

**CITY DEVELOPMENT BRANCH
DELEGATED AUTHORITY REPORT ON DEVELOPMENT PERMIT FOR RECONFIGURING A LOT
(COMMUNITY TITLE SUBDIVISION TO CREATE 1 INTO 7 INDUSTRIAL LOTS, COMMON
PROPERTY, BALANCE LOT, STORMWATER LOT AND NEW ROAD) AND OPERATIONAL
WORK FOR CHANGE TO GROUND LEVEL (MAJOR WORKS) AT 60 STAPYLTON JACOBS WELL
ROAD, STAPYLTON
COM/2020/262
DIVISION 1**

1 APPLICATION SUMMARY

Application information	
Address	60 Stapylton Jacobs Well Road, Stapylton
Lot and plan	Lot 501 on SP295994
Site area	Subject site – 64.239ha • Stage 2 site area: 31.522ha • Balance site area: 13.072ha
Properly made date	26 November 2020
City Plan version	The site is subject to a Preliminary approval for making a Material change of use to override the Planning Scheme for industry uses granted on 4 March 2013 (Council ref: MCU201100650) and most recent Minor change approval (Council ref: MIN/2020/659).
Zone / Precinct	Land use classification for M38 Industrial Park: • Low impact and service industry; and • Limited general impact business precinct.
Overlays	• Good Quality Agricultural Land (OM02-1); • Potential Bushfire Hazard Areas (OM10-1); • Natural Wetland and Waterways Areas (OM11-1); • Acid Sulphate Soil Hazards Areas (OM14-1); • Natural Hazard (Flood) Management Areas (OM17-5); • Conservation Strategy Plan (OM20-1); • Scenic Tourist Routes (OM22-1); and • Extractive Resources (OM23-1).
Proposed use	Reconfiguring a Lot (Community Title Subdivision to create 1 into 7 Industrial lots, common property, balance lot, stormwater lot and new road) and Operational Works for change to ground level (Major works)
Categories of development and assessment	Code assessment
Applicant and Applicant's consultancy team	Fraser Property Australia Pty Ltd (Applicant) Gassman Development Perspectives (Town Planning consultant / Engineering / Landscape concept) Rytenskild Traffic Engineering (Traffic Impact)

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	Assessment)	
Land owner	Australand Industrial No. 89 Pty Ltd	
Submissions	Objections	Support
	Not applicable.	Not applicable.
Key matters raised by submitters	Not applicable.	
Decision due date	1 April 2021	
Referral agencies	SARA - Planning Group - Queensland Treasury. - Reconfiguring a lot near a State transport corridor – Schedule 10, Division 4, Subdivision 2, Table 1, Item 1 - Aspect of development stated in schedule 20 – Schedule 10, Part 9, Division 4, Subdivision 1 , Table 1	
Officer's recommendation	Approval with conditions.	

2 PROPOSAL

The purpose of this report is to assess an application for a development permit for reconfiguring a lot to subdivide 1 into 7 Community title Industrial lots, common property, balance lot, public stormwater lot and new public road and development permit for Operational works to Change ground level (Major works) at 60 Stapylton Jacobs Well Road, Stapylton.

The proposed industrial lots will range in allotment areas from 2,352m² to 9.593ha with landscaped buffers provided along the eastern property boundary in accordance with the Preliminary Approval.

The proposed development is also supported by a detailed earthworks strategy for the subject site that will provide at grade access to each lot and ready to be built industrial development pads.

Development within the M38 Industrial Park, including the site, is subject to a Preliminary approval for making a Material change of use to override the Planning Scheme for industry uses (under s242 of SPA), approved 4 March 2013 (Council ref: MCU201100650 and MIN/2020/659). It should be noted that a decision notice for Reconfiguring a Lot (Community Title Subdivision to create 1 into 22 Industrial lots, common property, balance lot, stormwater lot and new road) for Stage 1 of the M38 Industrial Park development was issued on 19 February 2021.

This approval gives effect to the M38 Industrial Estate Place Code which applies to development located within the M38 Industrial Park as shown in Figure 1.

The applicant has noted that *'the tenure arrangements sought are to allow for a unique park and amenity area to be established within the proposed park lot to service the immediate workforce of the estate. As well as providing beautified open space and lunch setting/seating areas, a range of fitness equipment will be provided. This ties in to envisaged walking and running circuits around the estate that will utilise the standard Council footpath within proposed road reserves'*.

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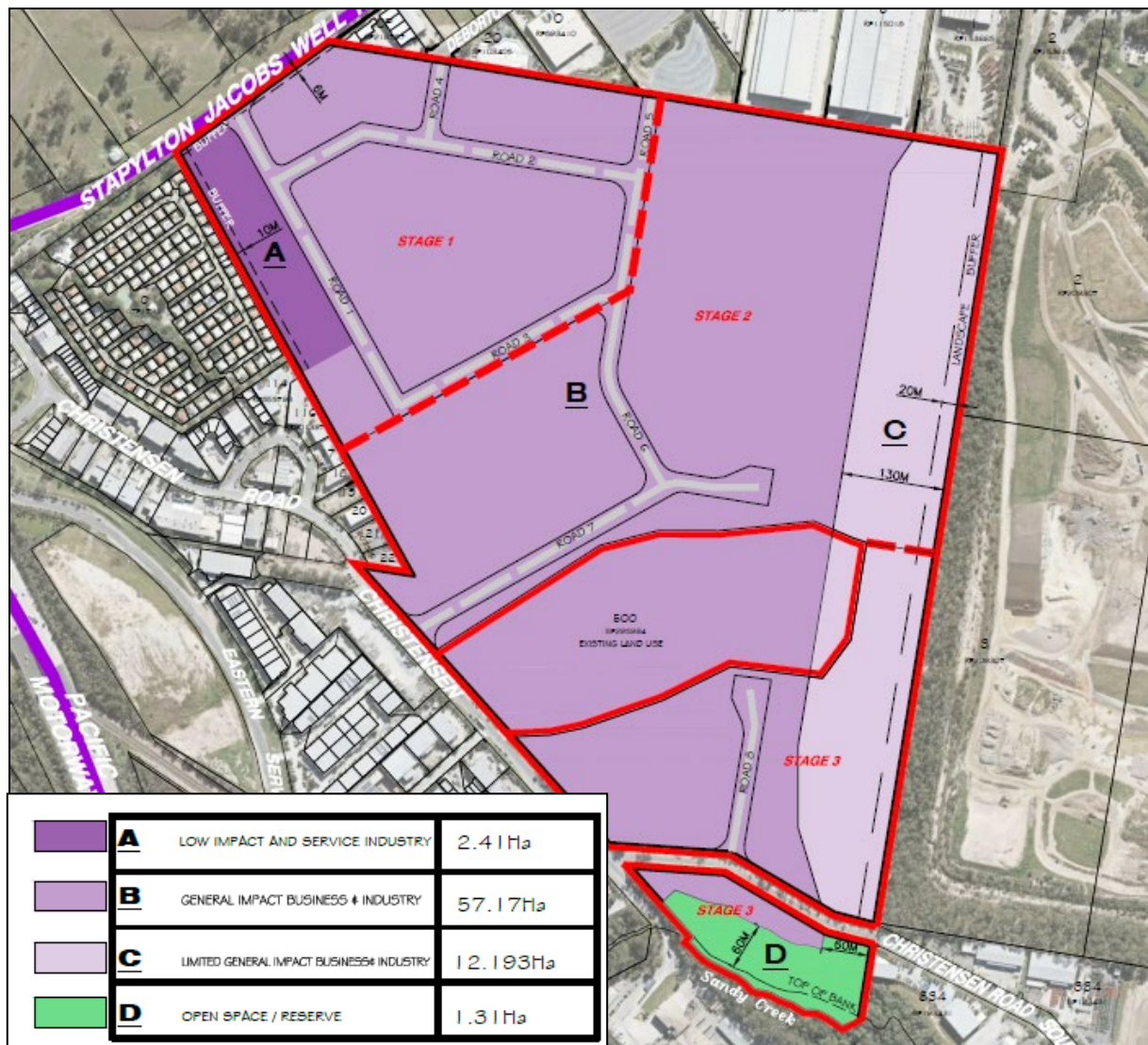


Figure 1: Land Use Classification and Staging Plan dated 18 June 2020 (Source: Gassman Development Perspectives)

Table B of the M38 Industrial Estate Place Code categorises the proposal development for Operational works for change to ground level (Major works) as subject to Code assessment.

Table F of the M38 Industrial Estate Place Code categorises the proposed development for Reconfiguring a lot as subject to Code assessment as the proposed development '*entails only a Community Title Subdivision (including Standard Format Plans and/or Volumetric Lots)*' within Precincts B & C.

The development proposal for the Reconfiguration of a lot to subdivide 1 into 7 Industrial lots, common property, balance lot, stormwater lot and new road is considered to be generally in accordance with the Land Classification and Staging Plan included as Figure 1 and is outlined in the table below:

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Development proposal	
Proposed Lot	Size
201	9.566ha
202	4.36ha
203	2.586ha
204	2.075ha
205	3.918ha
206	3.848ha
207	2,352m ²
Common property	2.469ha
Drainage reserve	1.426ha
Road	7,248m ²
Total	310,208m ² 31.208/ha

The development parameters of the proposal are outlined in the table below:

Development parameters	
Landscaping	10 metre buffer provided to the eastern boundary (for Precinct C)
Lot size	Proposed lots range from 2,352m ² to 9.593ha
Stormwater and water quality	Bio-retention basin to be dedicated to Council as part of Stage 2 of the development.
Provision of new road	While the lots will be part of the M38 Industrial Park Community Title estate, the proposed new roads will be public roads.
Provision of Electricity and Telecommunication	The existing electricity and telecommunication infrastructure will need to be augmented to service the proposed development.
Provision of new road	While the lots will be part of the Vantage Yatala community title estate, the proposed new roads will be public roads.
Access to Stage 2 via Stage 1	Formal access will to the area of Stage 2 will be facilitated via Fairway Street and Homestead Drive which form part of Stage 1.
New intersection	Construct Christensen Road/ New Road 01 intersection with Type CHR (Channelised Right) and AUL (Auxiliary Left) turn lanes on Christensen Road.
Sewer and Water	Conditions are been imposed for the connection of sewer and water reticulation to proposed lot.
Geotechnical Engineering	Earthwork and Cut/Fill Batters.
Vegetation clearing	Not applicable as site has been previously cleared in accordance with an approval (Council ref: OPW201801219).
Provision of Electricity and Telecommunication	The existing electricity and telecommunication infrastructure will need to be augmented to service the proposed development.
Earth Batters design	Batters of a height up to 7.5 metres are proposed.

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Land dedication	Proposed non-standard bioretention basin agreed to by City Assets and EC of Environment & Engineering City Development.
Street trees	Internal public roads.
2003 Planning Scheme – Land development guidelines (Hydraulic assessment)	- Stormwater quality and quantity - Community title scheme - Lawful point of discharge - External catchment - Major/minor drainage system

The following subdivision plan provides an initial view of the proposed development.

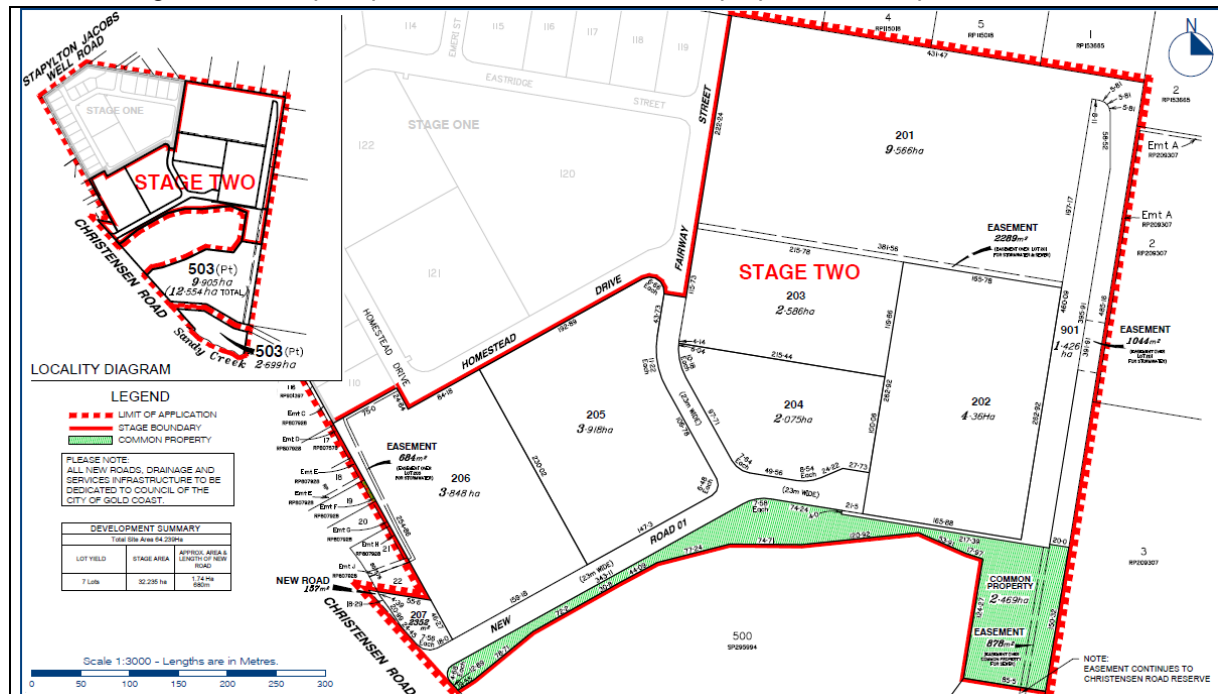


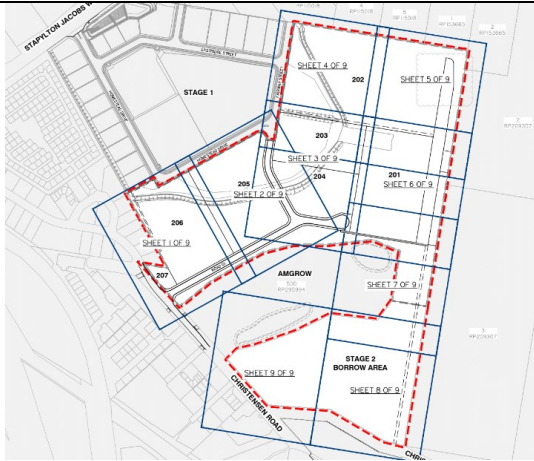
Figure 2: Proposed plan of subdivision dated 31 March 2021 (Source: Gassman Development Perspectives)

The proposed operational works involves bulk earthworks to establish the surface levels required to facilitate the construction of an industrial estate (7 lots subdivision) as well as a portion of the Stage 3 area. No retaining walls was proposed to facilitate to establish the subdivision.

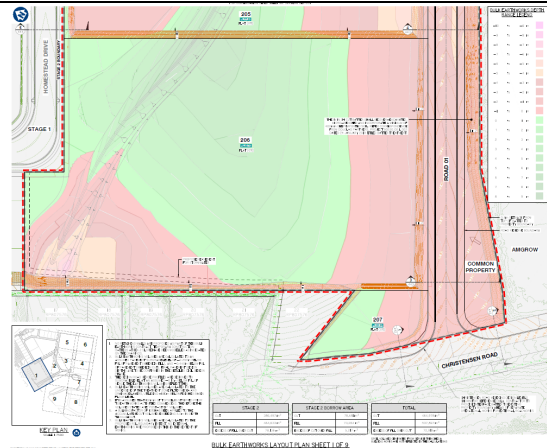
Stage 2 – Change to ground level Total	
Cut	464,978m ³
Fill	537,897m ³
Excess of fill over cut	72,919m ³

The following bulk earthworks proposal plan provides an initial view of the proposed earthworks.

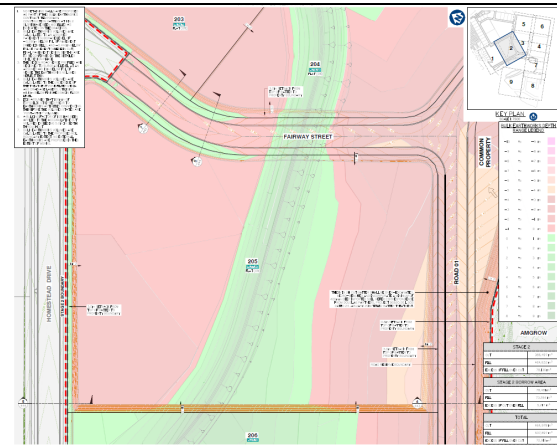
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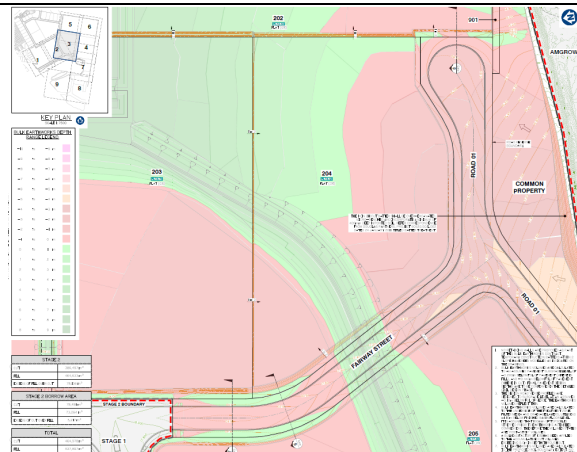
Bulk earthworks plan areas



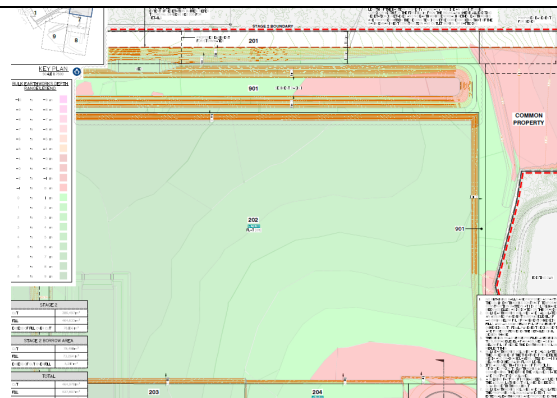
Plan area 1: Bulk Earthworks



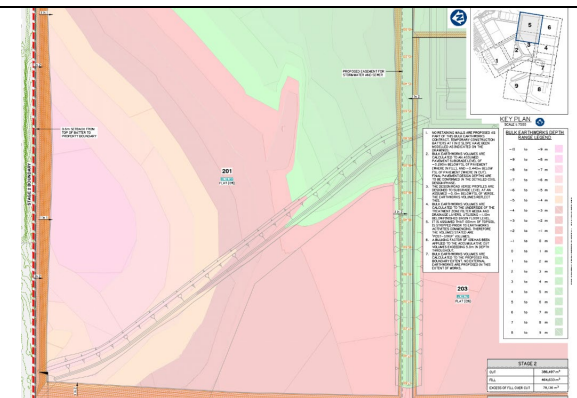
Plan area 2: Bulk Earthworks



Plan area 3: Bulk Earthworks

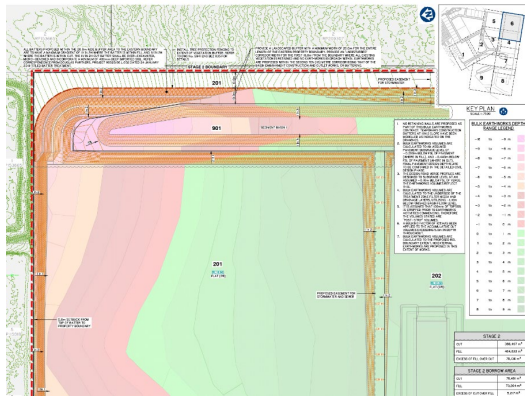


Plan area 4: Bulk Earthworks

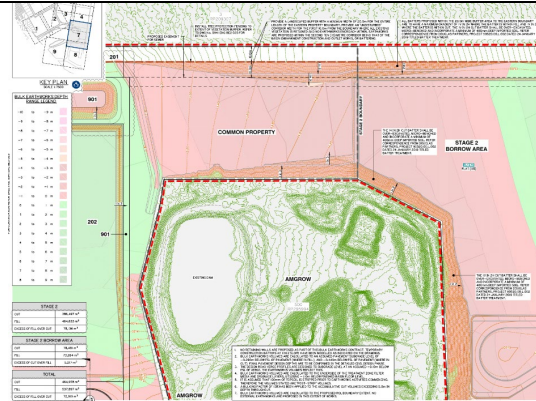


Plan area 5: Bulk Earthworks

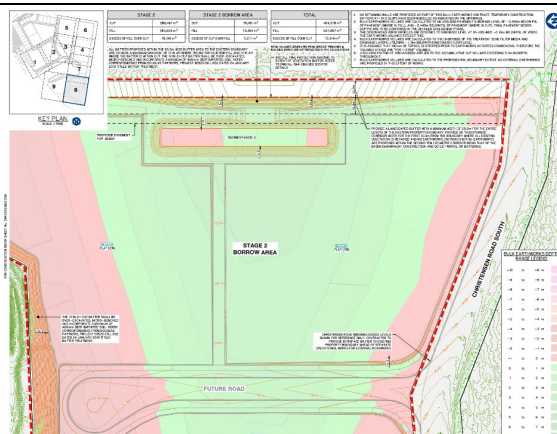
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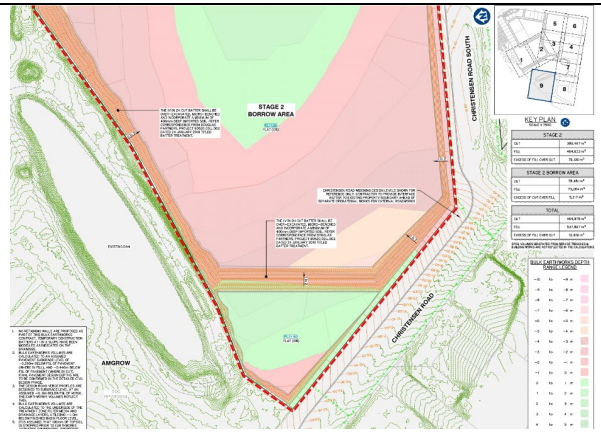
Plan area 6: Bulk Earthworks



Plan area 7: Bulk Earthworks



Plan area 8: Bulk Earthworks



Plan area 9: Bulk Earthworks

The following Sections show the some of the finished bulk earthworks levels over the site.

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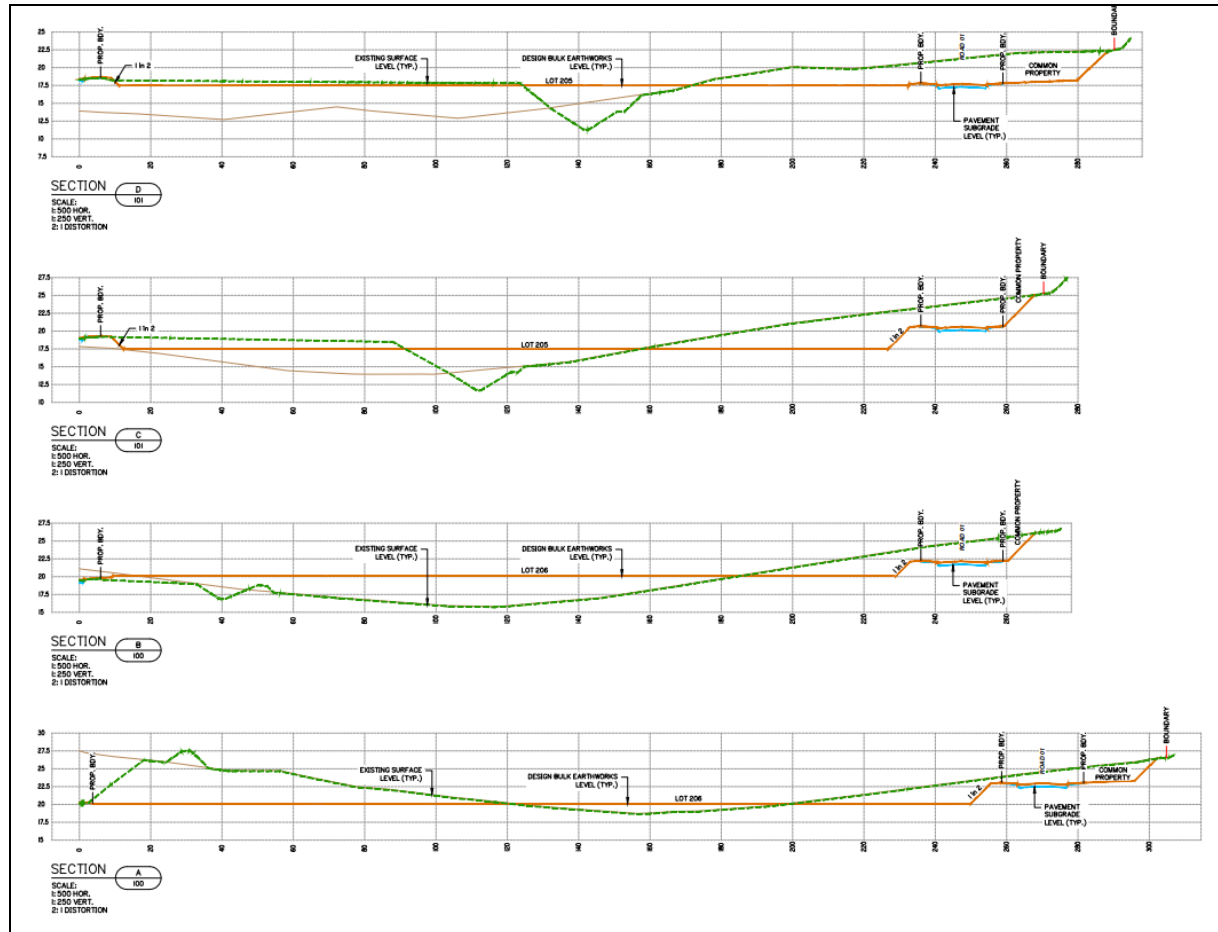


Figure 3: Finished Bulk Earthworks Cross Sections Sheet 1 of 13 dated 20 November 2020 (Source: Gassman Development Perspectives)

3 KEY CONSIDERATIONS

The key considerations of the proposal include:

Stormwater

The applicant has proposed to construct a stormwater basin to be transferred to Council upon registering the plan of subdivision as shown in Figure 4 below.

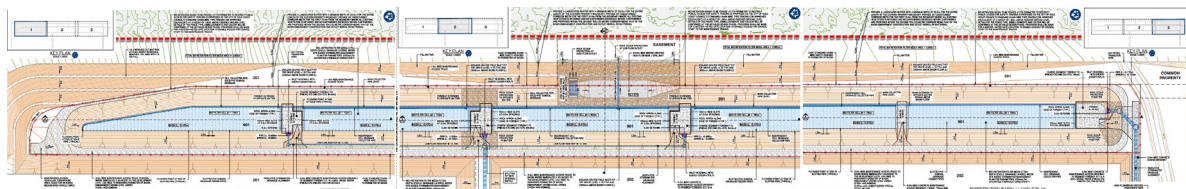


Figure 4: Operational Phase Bioretention Basin Sheet 1 of 1-3 dated 31 March 2021 (Source: Gassman Development Perspectives)

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Hydraulic Assessment officers have reviewed the proposal and provided the following assessment:

'Hydraulic officers reviewed the submitted plans of development and associated stormwater management plan proposing a large and very long / linear shaped stormwater basin for treatment and detention purpose. Officers issued an information request for the following items to be amended or clarified:

- The proposed bio-retention basin filter media area being 4,000m², it is required to be properly designed as multiple cells and no cell size being greater than 800 m². Other aspects of the basin design e.g., batters, maintenance access, scour protection etc. are required to be in accordance with the Land development guidelines;*
- Council will not accept the basin as a contributed asset unless it is fully complied with Council's design standards of the Land development guidelines;*
- External flow management through the site ensuring no adverse hydraulic impacts;*
- Details of major/minor drainage design supported with appropriate design drawings;*
- Appropriate control measures for construction phase stormwater quality management.*

After the information request was issued, a meeting was held with the applicant and their hydraulic consultant to discuss further about the outstanding stormwater design issues. Internally, hydraulic assessment officers consulted with contributed assets officers and SQIDs (assets) maintenance officers to workout a suitable design of the large bioretention basin. Officers put significant efforts to ensure stormwater runoff will uniformly distributed during most rain events so that the plants survive and the basin functions in the long run.

Finally, officers advise the applicant to provide flow distribution systems with multiple outlets into the basin that will facilitate better distribution of runoff over the entire basin surface. Other aspects of the basin design, e.g., maintenance track widths, location of sediment forebays, low flow outlets from each cell, etc. were also agreed between Council officers and hydraulic consultant. Based on officers' recommendations, the applicant submitted a revised stormwater management plan associated with agreed basin layout plan and conceptual design.

Hydraulic assessment officers reviewed the revised set of application materials and determine the proposal generally complies with the relevant assessment benchmarks'.

Trunk sewer

Trunk conditions are required to be provided to service the proposal being stage 2 of the Vantage Industrial development.

The required trunk sewer includes:

- GST01A – 191 metres of DN150 gravity sewer; and
- GST01B – 885 metres of DN 225 gravity sewer.

4 SITE CONTEXT

4.1 Subject site



Figure 5: Aerial (Source: EPE City Development Mapping)

The overall subject site is irregular in shape and has a frontage to Christensen Road to the south west. The subject sites are located approximately 0.5kms east of the M1 Motorway, with access from Stapylton Jacobs Well Road and Christensen Road which will be provided via the new roads that form part of Stage 1.

The subject site has been cleared to facilitate development for industry uses. As such, no vegetation is proposed to be removed as part of the application. The following figures show the subject site from the existing access on Stapylton Jacobs Well Road.

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Figure 6: Photo looking north west from Christensen Road (Source: Site photo taken 10 December 2020)



Figure 7: Photo looking south east from Stage 1 (Source: Site photo taken 10 December 2020)

4.2 Immediate context

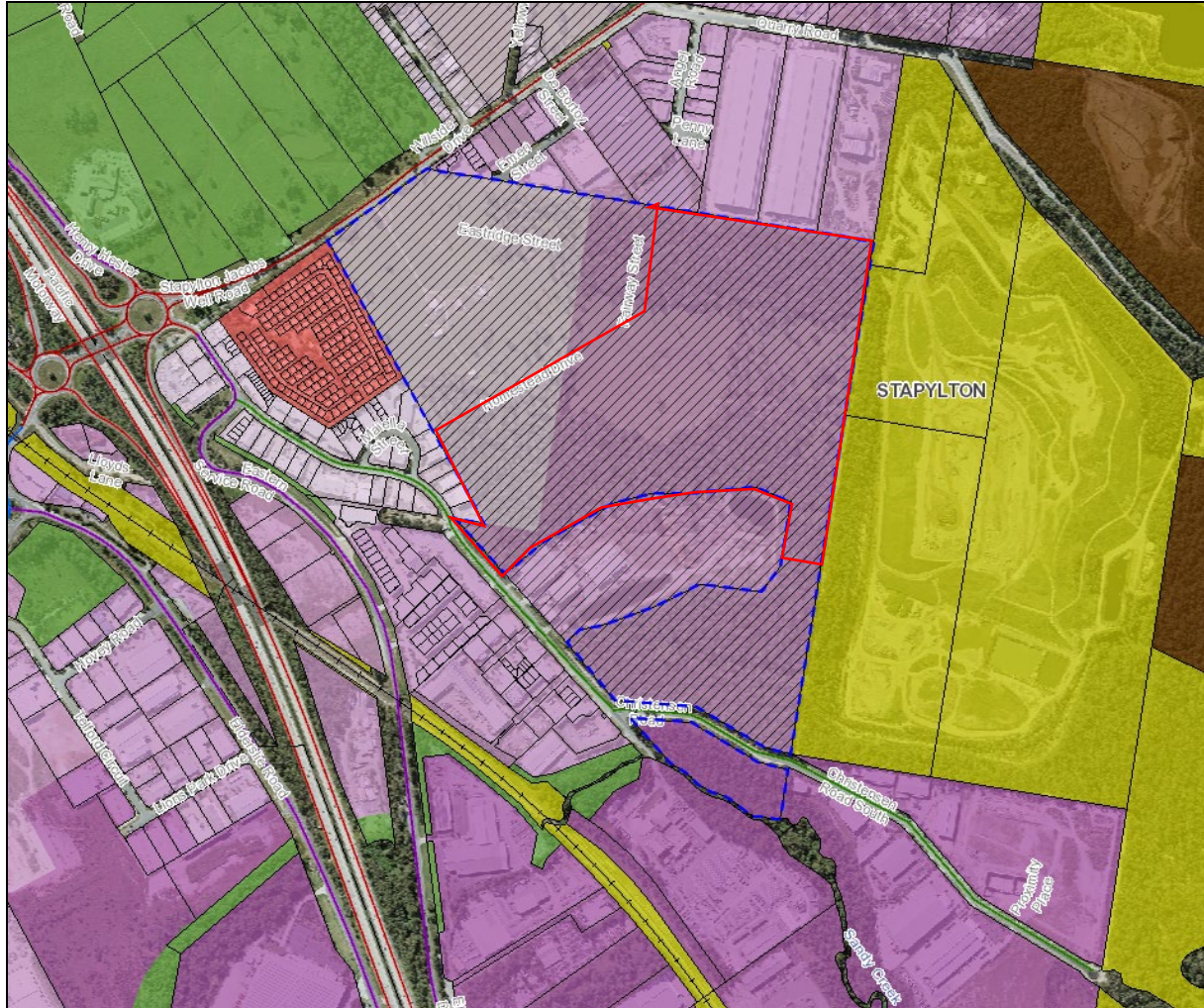


Figure 8: Zone Mapping of immediate area (Source: City Plan Interactive Mapping – Version 8)

To the immediate north west of the site is Stapylton Jacobs Well Road and farming land and predominantly flood-prone land located in the Open space zone.

The site immediately abuts a range of industrial uses to the north that obtain access from De Bortoli Road, Emeri Street, Angel Road and Quarry Road.

To the immediate west of the site, lying closest to Stapylton Jacobs Well Road is 'The Lodge' relocatable home park which is located in the Medium density residential zone.

To the immediate east of the site lies the Stapylton land-fill and recycling centre located in the Special purposes zone which is heavily buffered from the site with vegetation. Boral quarry adjoins this site to the east.

4.3 Local context

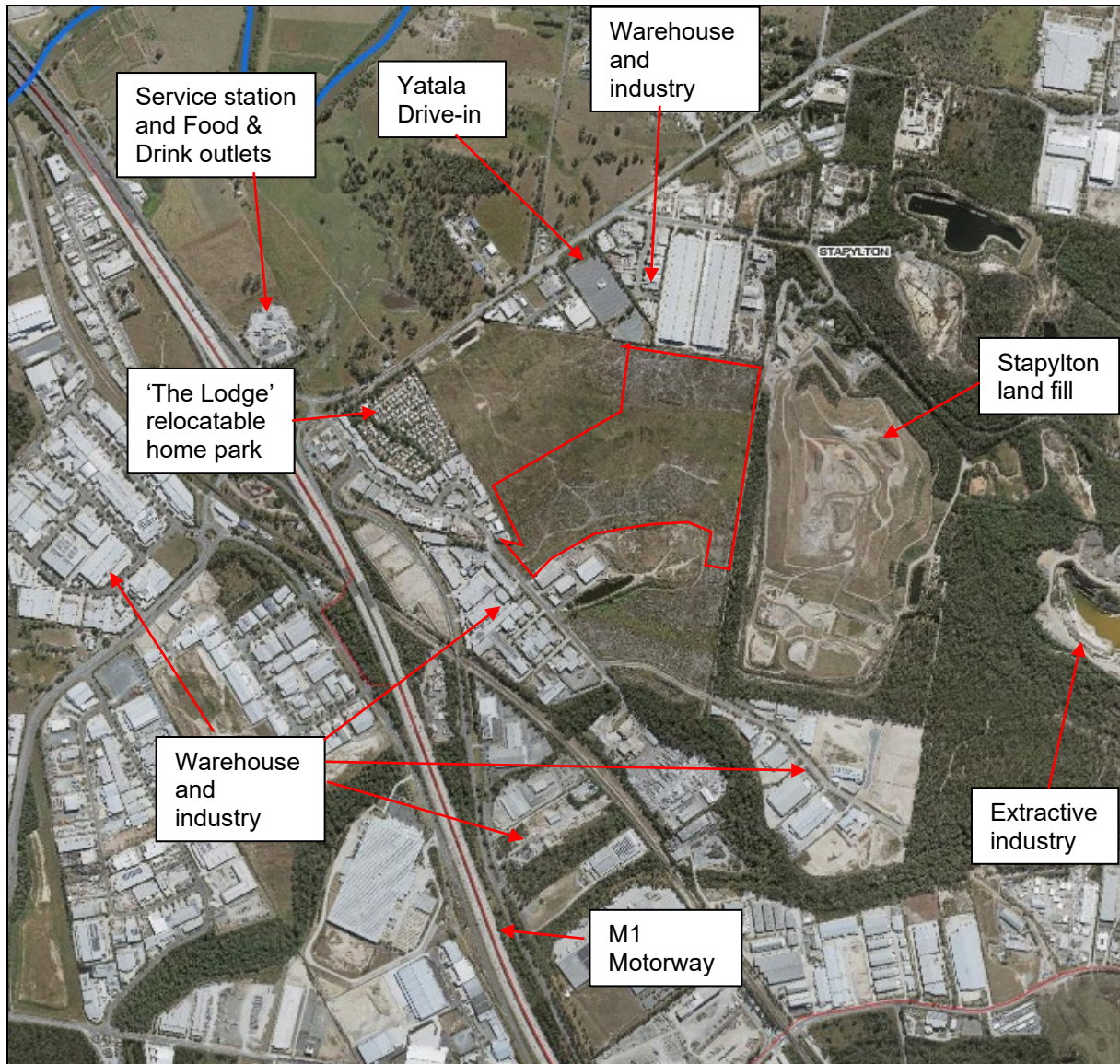


Figure 9: Zone Mapping of immediate area (Source: City Plan Interactive Mapping – Version 8)

As can be seen in the above figure, the surrounding land uses are predominantly industrial in nature.

5 PLANNING ASSESSMENT

Section 45(3) of the *Planning Act 2016* identifies:

- (3) A **code assessment** is an assessment that must be carried out only –
- (a) against the assessment benchmarks in a categorising instrument for the development; and
 - (b) having regard to any matters prescribed by regulation for this paragraph.

The proposed development triggers code assessment and has been assessed in accordance with Section 45(3) of the *Planning Act 2016*.

5.1 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).
<i>Planning Regulation 2017</i>	The proposal triggers assessment against the State development assessment provisions as the proposed development exceeds State transport infrastructure (thresholds). The application was referred to Queensland Treasury (Planning Group) who was identified in Schedule 10 to act as a Concurrency Agency. This is discussed in section 8.2 within this planning report.

5.2 Local categorising instruments

The application has been assessed against the following instruments:

Local categorising instrument	Comment
Temporary Local Planning Instrument	The proposal does not trigger assessment against any temporary local planning instruments.
Preliminary Approval (section 242 of SPA 2009)	The proposal does trigger assessment against a Preliminary Approval (section 242 of SPA 2009). This is discussed in section 5.2.1 below.
City Plan (Version 8)	The proposal is within the City Plan area of the City of Gold Coast. The proposal triggers requirement for new trunk infrastructure to service the development. The required trunk sewer includes: • GST01A – 191 metres of DN150 gravity sewer; and • GST01B – 885 metres of DN 225 gravity sewer.

5.2.1 Effect of the M38 Industrial Plan Code

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Development within the M38 Industrial Park area as identified in Figure 1 is subject to the M38 Industrial Estate Place Code. Part 2.1.7 of the M38 Industrial Place Code states that the

'M38 Industrial Estate Place Code only applies to the specific forms of development outlined within the Table of Development in Clause 4.0. All other forms of development are subject to the relevant planning provisions of the Gold Coast City Council, which is currently the Gold Coast Planning Scheme 2003, as amended'.

Part 5.1.7 specifies the relevant codes that apply to the development that is code or impact assessable for Reconfiguring a lot.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
M38 Industrial Estate Place Code	11 Changes to Ground Level and Creation of New Water bodies 21 Landscape work 28 Reconfiguring a Lot 36 Vegetation Management 39 Works for infrastructure	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 12 Rail Corridor Environs 13 Road Traffic Noise Management 14 Sediment and Erosion Control 15 Service Roads (Pacific Motorway) 16 Steep Slopes or Unstable Soils 17 Unsewered Land

Figure 10: Part 5.1.7 of the M38 Industrial Estate Place Code (Source: M38 Industrial Estate Place Code dated June 2020)

Part 5.1.4 specifies the relevant codes that apply to the development that is code or impact assessable for Operational work for Changes to ground level.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
M38 Industrial Estate Place Code	11 Changes to Ground Level and Creation of New Water bodies	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 6 Cultural Heritage (Indigenous) 7 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control 16 Steep Slopes or Unstable Soils

Figure 11: Part 5.1.5 of the M38 Industrial Estate Place Code (Source: M38 Industrial Estate Place Code dated June 2020)

The following is an assessment of the application against the applicable sections of the M38 Industrial Estate Place Code.

The Purpose of the M38 Industrial Estate Place Code reads as follows:

'The M38 Industrial Estate Place Code seeks to ensure that the scale and intensity of development including the impact, design and appearance of industrial development for this land is consistent with the role of the site and the YEA as a regionally significant location for industrial development. These provisions also aim to ensure that the intent of the Place Code is followed and high standards of urban design and architecture are promoted'.

Assessment against the M38 Industrial Estate Place Code

Under the M38 Industrial Estate Place Code, 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.

The proposal is to be assessed against the requirements of the Preliminary Approval and includes the M38 Industrial Estate Place Code and the applicable codes within the Gold Coast Planning Scheme 2003 (version 1.2).

5.2.2 Assessment against the Strategic framework

The proposal is code assessment and does not trigger assessment against the strategic framework.

The *Planning Act 2016* requires codes assessable development (bounded assessment) to be carried out only against the assessment benchmarks stated in the categorising instrument (City Plan) and have regard to matters prescribed by the regulation.

Section 43 (2) (c) of the Planning Act 2016 states for code assessment, a strategic outcome (strategic framework) is not an assessment benchmark.

5.3.2 Assessment against the codes

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

Zone code	Overlay codes	Development codes
M38 Industrial Estate Place Code (Preliminary approval code)	- Canals and Waterways; - Flood Affected Areas; - Nature Conservation; and - Sediment and Erosion Control.	- Changes to Ground Level and Creation of New Water bodies; - Landscape Work; - Reconfiguring a Lot; - Vegetation Management; and - Works for Infrastructure.

5.2.3 Assessment against the M38 Industrial Estate Place Code

The proposal has been assessed against the Precinct B (General Impact Business and Industry) and Precinct C (Limited General Impact Business and Industry) of the M38 Industrial Estate Place Code.

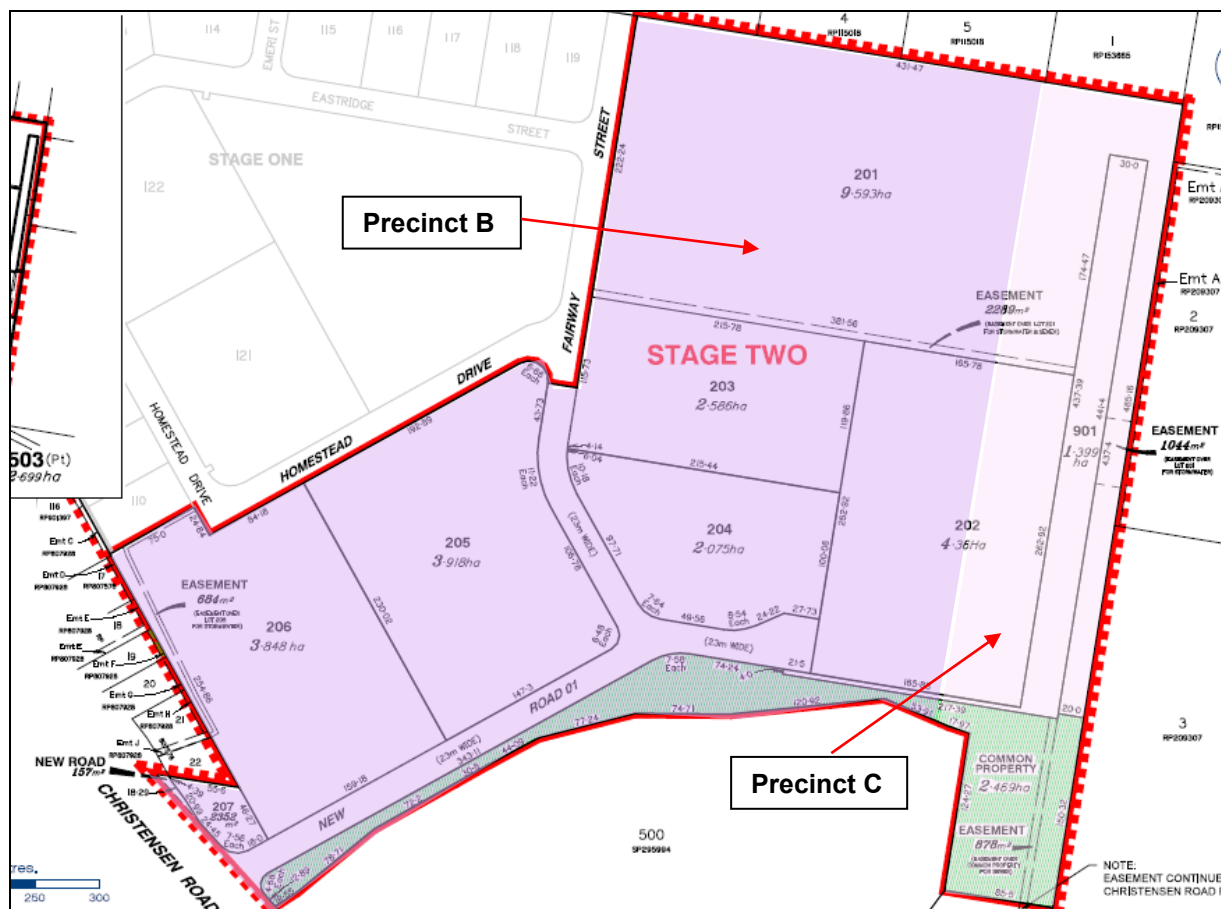


Figure 12: Proposed plan of subdivision (Source: Gassman Development Perspectives)

Intent of Precinct B (General Impact Business and Industry)

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The intent of Precinct B promotes land uses and allotment sizes that would ordinarily be located within Precinct 1 Land use designation of the YEA LAP (minimum lot size of 2,000m² and average area of 1ha). The proposed Lot sizes within Precinct B range from 2,352 to 2.586ha. Proposed lots 201 and 202 are to be located in both Precinct B and C.

Intent of Precinct C (Limited Impact Business and Industry)

The land-uses promoted in this precinct are understood to be similar to that of Precinct A and B. This precinct is responsive to established nearby heavy industrial uses and mindful of likely odour impacts and therefore food and industry and related uses are not envisaged within this precinct (minimum lot size of 1ha and average area of 1ha). The application proposes to establish the stormwater lot and a portion of the Common property within this precinct.

Assessment has determined the proposal for Stage 2 is consistent with the intent of these Precincts.

Officers have undertaken an assessment of all relevant provisions. The proposed development is compliant with all applicable acceptable solutions with the exception of the following:

- AS25.6 – Landscape design
- AS34.1 – Lot size (Lot shape)
- AS36.1 – Lot size (Open space)

Landscape design

Performance outcome	Acceptable outcome
PC25 Landscape design is used to enhance the landscape character of the YEA.	AS25.6 A minimum ten (10) metre wide north south landscape buffer is provided along the western boundary of the site adjoining the existing residential uses generally as outlined on the Landscape Intent Plan prepared by Gassman Development Perspectives and titled 5093 L LI 03.

Officer's comment

The applicant has provided the following Statement of Landscape Intent Plan:

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Figure 13: Statement of Landscape Intent dated February 2021 (Revision B) (Source: gassman Development Perspectives)

Landscape Assessment have reviewed the proposed development for Stage 2 and provide the following comments:

'Compliance with AS25.1 is not achieved as landscaping of individual lots is not proposed in association with the development; it is arguable as to whether it is applicable to the development and it is not considered appropriate or practical to require the landscaping to be carried out in association with the ROL; however, the works proposed should not create a situation where the future development cannot comply with these requirements. Of most relevance in this regard is the proposed change to ground level, as landform and retaining walls have a significant impact on the ability of the future development to provide the required landscaping. In this instance, the applicant has nominated a 3m strip adjacent the street frontage for most lots which is relatively flat and does not contain any substantial batters. While this does not allow compliance with the 5m average width referenced in the acceptable solution, it is generally considered appropriate and meets the PC'.

Accordingly, the proposal complies with PC25 of the code.

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Lot size (lot shape)

Performance outcome	Acceptable outcome
PC34 Allotments are of regular shapes suited to the intended uses, and allowing design flexibility, efficient development and access.	AS34.1 Development generally incorporates all of the following features: a) allotments that are rectangular shapes; b) allotments which have frontage to depth ratios between 1:2 and 1:4. OR AS34.2 Alternative allotment shapes are provided where warranted, due to: a) the special site requirements of particular industries; and/or b) exceptional physical constraints. OR AS34.3 The development incorporates a small proportion of battle axe allotments, where particular industries have special requirements for square or long and narrow sites. (Battle-axe allotments are useful for creating allotments of such shapes, as well as reducing road frontage construction costs and providing appropriate sites for visually offensive industries.).

Officer's comment

The applicant has noted that the *'lot layout is uniform where possible, whilst catering for large scale industrial users in the centre of the development. Off shaped lots are only in place where impacted by adjacent fixed features, such as existing buildings, road or proposed stormwater infrastructure'*.

Planning Assessment reviewed the proposal plans and support the proposed lot layout considering the irregular shape of the Stage 2 area.

Accordingly, the proposal complies with PC34 of the code.

Lot size (open space)

Performance outcome	Acceptable outcome
PC36 Reconfiguration of land incorporates open space provision in a way which takes account of the	AS36.1 Where reconfiguration takes place, an area of up to 10% of the site is provided as open space. This open space is set aside for public park or conservation

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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.	purposes, developed with pathways and/or recreational facilities, landscaped and/or rehabilitated to its natural state. AS36.2 Reconfiguration proposals incorporate a plan showing street planting to be undertaken. Planting themes contribute to the overall streetscape character of the estate.
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Officer's comment

The applicant has noted that *'the proposed development includes a significant park and recreation facility, along with multiple walking and running tracks'*.

Planning Assessment reviewed the proposal plans and proposed development for Stage 2 and consider the Open space area that is provided is considered appropriate in providing pedestrian/cycle linkages and recreational facilities.

Further, Stage 1 provide for a landscaped entry statement placed at the formal development entry from Stapylton Jacobs Well Road to identify the character of the industrial estate.

Accordingly, the proposal complies with PC36 of the code.

Lot size (Community Title Scheme Subdivisions)

Performance outcome	Acceptable outcome
PC37 Reconfiguration may take place in the form of Community Title subdivision, allowing for sharing of space, facilities and services, while at the same time ensuring allotments created are suited to the intended businesses/industries.	AS37 Community Title subdivisions within Precincts AC (Industrial) are provided, which: a) are consistent with the Acceptable Solutions for PCs 32-36 ; b) generally maintain a minimum lot size of 100-200m ² within a minimum overall site area of 2,000m ² ; c) are not used for heavy manufacturing, metal/food processing, or noxious, offensive or hazardous industries.

Officer's comment

The applicant has noted that *'a CTS is proposed to provide unique park and recreation facilities through the development. The lot layout and sizing remains consistent with those envisaged in such an industrial area'*.

The proposed development complies with the minimum lot sizes. Whilst the proposed lots exceed the average area of 1ha, the proposed lots allow for access to recreational areas proposed within the common property area.

Accordingly, the proposal complies with PC37 of the code.

5.2.4 Assessment against constraint codes

The proposal has been assessed against the following overlay codes:

- Canals and Waterways;
- Flood Affected Areas;
- Nature Conservation; and
- Sediment and Erosion Control.

Canals and Waterways, Flood Affected Areas, Nature Conservation and Sediment and Erosion Control

Officers have undertaken an assessment of all relevant provisions and the Canals and Waterways, Flood Affected Areas, Nature Conservation and Sediment and Erosion Control code. The proposed development complies with the applicable acceptable outcomes of the codes. In accordance with section 5.3.3 of the City Plan, this means the development complies with the purpose and overall outcomes of the codes – therefore complies with the codes.

5.2.5 Assessment against development codes

The proposal has been assessed against the following overlay codes:

- Change to Ground Level and Creation of New Waterbodies
- Landscape Work
- Reconfiguring a Lot
- Vegetation Management
- Works for Infrastructure

Landscape Work code, Vegetation Management code and Works for Infrastructure code.

Officers have undertaken an assessment of all relevant provisions and the Landscape Work code, Vegetation Management code and Works for Infrastructure code. The proposed development complies with the applicable acceptable outcomes of the codes. In accordance with section 5.3.3 of the City Plan, this means the development complies with the purpose and overall outcomes of the codes – therefore complies with the codes.

Change to Ground Level and Creation of New Waterbodies

Assessment has been undertaken against the applicable Performance outcome or Overall outcome and Purpose for each subject matter as follows:

- Local Amenity, Noise and Emissions

Local Amenity, Noise and Emissions

Performance outcome	Acceptable outcome
PC6 All work associated with any development must not create a negative impact upon the amenity of surrounding properties.	AS6.2 The cut and/or fill is not retained, and the toe of any batter is no closer than 300mm from a boundary, and: a) the site is located within a residential domain or adjacent to a site in a residential domain, and batters along

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	boundaries are no steeper than one in four and landscaped; or b) the site is located within a non-residential domain, and batters along boundaries are no steeper than 1 in 2 and landscaped.
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Officer's comment

Operational Works Assessment reviewed the proposal and have provided the following assessment:

'The proposal does not include any retaining walls. As a result, OPW has not considered any retaining wall as a part of the assessment. Batter offsets are noted as hard up to the property boundary which does not comply with the LDG. As a result, batter offsets are conditioned on the approved plans.'

'Batters up to 7.5m are proposed for the development without benching. As a result, the current proposal does not satisfy the planning scheme. Notwithstanding this, the batters are mostly proposed on cut formation into the rock surface. In addition, the batters face the applicants property and therefore does not create and adverse amenity impact to surrounding properties'.

Landscape Assessment reviewed the proposal and have provided the following assessment:

'Compliance is not achieved as there are batters up to 1 in 2 along boundaries that are not proposed to be landscaped. The performance criteria requires that the work must not create a negative impact upon the amenity of surrounding properties. As there is no mention of the street amenity, and the adjoining properties are all industrial properties where there is a relatively lesser amenity expectation between lots, it is not considered that the proposed batters will create a negative impact upon the amenity of surrounding properties'.

Further, it has been noted that the relevant conditions of the Preliminary approval have been reviewed and it is confirmed that compliance is achieved with the relevant landscaping conditions.

The following earthworks cross sections show the areas of batters that are steeper than 1 in 2, it is clear that the batters will be predominantly visible from the subject site and not surrounding properties, which lessens visual impacts as



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Figure 14: Aerial and Earthworks Cross Sections (Source: Gassman Development Perspectives)

Accordingly, the proposal complies with PC6 of the code.

Reconfiguring a lot code

Assessment has been undertaken against the applicable Performance outcome or Overall outcome and Purpose for each subject matter as follows:

- Circulation and Access Design

Circulation and Access Design

Performance outcome	Acceptable outcome
PC8 An overall street network must be provided which: a) Has design features which convey the primary function of each type of street and encourage driver behaviour, speeds and traffic volumes that are appropriate to that function; b) Provides a high level of internal accessibility and appropriate external connections for vehicles, pedestrian and cycle movements; c) deters through traffic from residential areas and creates safe conditions for local road users, pedestrians and cyclists; d) incorporates street junctions and accesses to lots that are located and spaced to facilitate safe and convenient vehicle movements; e) provides for street widths and lengths that optimise the cost effectiveness of the network and the provision of public utilities; f) allows for efficient and unimpeded movement of buses, without facilitating high traffic speeds on streets that are identified bus routes.	AS8 Where involving the construction of a new road, the development conforms to Planning Scheme Policy 11- Land Development Guidelines.

Officer's comment

Transport Assessment reviewed proposed development and have provided the following assessment:

'To comply with Acceptable Solution AS8, the intersection of New Road 01 with Christensen Road must conform with Planning Scheme Policy 11- Land Development Guidelines. Section 3.4.5 of this policy requires intersections to be designed in accordance with Austroads. In this regard, the relevant publication is Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections.'

Traffic impacts-

Traffic associated with stages 1 and 2 of the proposed development will distribute via the proposed new intersections with Stapylton Jacobs Well Road and Christensen Road.

The applicant's traffic consultant, Rytenskild Traffic Engineering (RTE), estimates that the proposed development will generate approximately 749 trips in the morning and evening peak hours. This is based on traffic surveys of a similar industrial subdivision at Motorway Circuit, Ormeau.

RTE estimates that 20% of the total development traffic will use the proposed new priority-controlled intersection with Christensen Road. Based on the turn warrants from Austroads Guide to Road Design, RTE recommends provision of Type AUL (auxiliary left) and Type CHR (channelised right) turn treatments on Christensen Road.

While Christensen Road currently serves a closed catchment, Transport Assessment considers that a higher proportion of traffic may use the Christensen Road intersection once the Christensen Road link to Burnside Road is established. A sensitivity analysis has therefore been undertaken to determine the impact if 50% of the development traffic were to use the Christensen Road intersection. The impact of such an increase makes no difference to the required treatment of the intersection.

The New Road 01/ Christensen Road intersection is shown to operate within acceptable performance thresholds both pre and post development, ten years from opening. This includes traffic associated with the future connection of Christensen Road to the south through to Burnside Road.

Intersection design-

The submitted functional intersection layout provided by RTE shows the proposed Type AUL (auxiliary left) and Type CHR (channelised right) turn treatments are compliant with the requirements of Austroads.

Transport Assessment noted that there is a crest in Christensen Road located approximately 110 metres south of the proposed intersection which limits sight distance. RTE investigated this and determined that the available sight distance to the south is 114 metres. Christensen Road is unsigned, meaning the default speed limit of 50km/hr applies. Speed data obtained from traffic counts in the vicinity of the proposed new intersection indicates the 85th percentile speed is in the order of 60km/hr. Under the Normal Design Domain (NDD), Austroads requires a minimum Safe Intersection Sight Distance (SISD) of 123 metres. The proposed intersection location falls nominally short of this requirement i.e. by 9 metres. However, as the proposed new intersection is being installed on an existing road where it is impractical to achieve the normal design domain criteria, Austroads allows for the application of Extended Design Domain (EDD) requirements.

EDD allows for situations where the application of higher order road design principals become impractical or even unachievable due to a combination of constraints. It allows for a safe alternative for situations that do not fully fit within the Normal Design Domain guidelines.

The EDD SISD sight distance requirement is 97 metres, which is achieved by the proposed intersection design'.

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Accordingly, the proposal complies with PC8 of the code as well as Condition 10 of the overarching Preliminary approval which stipulated requirements for External roadworks for Christensen Road and Christensen Road South.

6 INFRASTRUCTURE CHARGES

The final estimated infrastructure charge is \$183,600.84.

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.

Charge calculation

Charges Resolution No. 1 of 2019				
	Qty		Rate	Gross Charge Amount
ROL Proposed Lot	6 Lots	@	\$ 30,600.14	\$ 183,600.84
				\$ 183,600.84
Net Charge Summary				
Gross Charge Amount		Applied Credit Amount		Net Charge Amount
\$ 183,600.84		\$ 0.00		\$ 183,600.84
<i>Applied credit details</i>				
Once Stage 1 MIN/2019/761 (amending ROL/2018/79) has been fully paid, credits will be available to offset charges on this application (COM/2020/262 – ROL Component).				

The total estimated offset value for Trunk sewer works is \$933,000.00.

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 referral area	Conditions/Comments (if not included within report)
OPW Assessment	Part B – Operational work (Change to ground level) General • Timing • Approved drawings Engineering • Rectification of Council's infrastructure • Earthworks Stormwater drainage

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	• Overland flow paths and hydraulic alterations • Detail design and certification of stormwater management devices • Erosion and sediment control Construction management • Compliance with Australian Standard • Haulage access/site management plan • Transport of soil/fill/excavated material • Earthworks as-constructed data • Pre-start inspection • Hold point inspection • Practical Completion • Bond Advice notes • Compliance with conditions • Indigenous cultural heritage legislation and duty of care requirement • Encroachment of works • Fire ant control • Applicant responsibilities • Water usage
Hydraulics and Water Quality	Part A – Reconfiguring a lot General • Amended plans Property • Requirement to register stormwater drainage easement/s • ‘On Maintenance’ requirements for stormwater treatment devices (<i>specific condition</i>) Stormwater Drainage • Overland flow paths and hydraulic alterations Construction Management • Certification of works - Hydraulics and Water Quality • Erosion and sediment control Advice notes • Stormwater

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	Property Notifications Stormwater
Transport Assessment	Part A – Reconfiguring a lot Engineering - Christensen Road/New Road 01 intersection Advice Notes - Development infrastructure - Further development permits / compliance permits (OPW – Infrastructure)
Landscape Assessment	Part A – Reconfiguring a lot Environmental and Landscaping - Landscaping works on private land - Landscape works on private land (future development) - Common property safety Advice Notes - Further development permits / compliance permits (OPW – landscape works).
Open Space Assessment	Part A – Reconfiguring a lot Property - Land transfer Environmental and landscaping - Landscaping works within public open spaces - Public/private interface - Required landscape treatment to batters Advice notes - Development infrastructure - Future development permits/compliance permits (OPW Landscape works) Part B – Operational work (Change to ground level) - Required landscape treatment to batters
Water and Waste	Part A – Reconfiguring a lot General - Timing - Approved drawings Trunk Development Infrastructure - Necessary trunk infrastructure (LGIP identified)

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	Property - Requirement to register easement Engineering - Rectification of Council's Infrastructure Sewer and Water Works - Sewer reticulation - Water reticulation - Fire loading Advice Notes Connections and disconnections - No open trenching of the road pavement for water connections across / in roadways - Further development permits / compliance permits - Connections to, alteration or realignment of Council infrastructure - Operational Works meeting prior to lodgement - Design, Constructability and Minor change applications
Subdivision Engineering	Part A – Reconfiguring a lot Property - Community Management Statement (CMS) Engineering - New roads/intersections - Existing roads/intersections - Footpaths - Street lighting - Electrical reticulation - Telecommunications network - Connection to permanent survey marks Construction management - Certification of works – Subdivision engineering - Road names to be submitted
Geotechnical Engineering	Part A – Reconfiguring a lot Construction Management Certification of works – Geotechnical Engineering

	Part B – Operational work (Change to ground level) Construction Management • Certification of works – Geotechnical Engineering
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8.2 External referrals

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

8.2.1 Concurrence agency(s)

- **Queensland Treasury (Planning Group)**

- **Referral agency response with conditions**
(Given under section 56 of the Planning Act)

The development application is for Reconfiguration of a lot within proximity of a state-controlled road and exceeds the thresholds in Schedule 20 of the Planning Regulation 2017.

The development application was originally properly referred to the State Assessment and Referral Agency on 15 December 2020. On 7 April 2021 the State Assessment and Referral Agency (SARA) received representations from the applicant requesting SARA change its referral agency response.

- **Nature of response**
 Conditions.

Condition 2-

Construct a second approach lane on the northbound Pacific Motorway off ramp and a second departure lane on the Stapylton-Jacobs Well Road leg of the eastern interchange roundabout.

Condition 3-

Manage the impacts on the state-controlled road network generally in accordance with the recommendations of Section 5.2 of the Traffic Impact Assessment, prepared by Rytenskild Traffic Engineering, dated 20 November 2020, reference 20337 and revision 1, which includes the provision of new access intersection via Christensen Road.

Condition 4-

Construct a signalised intersection on Stapylton Jacobs Well Road at New Road 01.

- **Date of response**
 The original response was provided on 10 February 2021 and was replaced with an amended response dated 19 April 2021.

16 PUBLIC NOTIFICATION

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

9 CONCLUSION

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Council is in receipt of an application for a development permit for Reconfiguring a Lot (Community Title Subdivision to create 1 into 7 Industrial lots, common property, balance lot, stormwater lot and new road) and Operational Works for Change to ground level (Major works) at 60 Stapylton Jacobs Well Road, Stapylton.

After a detailed assessment, it has been determined the proposal meets the purpose of the M38 Industrial Estate Place Code and applicable overlay and development codes.

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

10 NOTIFICATIONS

The following property notifications will be applied:

- Stormwater; and
- Stapylton Landfill and Sewerage Treatment Plant.

11 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority, the Executive Coordinator Planning Assessment of City Development approves the issue of a development permit for Reconfiguring a Lot (Community Title Subdivision to create 1 into 7 Industrial lots, common property, balance lot, stormwater lot and new road) and Operational Works (Change to ground level), in accordance with the Attachment entitled: Decision notice— approval (with conditions)

Author:

Alex Ponomareva

Planner

April 2021

Authorised by:

Roger Sharpe

Executive Coordinator Planning Assessment