

1 APPLICATION SUMMARY

Application information		
Address	60 Stapylton Jacobs Well Road, Stapylton	
Lot and plan	Lot 501 SP295994 (future Lot 121 SP316137)	
Site area	Lot 501 SP295994: 642,390m ² Future Lot 121 SP316137: 49,469m ²	
Type of development and proposed use	Warehouse and Manufacturer's shop	
Categories of development and assessment	Code	
Properly made date	24 December 2021	
Decision due date	25 March 2022	
Applicant and Applicant's consultancy team	Fpi Queensland Pty Ltd– (Applicant) Gassman Development Perspectives – (Town Planner) Pace Architects – (Architect) Rytenskild – (Traffic Engineer) Acoustic Works – (Acoustic Engineer)	
Owner details	Australand Industrial No. 89 Pty Limited	
City Plan version	Not applicable	
Preliminary approval	M38 Industrial Place Code	
Zone / Precinct	Low impact industry, Future low impact industry precinct, Medium impact industry, Future medium impact industry, High impact industry.	
Overlays	Not applicable	
Submissions	Objections	Support
	Not applicable	Not applicable
Key matters raised by submitters	Not applicable	
Referral agencies	SARA	
Officer's recommendation	Approval with conditions	

2 PROPOSAL

2.1 Site history

- MIN/2019/762: The Vantage Industrial Estate was created subsequent to a Preliminary approval to override the Planning scheme for Industry uses. The Preliminary approval

included variations to the Gold Coast Planning Scheme 2003 version 1.2, overriding the Yatala Enterprise Area Place Code through the M38 Industrial Place Code.

- MIN/2020/659: On the 3 December 2020, Under delegated Authority, the Executive Coordinator Planning Assessment of the City Development Branch of Council resolved to approve a Minor change to the existing approval (Council reference MIN/2019/762) providing amended conditions relating to infrastructure.
- COM/2022/13: On 4 February 2022 Council was in receipt of a development application for Reconfiguring of a lot and Change to ground level. The Reconfiguring a lot is to establish future lots Lot 120 SP316137, Lot 121 SP316137, and Lot 122 Sp316137. Lot 121 SP316137 is the subject site of this development application.

2.2 Proposed development

The purpose of this report is to assess an application for a development permit for a Material change of use (Code assessable) to establish a Warehouse at 60 Stapylton Jacobs Well Road, Stapylton or more specifically future lot, Lot 121 within Stage 1 of the Vantage Industrial Estate.

The proposal includes the construction of a new two new Warehouses with ancillary office and a Manufacturer's shop included within one of the Warehouse tenancies, on a vacant lot within the Vantage Industrial Estate. The Vantage Industrial Estate was created subsequent to a Preliminary approval to override the Planning scheme for Industry uses. The Preliminary approval included variations to the Gold Coast Planning Scheme 2003 version 1.2, overriding the Yatala Enterprise Area Place Code through the M38 Industrial Place Code. The M38 Industrial Place Code is the overarching categorising instrument for the overall Vantage Industrial Estate.

The M38 Industrial Place Code section 2.1.5 identifies that land use definitions are to be found within Part 4, Division 1, Chapters 1-3 of the Gold Coast City Planning Scheme 2003, as amended. The Our Living City Gold Coast Planning Scheme 2003 Version 1.2 (Amended November 2011) defines the proposed land uses as follows:

Warehouse:

'A building or enclosed land used to store and display goods, merchandise and materials and to sell these only by wholesale. This term does not include a Shop, Showroom, Salvage Yard or Toxic or Dangerous Goods Store.'

Manufacturer's shop:

'Any premises within industrial premises where commodities, articles or goods resulting from the industrial processes undertaken on the premises are sold to the public where the GFA of such premises does not exceed 20% of the GFA of all buildings on the site. Where there is more than one tenancy on the site, the GFA of the Manufacturer's shop does not exceed 20% of the GFA of all buildings within the subject individual tenancy.'

Table A of the Yatala Enterprise Area Local Area Plan Table of Development (As Modified) – Material Change of Use identifies both Warehouse and manufacturer's shop development within Precinct B (General Impact Business and Industry) as Self Assessable. As the proposed development does not comply with all of the Self Assessable benchmarks within the M38 Industrial Place Code, the development is elevated to Code Assessment.

**DELEGATED AUTHORITY REPORT FOR CODE ASSESSMENT DEVELOPMENT APPLICATION
FOR MATERIAL CHANGE OF USE FOR A WAREHOUSE AT 60 STAPLYTON JACOBS WELL
ROAD, STAPLYLTON
MCU/2021/718**

DIVISION NO. 1

The development key details of the proposal are outlined in the table below:

Development proposal	
Height	14.6 metre Warehouse and two storey office space with rooftop terrace.
Site cover	54.2%
Car parking	172
Hours of operation	24 hours 7 days a week
Gross floor area	26,814m ²
Servicing	The development provides a loading bay for loading and unloading of an Articulated Vehicle (AV). An AV has been demonstrated to access the service bay and enter and exit the site in a forward gear.

The following drawings identifies the proposed development.

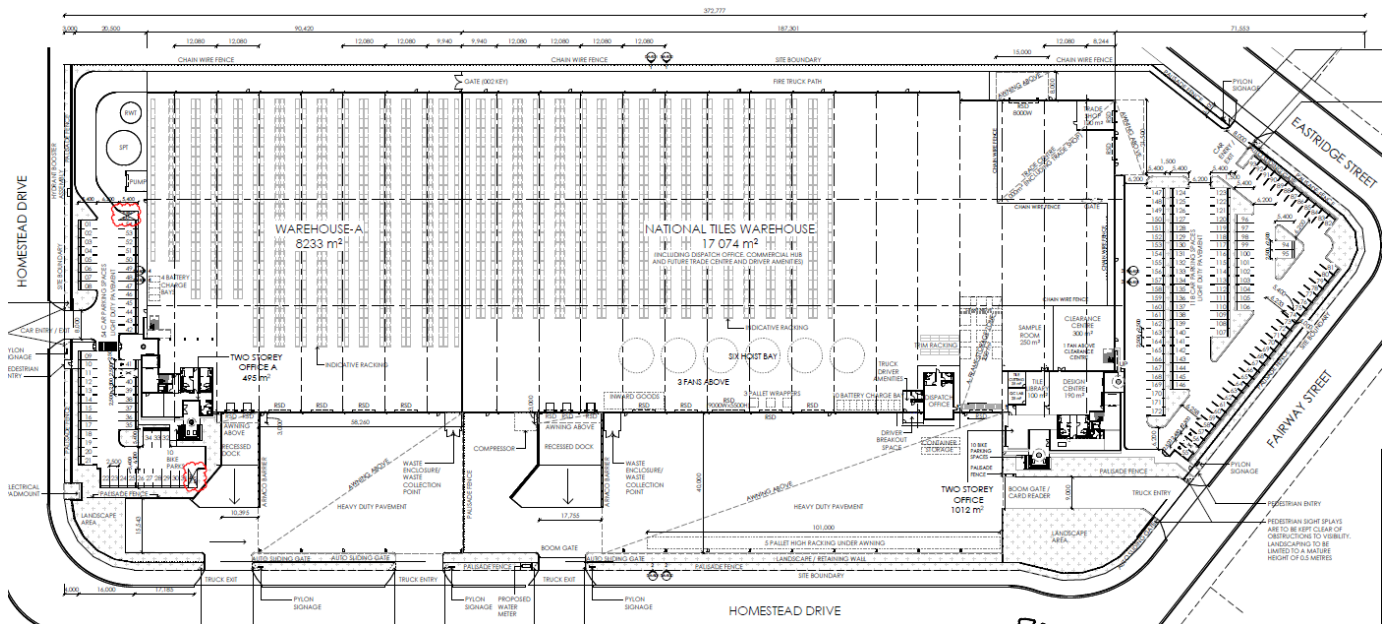


Figure 1: Proposed site plan (source: Pace Architects)

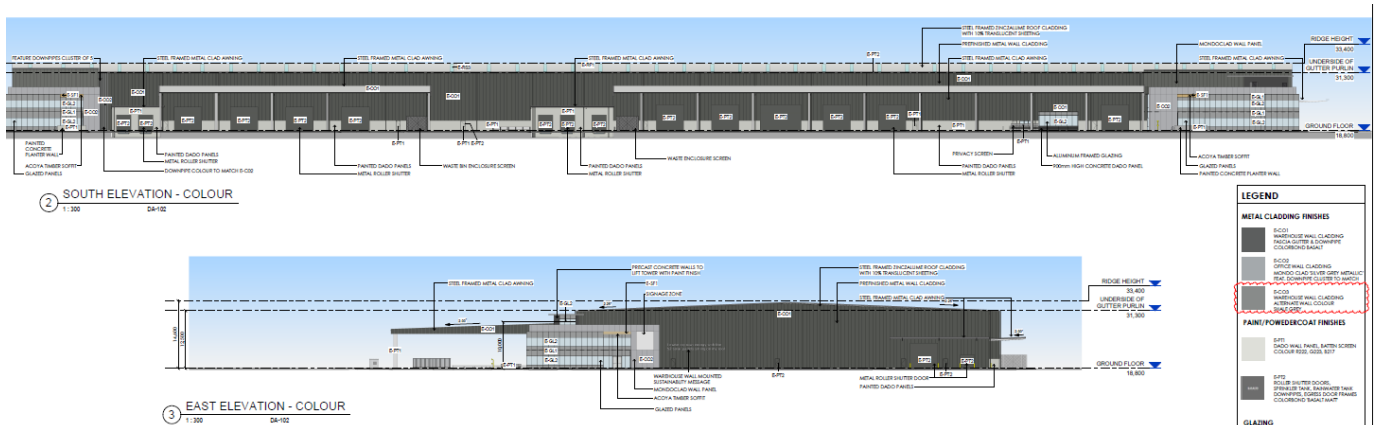


Figure 2: Proposed elevations (source: Pace Architects)

3 KEY CONSIDERATIONS

The key considerations of the proposal include:

Car parking

The proposed development includes a Warehouse and Manufacturer's shop with a total GFA of 26,814m². Based on the GFA and the use the Table to Acceptable Solution AS8.1.2 requires the development provides 537 parking spaces. The proposed development includes the provision of 172 carparks.

The applicant has identified that the use will operate with no more than 129 staff in total across the two tenancies. The provision of 53 visitor carparking spaces is considered sufficient for the Warehouses and Manufacturer's shop.

Development interface with the public realm

The proposed development is part of a preliminary approval coordinated for the Vantage Industrial Estate. The desired outcome for the estate includes a standardised colour scheme which emphasises a contrast between built form and the landscaping works intended for the proposed development. The proposed building design and landscape intent is representative of the emerging design intent of the estate and results in a high aesthetic standard to enhance the intent of the Yatala Enterprise Area.

4 SITE CONTEXT

4.1 Subject site and immediate context

The subject site is:

- Part of Stage 1 of the Vantage Industrial Estate (precinct B);
- Subject to the M38 Industrial Estate Place Code;
- A vacant lot with no established services;
- Clear of all vegetation;
- Irregular in shape; and
- Will gain access from future roads Fairway Street, Homestead Drive and Eastridge Street.

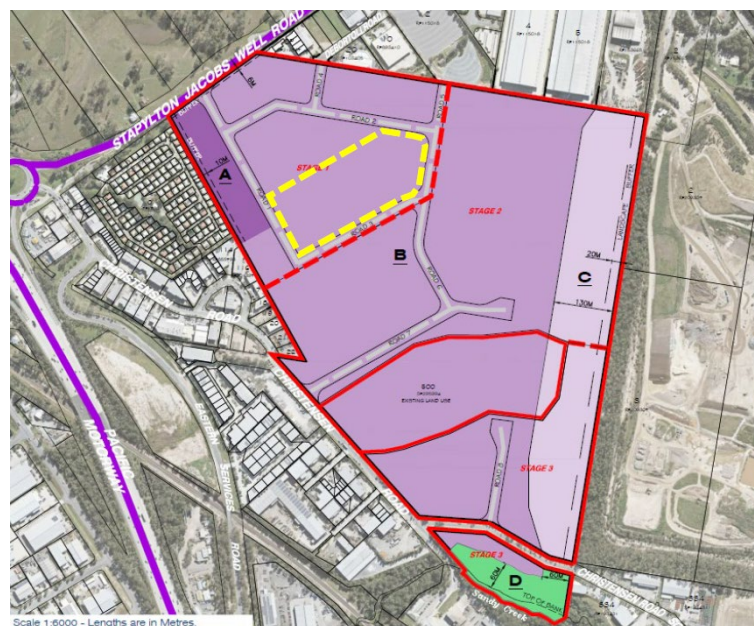


Figure 3: Subject site and future development site location (source: Plan of subdivision)

The Vantage Industrial Estate is expected to be developed for a range of different industrial uses as contemplated within the M38 Industrial Estate Place Code.

The site is within close proximity, approximately 0.5km to the Pacific motorway (M1), with the nearest onramp accessed via Stapylton Jacobs Well Road.

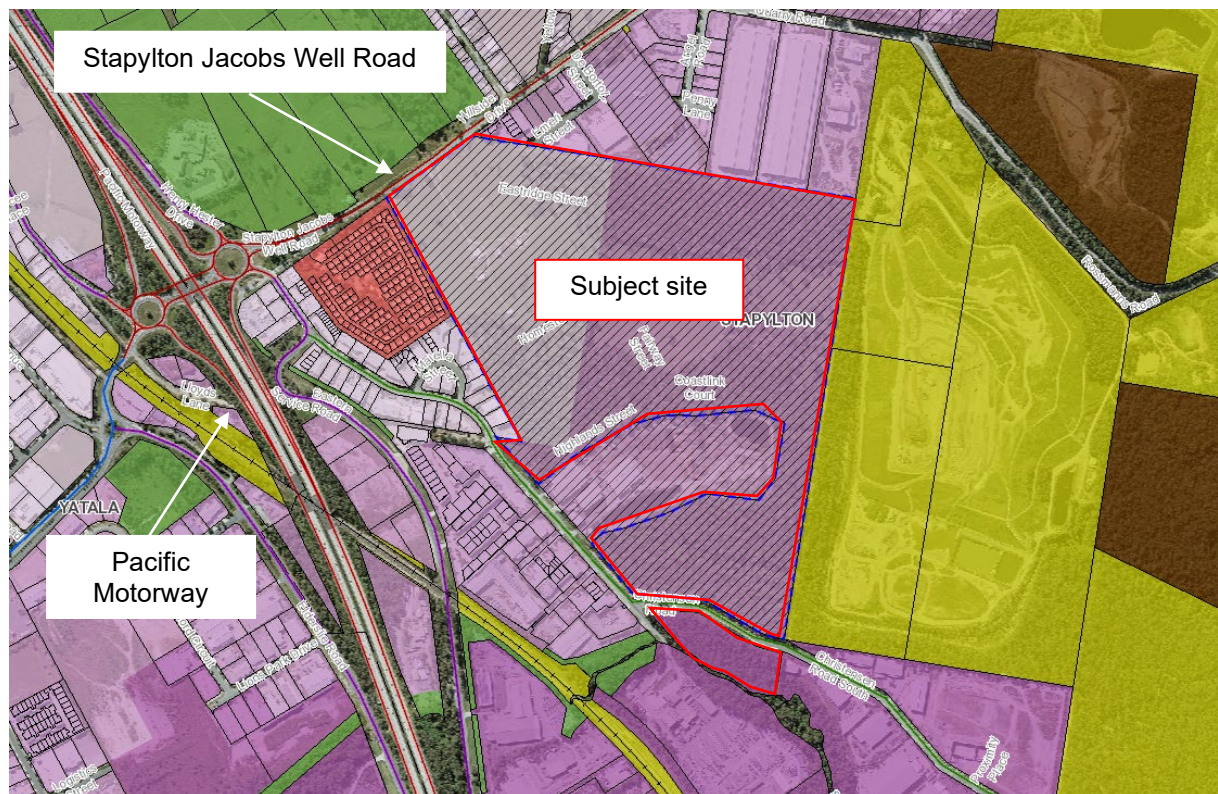


Figure 4: Aerial view of the Subject site and local context (source: CoGC)

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 M38 Industrial Estate Place Code 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).
Planning Regulation 2017	The proposal triggers assessment against the State development assessment provisions (Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material change of use of premises near a State transport corridor). The application was referred to SARA who was identified in Schedule 10 to act as a Concurrence Agency . This is discussed in section 7.2 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.
Variation approval	The proposal does trigger assessment against a variation approval. This is discussed in section 5.2.1 within this planning report.
City Plan (Version 8)	The subject site is within the City Plan area of the City of Gold Coast. However, the City Plan is not the local categorising instrument for the proposed development. <u>Local Government Infrastructure Plan</u> There is no new trunk infrastructure required as part of this development.

5.2.1 Assessment against a variation approval

The M38 Industrial Estate Place Code is a Preliminary Approval overriding the planning scheme for the subject site, approved pursuant to Section 3.1.6 of the *Integrated Planning Act 1997*.

The proposal has been lodged pursuant to The M38 Industrial Estate Place Code which is the local categorising instrument for the development.

Pursuant to the aforementioned approval, developments within the M38 Industrial Estate are to be assessed against the assessment criteria specified in the Gold Coast Planning Scheme 2003 Version 1.2 and The M38 Industrial Estate Place Code.

The following is an assessment of the application against the M38 Industrial Estate Place Code applicable codes in the table below:

Zone code	Constraint code	Development codes
M38 Industrial Estate Place Code	Car parking, access and transport integration	- Works for infrastructure code; - Landscape work

This is a 'report by exception' and only discusses issues where the development does not meet the relevant acceptable outcomes or where a relevant performance outcome does not have a stated corresponding acceptable outcome. This is outlined in the table below:

Code	Performance Criteria	Subject matter
M38 Industrial Estate Place Code	PC8	Vehicular parking
	PC14, 15 & 16	Siting
	PC19 & PC20	Building and layout design, safety and comfort
	PC23	Advertising devices
	PC25	Landscape design
	PC41	Bicycle parking supply
	PC43 & 44	Site access
	PC46 & 47	Amenity protection
	PC51	On-site vehicle parking and movement
Car parking, access and transport integration	PC9	Access to Car Parks
	PC10	Driveways and Crossovers

5.2.1.1 Assessment against the M38 Industrial Estate Place Code

Assessment has been undertaken against the applicable Performance Criteria for each subject matter as follows:

Vehicular parking - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
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; 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.	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)

Officer's comment

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

"To comply with Acceptable solution AS8.1.1 of the M38 Industrial Estate Place Code, car parking must be provided in accordance with AS16.1 of the Car Parking, Access and Transport Integration Constraint Code (CPATICC) or in accordance with the Table to Acceptable Solutions AS8.1.2.

Pursuant to AS16.1 of the CPATICC, the development is required to provided 278 spaces. Pursuant to AS8.1.1 of the M38 Industrial Estate Place Code, the development is required to provide 537 spaces. The development provides 172 spaces; including 54 spaces for Warehouse A and 118 spaces for the National Tiles Warehouse. Compliance with AS8.1.1 and AS8.1.2 of the M38 Industrial Estate Place Code is not achieved, requiring assessment against Performance criteria PC8.

Warehouse A

The applicant has not provided any evidence to justify the provision of parking at a rate of 1 space per 150m2 for Warehouse A. In the absence of any other data, it is considered appropriate to limit car parking demand by imposing operational restrictions on the development.

It is considered that most of the parking demand will be associated with staff working from the site rather than visitors, with visitor attendance to the site expected to be low. Given that Warehouse A is afforded 54 car parking spaces, it is considered appropriate to limit Warehouse A to operate with no more than 54 staff members at any one time. A condition of approval has been imposed limiting Warehouse A to operate with no more than 54 staff members. There is conveniently located on-street parking along the site's frontage, which could cater for any visitor parking demand, which is expected to be irregular and short-term. This arrangement complies with PC8.

National Tiles Warehouse

The applicant has proposed for the National Tiles Warehouse to operate with no more than 100 staff members, which equates to a parking demand of 100 spaces. The tenancy contains a trade

centre and shop, design centre and clearance centre, and it could therefore be expected that the Warehouse will generate a demand for visitors. It is considered that the balance of parking spaces (18 spaces) will be sufficient to cater for visitor parking demand. A condition of approval has been imposed limiting the National Tiles Warehouse to operate with no more than 100 staff members, as proposed."

Based on the above assessment it is considered the development complies with Performance Criteria PC8 of the M38 Industrial Estate Place Code through conditions of approval.

Siting - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC14 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 .	AS14 No acceptable solution provided.
PC15 The layout of the site must provide a clear separation between the public access areas and the areas set aside for servicing the building.	AS15 No acceptable solution provided.
PC16 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.	AS16 No acceptable solution provided.

Officer's comment

No Acceptable Solutions are provided under the subject matter of Siting within the M38 Industrial Estate Place Code, therefore assessment against Performance Criteria PC14, PC15 and PC16 is required.

PC14: While the majority of the estate is currently vacant, the design of the layout for the future lot supporting the proposed development is cohesive with the intent of the M38 Industrial Estate Place Code. The proposed development includes generous setbacks facilitating access around the entirety of the built form and maintaining an appropriate interface to future industrial uses on the adjacent future lots.

The future lot benefits from four road frontages to the north east, south east, south and west of the site. As such the built form of the National Tiles Warehouse faces east and Warehouse A faces west, siting the ancillary office spaces to the front of the site. It is considered that this configuration is suitable for industrial functionality on the site while negating any potential conflicts between future industrial uses.

PC15: The proposed development clearly articulates a separation between public access and areas allocated for servicing the building. Access to the staff and visitor parking area and the Manufacturer's shop is gained through a single VXO to Eastridge Street. A single VXO accessing the site from Homestead Drive provides light vehicle access to car parking areas situated adjacent to the ancillary office entrance of Warehouse A. The car parking areas are barriered by landscaping which prevents smaller vehicles accessing the heaving vehicle service area (see figure 5).

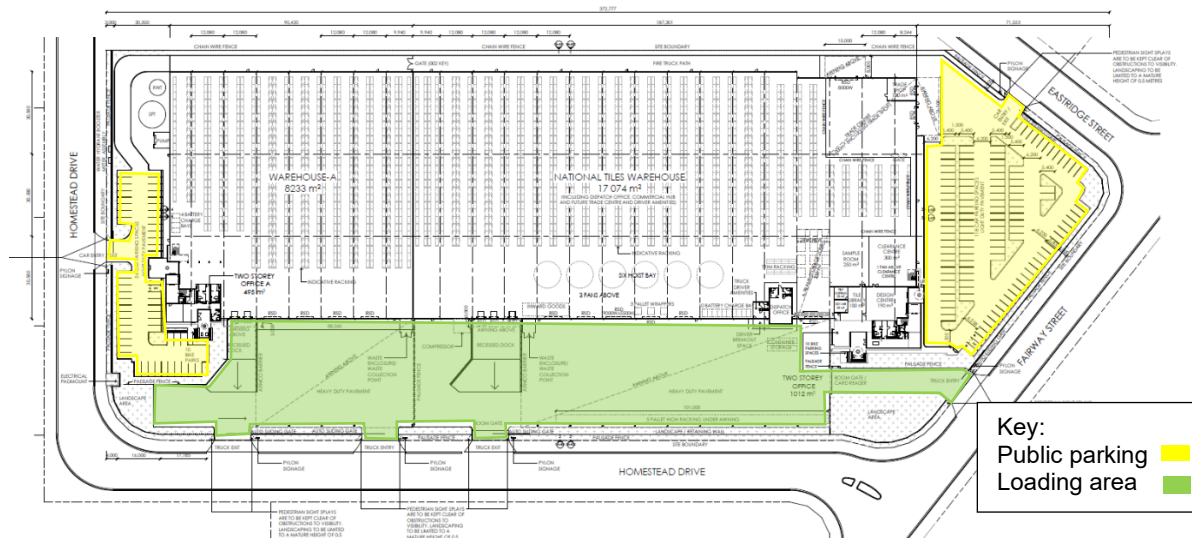


Figure 5: Site plan demonstrating the separation between the loading bay and staff/ visitor car parking areas (source: HLA Architects modified by Council officers).

The loading bay fronting Homestead Drive and Fairway Street is accessed by four VXOs intended for use by heavy vehicles. With the exclusion of the VXOs, the proposed loading bay area is screened from the road reserve by fencing and landscaping treatment ensuring it is separated from the public realm. It is considered that the proposed site layout achieves separation between public access areas and areas intended for servicing the building.

PC16: The front of the Warehouses and Manufacturer's shop have been identified as the space located directly adjacent to the public parking areas. As such the loading areas are located to the side of the built form, fronting Homestead Drive. Additionally, the proposed development includes substantial landscaping between 3m and 15m addressing the road frontages which is designed to soften the built form of the industrial use. Conditions are provided to ensure that any potentially visually offensive elements will be appropriately screened from the view of the street to achieve a high quality industrial appearance.

Based on the above assessment it is considered the development complies with Performance Criteria PC14, PC15 and PC16 of the M38 Industrial Estate Place Code.

Building and layout design, safety and comfort - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC19 All buildings must be designed and constructed to a high aesthetic standard and to complement or enhance the local character of the YEA.	AS19.1 The massing and proportions of new industrial buildings are consistent with those of adjoining industrial buildings. AS19.2 Building materials, patterns, textures and colours used in new buildings are complementary to those of nearby buildings.

Officer's comment

As the entire site is still within the early stages of development, few developments have been completed. It is noted that the future lots directly surrounding the proposed development remain vacant, as such there are no nearby buildings for the proposed development to complement which is a requirement within Acceptable Solution AS19.1 and AS19.2. For transparency, officers have provided assessment against Performance Criteria PC19.

The proposed development is part of a preliminary approval coordinated for the Vantage Industrial Estate and aligns with the design intent of the estate. The proposed building design achieves a modern finish which is representative of the emerging design intent within the estate. The desired outcome for the estate includes a standardised colour scheme which emphasises a bold contrast between built form and the landscaping works intended for the proposed development.

The following image (figure 7) includes the design of an approved Warehouse adjacent to the future lot fronting homestead drive (Council reference MCU/2021/638). Similar to the proposed development, the below Warehouse design includes a contemporary finish complemented by an articulated office space addressing the street and the inclusion of landscaping surrounding all areas which are visible from the public realm.

It is considered that the building materials, patterns, colours, massing, and proportions of the proposed development are of a high aesthetic standard and are consistent with the design intent of the Yatala Enterprise Area and the Vantage Industrial Estate.

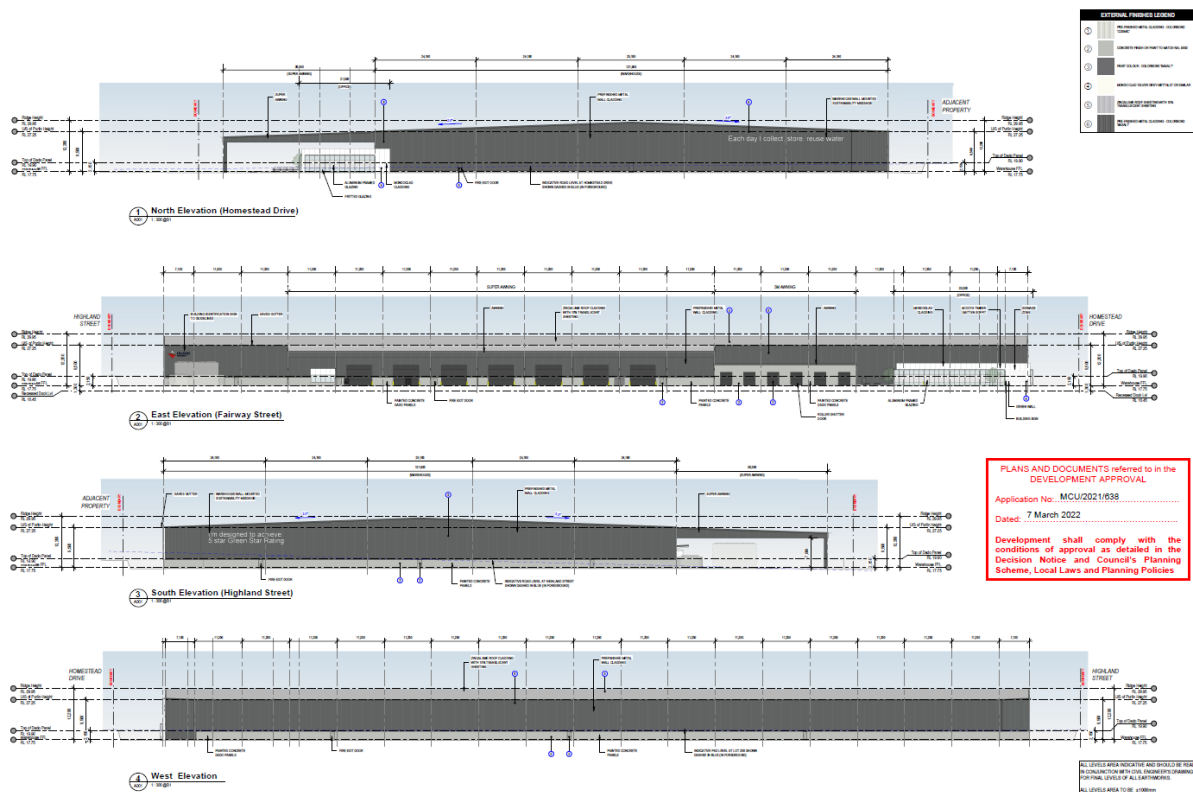


Figure 7: Approved Warehouse within Stage 2 of the Plan of subdivision (source: approved plan MCU/2021/638)

Based on the above assessment it is considered the development complies with Performance Criteria PC19 of the M38 Industrial Estate Place Code.

Building and layout design, safety and comfort - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC20 Building design and appearance must be conducive to the safety and comfort of all building users.	AS20.2 Entrances to premises are clearly visible from the street, and are not obscured or dominated by car parking.

Officer's comment

The proposed development includes staff/visitor car parking areas in front of the Manufacturer's shop and ancillary office entrances. As such the proposed development does not comply with Acceptable Solution AS20.2 and needs to be assessed against Performance Criteria PC20 of the M38 Industrial Estate Place Code.

The proposed development includes a large Warehouse, Manufacturer's shop and ancillary office space. As the office space is intended as the entrance for staff and visitors to the site, the car parking areas are located closely to the office entrance. To ensure that areas intended for the public and

loading bays are kept sperate, the building design and site layout is considered safe and practical while maintaining a high quality industrial design.

Based on the above assessment it is considered the development complies with Performance Criteria PC20 of the M38 Industrial Estate Place Code.

Advertising devices - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC23 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.	AS23.2 The design and construction of signs meets the following parameters: a) Signs are situated near site entries and are well places 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; 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 rotate, flash or move; g) Signs are integrated with the form of development and are not visually dominating.

Officer's comment

To comply with Acceptable solution AS23.2 of the M38 Industrial Estate Place Code, signs are to have a maximum area of 5m². The proposed development includes a signage zone on the façade for each tenancy of approximately 18m². Compliance with Acceptable solution AS23.2 cannot be achieved therefore assessment against Performance Criteria PC23 is required.

The proposed development includes two signage zones on the northern elevation of approximately 18m² each. The length of the northern façade is approximately 278m long and 14.6m high (see figure 8). Due to the large scale of the northern façade, it is considered that the area of the signage zone does not dominate the façade, rather is sized appropriately to be viewed by pedestrians and drivers.

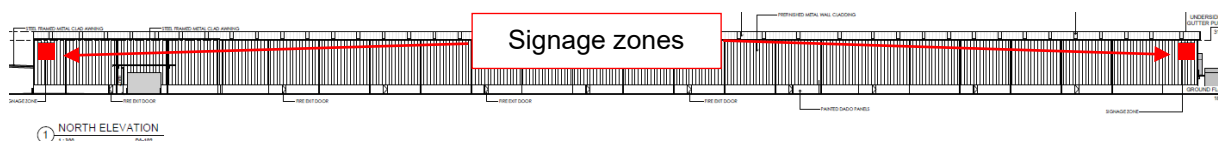


Figure 8: North elevation depicting proposed signage zone (source: Pace Architects)

Based on the above assessment it is considered the development complies with Performance Criteria PC23 of the M38 Industrial Estate Place Code.

Landscape design - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC25 Landscape design is used to enhance the landscape character of the YEA.	AS25.3 Dwarf walls prevent vehicles breaching landscaped areas along frontages.

Officer's comment

The proposed development does not include dwarf walls bordering the landscaped areas along the frontages and cannot comply with Acceptable Solution AS25.3 and will be assessed against Performance Criteria PC25.

The proposed landscape design provides generous landscaping along all areas presenting to the street, within the parking areas, and focal planting around building entrances (Figure 9). Although dwarf walls are not provided along frontages, dense landscaping and frontage fencing is considered to prevent vehicles from breaching the site. The landscape design is considered to enhance the landscape character of the YEA.



Figure 9: Landscape intent along street frontage (Source: Applicant material)

Based on the above assessment it is considered the development complies with Performance Criteria PC25 of the M38 Industrial Estate Place Code.

Road design - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC41 A network of pedestrian paths and cycleways is provided which considers: a. Expected levels of pedestrian and cyclist; 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.	AS41.4 Bicycle end-of-trip facilities are provided in accordance with the requirements outlined in the Table to Acceptable Solution AS41.4.

Officer's comment

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

"To comply with Acceptable solution AS41.4 of the M38 Industrial Place Code, bicycle parking must be provided at a rate of 1 staff space per 800m2 GFA. No visitor bicycle parking is required. This equates to a requirement to provide 34 Security level B (staff) spaces. The development provides a total of 20 spaces for staff, comprising ten (10) spaces for each tenancy. Compliance with AS41.4 is not achieved, requiring consideration against PC41.

PC41 states that 'A network of pedestrian paths and cycleways is provided which considers expected levels of pedestrian and cyclist activity and provision of bicycle end-of-trip facilities.' It is considered that the provision of ten (10) spaces per tenancy is sufficient to cater for the demand, based on staff numbers, location of the site and lack of available active transport routes. Compliance with PC41 is achieved."

Based on the above assessment it is considered the development complies with Performance Criteria PC41 of the M38 Industrial Estate Place Code.

Site Access - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC43 Site access is designed and constructed to provide for the safe ingress/egress of vehicles to the site.	AS43 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; 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.
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Officer's comment

The proposed development includes six separate vehicular driveway entrances and does not meet the singular vehicular driveway requirements of Acceptable Solution AS43 and requires assessment against Performance Criteria PC43.

The future lot benefits from four road frontages. The National Tiles Warehouse gains singular light vehicle access to Eastridge Street and heavy vehicle access to both Fairway Street and Homestead Drive. Warehouse A benefits from singular light vehicle access to Homestead Drive, and dual heavy vehicle access to Homestead Drive. The inclusion of six separate VXOs facilitates safe light vehicle access to the car parking areas of each tenancy ensuring pedestrians do not enter loading areas to gain access to the Manufacturer's shop or ancillary office spaces.

In addition to separating the light vehicles from the heavy service vehicles, the two VXOs per tenancy provides access to heavy service vehicles, designed to ensure all large service vehicles can safely ingress and egress the site in a forward gear, providing ample space for manoeuvring within the loading bay area.

Based on the above assessment it is considered the development complies with Performance Criteria PC43 of the M38 Industrial Estate Place Code.

Site Access - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC44 Treatment of access points to the site maintains appropriate sight distances and visually enhances its identification.	AS44 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.

Officer's comment

Pavement treatments are not proposed to differentiate the site entry points so full compliance with Acceptable Solution AS44 cannot be achieved and assessment is required against Performance Criteria PC44. However, landscape treatment of access points visually distinguishes the entry locations and maintains appropriate site lines/distances in accordance with PC44.

Based on the above assessment it is considered the development complies with Performance Criteria PC44 of the M38 Industrial Estate Place Code.

Amenity protection - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC46 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.	AS46 No acceptable solution provided.
PC47 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; g. privacy;	AS47 No acceptable solution provided.

h. odour and emissions;	
i. dust; and	
j. vibration.	

Officer's comment

The M38 Industrial Estate Place Code does not provide Acceptable Solutions for the prevention of loss of amenity and threats to health and safety. As such, the development must be assessed against Performance Criteria PC46 and PC47 to maintain compliance with the M38 Industrial Estate Place Code.

(a) Noise:

PC46: It is considered that the proposed development includes measures which adequately mitigate noise emissions from the use and meet acoustic quality objectives and reduce the opportunity for nuisance to be created. Compliance with PC46 will be ensured through conditions of approval and is considered to be achieved.

PC47: Due to the Industrial nature of the site and surrounding areas a level of noise emissions is expected but it is not considered to impact negatively on the proposed development.

(b) Hours of operation:

PC46: The proposed development is envisioned for the industrial estate, including extended hours of operation to facilitate logistic requirements. It is not anticipated that the proposed hours of operation will have negative impact on the surrounding industrial land uses.

PC47: The surrounding area will support other industrial activities expected to operate similarly to the proposed development including 24/7 operations. It is considered that the surrounding operating hours of the industrial area will have negligible impacts on the proposed development.

(c) Traffic:

PC46: The proposed land use of a Warehouse and Manufacturer's shop is accepted development within the M38 Industrial Place Code. It is expected that a Warehouse will involve activities which will increase traffic through the wholesale of merchandise and goods stored within the warehouse. Due to the scale of the development under the *Planning Regulations 2017* the proposed development was referred to SARA as concurrence agency. General advice has been provided by SARA. It is considered that the traffic generated from the proposed development will be managed effectively to mitigate possible negative impacts on amenity.

PC47: The site and surrounding area is located close to the Pacific Motorway, common for industrial estates within the area. As such, there is an anticipated level of traffic expected to be generated from industrial areas. The traffic impacts have been considered in the prior staged approval and are not anticipated to have any negative impacts to the amenity of the subject site.

(d) Lighting:

PC46: No part of the proposed development includes any light spillage from the site which may impact the amenity of the surrounding area.

PC47: There are no existing activities in the surrounding area which includes lighting which may cause negative impact on the proposed development. Standard conditions have been included in the officer's recommendation to ensure this outcome is achieved.

(e) Signage:

PC46: The proposed development does not included any signage which may detract from the surrounding amenity.

PC47: There are no existing activities in the surrounding area which includes signage which may cause negative impact on the proposed development.

(f) Visual amenity:

PC46: The proposed development consists of a high quality industrial design with ample landscaping to soften the built form. It is considered that the outward appearance of the proposed development is

cohesive with the intent of the industrial estate and is unlikely to have any negative impacts to the visual amenity of the surrounding area.

PC47: As the areas surrounding the site is currently vacant land, it is not considered that the proposed development is impacted negatively by any activities which could compromise the quality of the visual amenity. It is expected that considerations of visual amenity will be addressed appropriately in any future developments within the surrounding industrial area.

(g) Privacy:

PC46: The proposed development is located within an industrial estate and all interfaces include other industrial land uses. As the nearest sensitive land use is sighted approximately 300m away and is separated from the subject site by other industrial land uses, it is considered that the proposed development will have negligible impacts on surrounding privacy.

PC47: It is not considered that any surrounding activities within the industrial estate will contribute negatively to the privacy of the proposed development, none the less the proposed development includes substantial landscaping providing screening.

(h) Odour and emissions:

PC46: It is not anticipated that the proposed development will produce any odour emissions other than what can be expected from loading and unloading activities. The proposed Warehouse and Manufacturer's shop does not include any activities which would contribute negatively to odour and emissions.

PC47: The surrounding area supports industrial uses, which can be expected to produce a reasonable level of odour or emissions. It is not considered that the surrounding land uses will contribute negatively to the amenity of the proposed development through odour and emissions.

(i) Dust:

PC47: It is considered unlikely that the amenity of the proposed development will be impacted by an unreasonable level of dust from the surrounding industrial area.

(a) Vibration:

PC47: It is considered unlikely that the amenity of the proposed development will be impacted by vibrations from the surrounding industrial area.

Based on the above assessment it is considered the development complies with Performance Criteria PC46 and PC47 of the M38 Industrial Estate Place Code.

On-site vehicle parking and movement - M38 Industrial Estate Place Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC51 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 sign posted accordingly; c. to be adequately screened from the street; d. compatible with surrounding development and, where possible,	AS51.1 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.

facilitating shared use with adjacent land users.	
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Officer's comment

The proposed development seeks to provide car parking including employee parking at the front of the site which conflicts with Acceptable Solution AS51.1 requiring parking areas to be situated to the rear or the side of the site. As such assessment is required against Performance Criteria PC51.

To achieve separation between loading bays and pedestrians, the car parking areas have been located adjacent to the Manufacturer's shop and ancillary office spaces at the front of the site. It is considered that locating parking areas to the side or rear of the site would potentially create conflicts between staff entering the building and heavy vehicles servicing the site.

The proposed siting of the car parking areas is considered to allow easy access to the building entrances for both staff and potential visitors. The proposed parking areas includes the provision of substantial landscaping ensuring the parking areas do not dominate the street front.

Based on the above assessment it is considered the development complies with Performance Criteria PC51 of the M38 Industrial Estate Place Code.

5.3.3.2 Assessment against the Constraint Codes

Assessment has been undertaken against the applicable Performance Criteria for each subject matter as follows:

Access to Car Parks – Car Parking and Transport Integration Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC9 Access to car parking spaces must be provided for employees and visitors.	AS9.1 Car park areas have no gateways, doors or similar devices which restrict vehicular access by employees or visitors.

Officer's comment

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

"To comply with Acceptable solution AS9.1 of CPATICC, car parking spaces for employees or visitors must not have gates, which restrict vehicular access. The development includes security gates; therefore, compliance with AS9.1 is not achieved, requiring consideration against Performance criteria PC9.

The applicant has confirmed that all gates are to remain open during the proposed operating hours.

A condition of approval has been imposed requiring that all gates remain open during operating hours to allow access for employees and visitors. Compliance with PC9 is achieved through conditions of approval."

Based on the above assessment it is considered the development complies with Performance Criteria PC9 of the Car Parking and Transport Integration Code.

Driveways and Crossovers – Car Parking and Transport Integration Code

The Acceptable outcome and corresponding Performance outcome is provided below:

Performance Criteria	Acceptable Solution
PC10 Driveways from car parks or developments into public roads must be minimised to reduce interference with public road traffic and pedestrians.	AS10.2 The maximum number of crossovers for non-residential developments is two crossovers per property.

Officer's comment

The proposed development includes six crossovers and does not meet the maximum crossover limit for non-residential developments identified in Acceptable Solution AS10.2 and must be assessed against Performance Criteria PC10.

The purpose of the six crossovers includes singular VXO access to the staff/visitor car parking area separate to the dual VXOs provided to service the loading bay. The dual VXOs ensures all heavy vehicles can manoeuvre safely within the site and ingress and egress the site in a forward gear.

The site is improved by four road frontages. Each road frontage has a singular VXO with the exclusion of Homestead Drive, which includes three heavy vehicle VXOs. Due to the generous road frontage to Homestead Drive, being approximately 300 metres, it is considered that the three proposed driveways accessing Homestead Drive maintain a safe separation between driveways. The separation between the heavy vehicle VXOs reduces interference with both public road traffic and pedestrians, while maintaining separation between loading areas and staff/visitor parking.

Based on the above assessment it is considered the development complies with Performance Criteria PC10 of the Car Parking and Transport Integration Code.

6 INFRASTRUCTURE CHARGES

The final estimated infrastructure charge is \$1,854,691.84

Infrastructure Charge Notice

Monday, 21 March 2022

Application	PWK1585402/16
Site address	60 Stapylton Jacobs Well Road , STAPYLTON
Application number & code	MCU/2021/718
Application description	WAREHOUSE (AND MANUFACTURER'S SHOP) – (PROPOSED LOT 121 SP316137)
Officer name	Megan Nott

Charge calculation

Charges Resolution No. 1 of 2019

	Qty		Rate	Gross Charge Amount
Impervious Area	44,468	Square Metres	@ \$ 11.04	\$ 490,926.72
Industry	24,688	sq m Gross Floor Area	@ \$ 55.24	\$ 1,363,765.12
				\$ 1,854,691.84

Net Charge Summary

Gross Charge Amount	Applied Credit Amount	Net Charge Amount
\$ 1,854,691.84	\$ 0.00	\$ 1,854,691.84

Applied credit details

Credit will be available for lot 121 when plans are sealed regarding COM/2022/13

Office Use Only	
\$ 1,247,860.80	DC011
\$ 458,209.28	DC013
\$ 148,621.76	DC020
\$ 1,854,691.84	

7 REFERRALS

7.1 Internal referrals

This application has been assessed by internal referral officers who have provided comments and reasonable and relevant conditions. If not previously included, internal referral comments and an overview of the recommended conditions are provided in the table below:

Internal referral area	Conditions/Comments (if not included within report)
City Assets	City Assets have reviewed the proposed development and have provided the following conditions: - Engineering: - Rectification of Council's infrastructure; - Existing infrastructure, structures and services; - Driveways and vehicular crossings.
Office of the City Architect	The Office of the City Architect have reviewed the proposed development and have provided the following conditions: - Amenity – Screening of visually offensive components - Amended plans <i>Note: Amended plans requirements have been resolved prior to</i>

	<i>decision to meet the requirements of the M38 Industrial Estate Place Code. As such, the amended plans condition as recommended by the Office of the City Architect have not been included in the officer's recommendations.</i>
Health and Regulatory Services	Health and Regulatory Services reviewed the proposed development and have provided the following conditions: • General – Approved acoustic plan • Construction management - Certification of works – Healthy and regulatory services
Hydraulics and Water Quality	Hydraulics and Water Quality reviewed the proposed development and have provided the following conditions: • Property – Private infrastructure; • Stormwater Drainage – Overland flow paths and hydraulic alterations; • Construction management: – Erosion and sediment control; – Certification of works.
Landscape Assessment	Landscape Assessment reviewed the proposed development and have provided the following conditions: • Environmental and Landscaping – landscaping works; • Engineering – Existing structures and services.
Plumbing and Drainage	Plumbing and Drainage reviewed the proposed development and have provided the following conditions: • Plumbing and Drainage Act 2018 – Plumbing and drainage works
Subdivision Engineering	Subdivision Engineering reviewed the proposed development and have provided the following conditions: • Engineering: - Electrical reticulation; - Telecommunications network; • Construction Management – Certification of works – Subdivision engineering
Transport Assessment	Transport Assessment reviewed the proposed development and have provided the following conditions: • General – Approved drawings • Engineering - Footpaths

	• Transport: - Off street vehicle and car parking facilities; - Off street bicycle parking and end of trip facilities; - Loading and unloading (excluding waste collections vehicles); - Security gate requirements; and - Operational restrictions
Water and Waste	Water and Waste reviewed the proposed development and have provided the following conditions: • General: - Timing; - Approved drawings; • Property: - Requirement to register easement; - Restriction regarding Council easements and infrastructure; • Amenity – Screening of visually offensive components; • Engineering – Rectification of Council's infrastructure • Sewer and Water Works: - Sewer connection; - Water connection; - Fire loading; - Sub-metering.

7.2 External referrals

The application was referred to the State Assessment and Referral Agency (SARA) due to the following trigger identified within the Planning Regulation 2017:

- Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 (10.9.4.2.1.1) – Material change of use – State transport thresholds
- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (10.9.4.2.4.1) - Material change of use – Proximity to a state-controlled road

SARA as a concurrence agency provided a referral agency response with General advice on 17 February 2022.

8 PUBLIC NOTIFICATION

No part of the application required public notification.

9 CONCLUSION

The purpose of this report is to assess an application for a development permit for a material change of use to establish a Warehouse and Manufacturer's shop at 60 Stapylton Jacobs Well Road, Stapylton.

Assessment reveals the proposal has addressed the relevant benchmarks of the M38 Industrial Place Code.

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

10 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority, the Executive Coordinator Planning Assessment approves (with conditions) the issue of a development permit (Code assessment) for a Material change of use for a Warehouse and Manufacturer's shop, in accordance with the Attachment entitled: Decision notice —approval (with conditions).

Author:

Natasha Sidabutar

Planner

March 2021

Authorised by:

Roger Sharpe

Executive Coordinator Planning Assessment