urban character and community significance are protected and enhanced to strengthen the sense of identity in local areas and the city.	The proposed development does not alter the established or desired character of the immediate area.
(11) Activities that generate emissions or impacts are adequately separated, designed and managed to avoid environmental harm or nuisance to residential or other sensitive use areas.	The proposed development is located within the High Impact Industry Zone. Any future industrial development over the proposed lots will be appropriately separated from nearby sensitive receivers as to not result in any negative amenity or environmental impacts which would be expected of development within this area.
(13) Residential and other sensitive uses are located away from areas that could cause environmental harm or nuisance from emissions or other impacts.	The subject site is not in close proximity to any residential or sensitive uses which could potentially be impacted by future industrial development on proposed lots.

3.8.3 Urban design, character and community identity Element	
Specific Outcomes	Officer's Comment
(1) Development is cognisant of the function and desired future appearance of each individual area and reinforces or reinterprets the character of that area.	The proposed development is for an industrial subdivision within an industrial area. The proposed development is cognisant of the function and desired future appearance of the immediate area.

3.8.6 Environmental health and amenity Element	
Specific Outcomes	Officer's Comment
(1) Activities that could conflict with the health and	As discussed above, the subject site is not

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amenity of existing or planned sensitive uses are adequately separated, designed and managed. These activities include those that generate noise, traffic, air pollution, electromagnetic emissions, dust, light, glare, reflectivity, vibration or odour impacts above accepted standards. Such activities include industry and extractive industry uses.	in close proximity to any sensitive receivers which would be negatively impacted by subsequent future high impact industrial development over proposed lots.
(7) High impact industry and medium impact industry uses only occur outside of areas designated for these uses when it is demonstrated that they will not cause conflict, risk, danger or amenity impacts above accepted standards to any other existing or planned development.	The proposed development will facilitate future high impact industry uses to occur within the designated high impact industry area.

Summary of Strategic framework

The proposal is considered to support and promote the Strategic framework for the following reasons:

- The proposed subdivision will provide varying sized allotments of high impact industrial land to cater for the proposed and existing industrial businesses that are located within the proposed allotments.
- The subject site is not in close proximity to any sensitive receivers which would be negatively impacted by subsequent future high impact industrial development over proposed lots.

5.3.2 Assessment against the codes

The following is an assessment of the application against the applicable codes of the City Plan identified in the table below:

Zone code	Overlay codes	Development codes
• High impact industry zone code	• Acid sulfate soils overlay code • Airport environs overlay code • Bushfire hazard overlay code • Environmental significance overlay code • Industry, community infrastructure and agriculture land interface area overlay code • Landslide hazard overlay code	• Reconfiguring a lot code • General development provisions code • Healthy waters code • Vegetation management code

5.3.2.1 Assessment against the zone code

The proposal has been assessed against the High impact industry zone code.

The purpose of the High impact industry zone code is to:

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The purpose of the High impact industry zone is to provide for high impact industry uses.

It may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes.

Activities considered appropriate in this zone are defined as high impact industry in the schedule of definitions.

Under the City Plan, compliance with a code, can be achieved by either compliance with the purpose and overall outcomes of the code, or, compliance with either the performance outcomes or acceptable outcomes. Acceptable outcomes are generally quantifiable provisions, with the performance and overall outcomes generally qualitative and performance based.

Officers have undertaken an assessment of all relevant provisions. The proposed development does not comply with the following applicable acceptable outcomes:

- AO2.1 Lot design (for subdivision only)

The development is assessed as being compliant with the corresponding performance outcomes, which, in accordance with section 5.3.3 of the City Plan, means the development complies with the purpose and overall outcomes of the code – therefore complies with the code, as demonstrated below:

Lot design (for subdivision only)

Performance outcome	Acceptable outcome
PO2 Lots are of a size that support high impact industrial activity and configured to operate efficiently and effectively	AO2.1 Minimum lot size is 4,000m ² or that shown on the Minimum lot size overlay map, whichever is greater, exclusive of any access strip or access easement for rear lots. OR When access is proposed from an industrial collector road the minimum lot size is 6,000m ² or that shown on the Minimum lot size overlay map, whichever is greater.

Officer's comment

Proposed lots 6 and 7 do not achieve the minimum lot size of 4000m² and proposed lots 8 and 11 do not achieve the minimum lot size of 6000m² where accessed from an industrial collector road.

Council officers have reviewed the proposed subdivision and determine the varying lot sizes to be appropriately sized to support high impact industrial activity. This is supported by recognized industrial businesses already being established within the proposed lots 2-9 within the boundaries proposed by this application. For the reasons, Council officers determine the proposed subdivision to support high impact industrial activity and provide a configuration that allows for variably sized businesses to operate efficiently and effectively.

5.3.2.2 Assessment against the overlay code

The proposal has been assessed against the following overlay codes:

- Airport environs overlay code

- Bushfire hazard overlay code
- Environmental significance overlay code
- Industry, community infrastructure and agriculture land interface area overlay code
- Landslide hazard overlay code

Officers have undertaken an assessment of all relevant provisions. The proposed development does not comply with the following applicable acceptable outcomes:

- Environmental significance overlay – Wetland and watercourse AO5.1

Wetland and watercourse

Performance outcome	Acceptable outcome
PO5 Buffers are provided to wetlands and watercourses identified on the Environmental significance – wetlands and watercourse overlay map to ensure the: (a) protection of matters of environmental significance mapped onsite or identified through an ecological site assessment; (b) unimpeded movement of fauna along the watercourse; (c) water quality is maintained; (d) bank stability; and (e) protection of property and infrastructure. Note: The buffer width for wetlands is measured from the outer, landward boundary of the mapped wetland, as shown on Environmental significance – wetland and watercourse overlay map. Note: Recommendations provided in an ecological site assessment (prepared in accordance with SC6.7 City Plan policy – Ecological site assessments) is Council's preferred method for determining alternative buffer widths. Note: Artificial watercourses are to be addressed through the Coastal erosion hazard overlay code and map. Where a waterbody contains both natural and artificial banks, the natural banks are to be assessed in accordance with this performance outcome.	AO5.1 Buffers at least 100m wide are provided between the development and the mapped boundary of a State significant aquatic area, as identified on Environmental significance – wetlands and watercourse overlay map. AO5.2 Buffers at least 100m wide are provided between the development and the outer landward boundary of a State significant wetland, as identified on Environmental significance – wetlands and watercourse overlay map. AO5.3 Buffers at least 100m wide are provided between the development and the outer landward boundary of a Local significant wetland as identified on the Environmental significance – wetlands and watercourse overlay map. AO5.4 Buffers at least 60m wide are provided between the development and the outer bank of a Major Watercourse as identified on the Environmental significance – wetlands and watercourse overlay map. AO5.5 Buffers at least 30m wide are provided between the development and the outer bank of a watercourse as identified on the Environmental significance – wetlands and watercourse overlay map.

Environmental officers comment:

"The applicant has not achieved a buffer of at least 100m wide between the development and the mapped boundary of a state significant wetlands. Performance outcome 5 has been achieved where the area to be rehabilitated and dedicated as public open space ensures matters of environmental significance are protected, the unimpeded movement of fauna along the watercourse, water quality is maintained and ensures bank stability."

5.3.2.3 Assessment against development codes

The proposal has been assessed against the following development codes:

- Reconfiguring a lot code

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- General development provisions code
- Healthy waters code
- Vegetation management code

Officers have undertaken an assessment of all relevant provisions and determine that the proposed subdivision complies with the assessment benchmarks listed above.

6 INFRASTRUCTURE CHARGES

The final estimated infrastructure charge is \$228,033.34.

For further information on this matter, refer to the draft notice attached to this report entitled as Attachment: Infrastructure charges notice for the approved development.

Charges Resolution No. 1 of 2018				
	Qty		Rate	Gross Charge Amount
ROL Proposed Lot	17 Lots	@	\$ 28,504.13	\$ 484,570.21
				\$ 484,570.21
Net Charge Summary				
Gross Charge Amount		Applied Credit Amount		Net Charge Amount
\$ 484,570.21		\$ 256,537.17		\$ 228,033.04

Applied credit details	Proposed Lot 2 – Full lot credit for existing use Proposed Lot 3 – Full lot credit for existing use Proposed Lot 4 – Full lot credit for existing use Proposed Lot 5 – Full lot credit for existing use Proposed Lot 6 – Full lot credit for existing use Proposed Lot 7 – Full lot credit for existing use Proposed Lot 8 – Full lot credit for existing use Proposed Lot 9 – Full lot credit for existing use Proposed Lot 12 – Full lot credit for existing use
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Office Use Only	
\$ 126,558.32	OTHINF
\$ 76,619.12	SEWINF
\$ 24,855.60	WTRINF
\$ 228,033.04	

7 LOCAL PLANNING INSTRUMENTS THAT MAY BE MATERIALLY AFFECTED BY THE DEVELOPMENT

The proposal does not trigger assessment against any assessment benchmarks for another local government area materially affected by the development.

8 REFERRALS

8.1 Internal referrals

This application has been assessed by internal referral officers who have provided comments and reasonable and relevant conditions. An overview of the recommended conditions are provided in the table below:

Internal city expert	Conditions
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Environmental Assessment	Council's Environmental assessment department has reviewed the application and provided comments in relation to the following: • Vegetation clearing • Supervision of works • Fauna management plan • Rehabilitation management plan
Geotechnical Engineering	Council's Geotechnical Engineering department has reviewed the application and provided comments in relation to the following: • Certification of works
Hydraulics and Water Quality	Council's Hydraulic department has reviewed the application and provided comments in relation to the following: • Land transfer • Relinquish the existing easement (Emt G on SP193431) • On Maintenance requirements for stormwater treatment devices • Overland flow paths and hydraulic alterations • Constructed wetland maintenance management plan • Certification of works • Erosion and sediment control
Landscape Assessment	Council's Landscaping department has reviewed the application and provided comments in relation to the following: • Landscaping works on private land
Plumbing and Drainage	Council's Plumbing and Drainage department has reviewed the application and provided comments in relation to the following: • Plumbing and drainage works to connect each lot individually to Council's water and sewer
Subdivision Engineering	Council's Subdivision Engineering department has reviewed the application and provided comments in relation to the following: • Community Management Statement • New road • Footpaths • Street lighting • Electrical reticulation • Telecommunications network • Connection to permanent survey marks • Certification of works • Road names to submitted
Water and Waste	Council's Water and Waste department has reviewed the application and provided comments in relation to the following: • Requirements to register easement • Restrictions regarding Council easements and infrastructure • Private infrastructure • Rectification of Council's infrastructure

	• Sewer reticulation • Water reticulation • Fire loading • Certification of works
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8.2 External referrals

The application was referred to the following external agency(s):

8.2.1 Concurrence agency(s)

- **Department of Infrastructure, Local Government and Planning**

Reconfiguring a lot – development impacting State transport infrastructure and thresholds – Schedule 10, part 9, division 4, subdivision 1

Development application for reconfiguring a lot that is assessable development with a combined total site area of 32,000m² intended for industry activity.

The Department of Infrastructure, Local Government and Planning has imposed conditions in relation to the following:

- Road works – lane widening; or
- Pay monetary contributions to the Department of Transport and Main Roads for the future upgrade of exit 38.

9 PUBLIC NOTIFICATION

There were no submissions submitted for this application.

10 CONCLUSION

Council is in receipt of an application for a development permit for a reconfiguring a lot to subdivide one into seventeen (17) community title lots at 84 - 160 Christensen Road South, Stapylton.

After a detailed assessment, it has been determined the proposal meets the purpose of the Strategic framework, the High impact industry zone and all applicable overlay and development codes.

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

11 NOTIFICATIONS

The following property notifications will be applied:

- **Water and Waste**

All owners, occupants and users of this land should be aware that the site abuts key strategic community facilities, including the Stapylton Landfill and Stapylton Sewage Treatment Plant. As such the site is located in the *City Plan 2016 (Version 4)* Industry, community infrastructure and agriculture land interface area. All relevant parties should be aware that the overlay area is provided as a risk management tool to manage unexpected or accidental emissions from a facility; as stipulated in the *Odour Impact Assessment from Development Guideline*, Department of Environment and Heritage Protection (2013). The City of Gold Coast takes all reasonable measures to manage these facilities in such a way to minimise impacts and emissions. Relevant parties should acknowledge the purpose of the overlay in the conduct and operation of any use of the site.

12 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority, the Manager of City Development approves (with conditions) the issue of a development permit reconfiguring a lot one into seventeen lots, in accordance with the attached decision notice.

Author:

Adam McKenzie

Planning officer

1 August 2018

Authorised by:

Mick Moran

Manager City Development