

1 APPLICATION SUMMARY

Application information	
Minor change to development approval	
Address	Lot 502 Homestead Drive, Stapylton
Lot and plan	Lot 502 SP316137
Site area	447,890m ²
Properly made date	7 June 2022
Originating and current Planning Scheme including version, domain / zone / precinct and constraints / overlays	Originating Planning Scheme: 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: Land use classification for M38 Industrial Estate Place Code: • Low impact and service industry; and • Limited general impact business precinct. Development codes: • Car Parking, Access and Transport Integration Constraint Code; • Works for Infrastructure Development Code; and • Landscape Work Development Code
Originating approved development	MIN/2021/637: Minor change to COM/2020/262 for a 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.
Date of originating development approval	18 February 2022
Originating approval authority	Delegated authority
Applicant and Applicant's consultancy team	Fpi Queensland Pty Ltd– (Applicant) Gassman Development Perspectives – (Planning Consultant)
Owner details	Australand Industrial No. 89 Pty Limited
Referral agencies	Not applicable to minor change application under s.80 of the <i>Planning Act 2016</i>
Decision due date	12 July 2022
Officer's recommendation	Approval with conditions

2 PROPOSAL

The purpose of this report is to assess an application for a change to the development approval under Section 78 of the *Planning Act 2016* (PA) for a Minor change to a 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 Lot 502 Homestead Drive, Stapylton.

The applicant requests a change to the Development approval including seeking to alter the approved lot configuration and amend the Bulk earthworks drawings and Stormwater management plan. The proposed changes include:

- Internal boundary realignment;
- Increase in area to Lot 201;
- Decrease in area to Lot 202;
- Amalgamation of Lot 203 and 204;
- Amalgamation of Lot 206 and 207;
- Renumbering Lots to reflect the amalgamations;
- Addition of services easement totalling 83m² to Fairway Street;
- Dedication of drainage reserve;
- Amendments to Bulk earthworks plan; and
- Amended Stormwater management plan.

The proposed changes will involve amendments to the following aspects of the original development approval:

- Updated plans and drawings

The following drawings reflect the proposed changes:

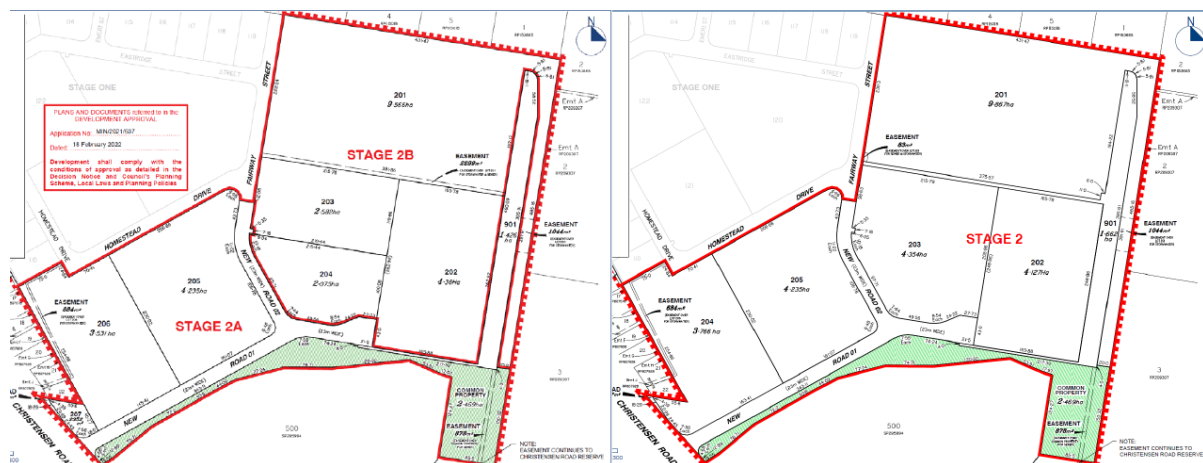


Figure 1: Approved vs Proposed ROL Layout (Source: Applicant material)



- The Vantage Industrial Estate was created subsequent to a Preliminary approval to override the Planning scheme for Industry uses (MIN/2019/762). 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 subject site was established on 27 April 2021. Under Delegated Authority the Executive Coordinator Planning Assessment of the City Development Branch approved the issue of a Development permit for Reconfiguring a Lot (create 7 industrial lots), and Development permit for Operational works - Change to ground level (COM/2020/262).
- A minor change to COM/2020/262 was approved on 18 February 2022 which sought to relocate the boundary of the subject site to facilitate a subsequent Material change of use (MIN/2021/637). The proposed minor change seeks to amend this approval. The following drawings represent the current approval:

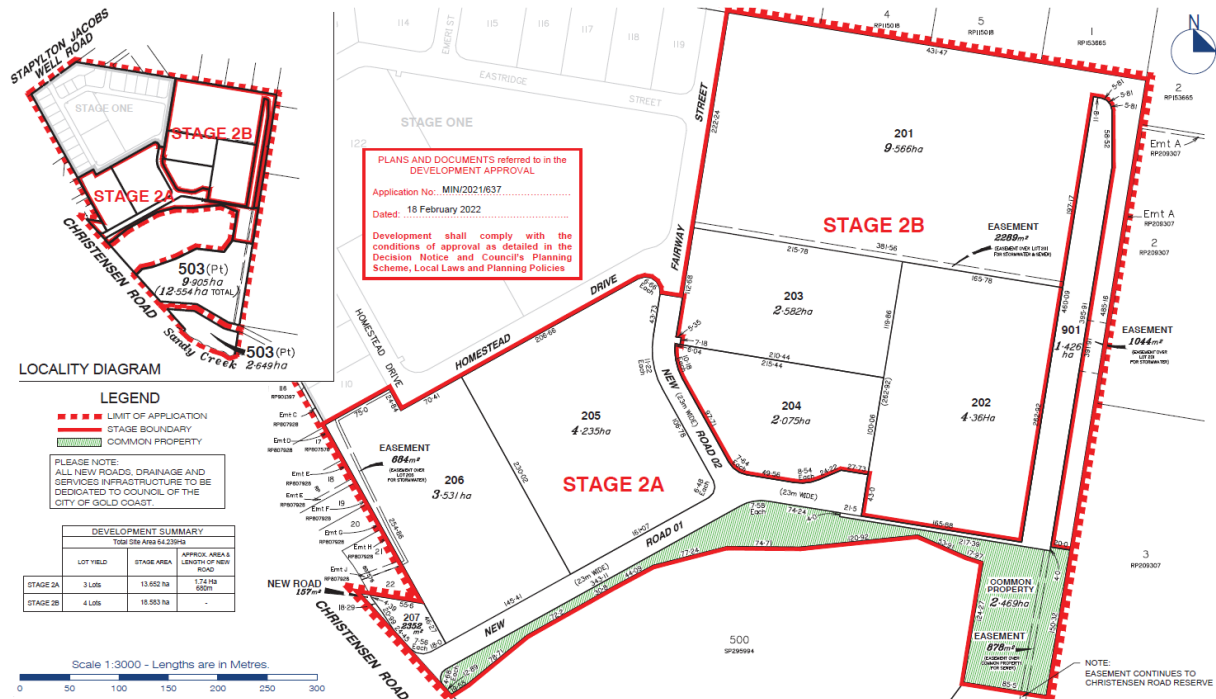


Figure 4: Approved plan of subdivision (Source: MIN/2021/637)

4 PLANNING ASSESSMENT

Reference is made to Attachment No.1 – “Assessment criteria for minor change to development approval”, attached to this report. Assessment has been undertaken against these provisions and the proposed change(s) are considered to be a minor change.

The applicant seeks changes to the development conditions as follows:

Cond No.	Applicant request	Officer discussion / recommendation
PART A – RECONFIGURING A LOT		
2	Approved Drawings – The applicant requests to amend this condition to reflect the updated plan of subdivision submitted.	The request to amend this condition is supported. Council's Planning Assessment, City Assets, Hydraulics and Water Quality Assessment and Gold Coast Water officers have assessed the proposed minor change to the layout and stormwater easement and have no objection to the change. The request to amend this condition is supported for the reasons discussed below.
3	Approved Plans - The applicant requests to amend this condition to reflect the updated Stormwater management plan.	The request to amend this condition is supported. Council's Hydraulics and Water Quality Assessment officers have assessed the amended Stormwater management plan and have no objection to the change. The request to amend this condition is supported for the reasons discussed below.
5	Community Management Statement (CMS) - The applicant requests to amend this condition to reflect the updated plan of subdivision submitted.	The request to amend this condition is supported.
6	Land transfer - The applicant requests to amend this condition to reflect the	The request to amend this condition is supported.

	updated plan of subdivision submitted.	
9	Requirement to register easement - The applicant requests to amend this condition to reflect the updated plan of subdivision submitted.	The request to amend this condition is supported.
10	Requirement to register stormwater drainage easement/s - The applicant requests to amend this condition to reflect the updated plan of subdivision submitted.	The request to amend this condition is supported.
17	New roads/intersections - The applicant requests to amend this condition to reflect the updated plan of subdivision submitted.	The request to amend this condition is supported.
18	Existing roads / intersections - The applicant requests to amend this condition to reflect the updated plan of subdivision submitted.	The request to amend this condition is supported.
19	Footpaths - The applicant requests to amend this condition to reflect the updated plan of subdivision submitted.	The request to amend this condition is supported.
20	Street lighting - The applicant requests to amend this condition to reflect the updated plan of subdivision submitted.	The request to amend this condition is supported.
30	Certification of works - Hydraulics and Water Quality - The applicant requests to amend this condition to reflect the updated Stormwater management plan.	The request to amend this condition is supported.
PART B – OPERATIONAL WORK		
2	Amended drawings - The applicant requests to amend this condition to reflect the updated Change to ground level plans.	The request to amend this condition is supported. Council's Operational Works Assessment officers have assessed the amended Bulk earthworks drawings and have no objection to the change. The request to amend this condition is supported for the reasons discussed below.

4.2 Further discussion

As identified above, further discussion is warranted for Reconfiguring a lot Condition 2 and 3, and Operational works Condition 2 as follows:

Reconfiguring a lot

Condition 2 currently reads:

Approved drawings

Undertake and maintain the development generally in accordance with the following drawings:

Drawing Title	Author	Date	Drawing No.	Ver
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Proposed Staged Community Title Scheme Reconfiguration of Land Lots 201 to 207, Common Property, Drainage Reserve (Lot 901) & New Road	Gassman Development Perspectives	24/11/2021	5941 P STAGE 2 001 C	C
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The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

The applicant requests that this condition be amended to include the following:

Approved drawings

Undertake and maintain the development generally in accordance with the following drawings:

Drawing Title	Author	Date	Drawing No.	Ver
Proposed Staged Community Title Scheme Reconfiguration of Land Lots 201 to 205, Common Property, Drainage Reserve (Lot 901) & New Road	Gassman Development Perspectives	17/02/2022	5941 P STAGE 2 001 G	G

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

Applicant's representation

"This minor change proposes an internal boundary realignment, shifting the existing Lot 201 boundary further south. This is to provide for a future Woolworths Distribution Centre, currently lodged with Council (MCU/2022/242). As these applications have been lodged concurrently, it is envisaged this Minor change application is resolved prior to the land use decision being made to ensure the land use will not conflict with the underlying subdivision and earthworks approval."

Officer's comment

The proposed changes to the development include increasing the area of proposed Lot 201 by moving the internal boundary south as depicted in figure 5 below. Lot 201 has an approved stormwater easement traversing the southern boundary. The applicant has proposed to replace the easement with a land dedication for drainage reserve to Council by including this area into the approved stormwater lot (Lot 901). Furthermore, a services easement for stormwater and sewer has been proposed within 83m² of Lot 201 fronting Fairway Street.

The proposed change proposes minimal changes to the internal lot configuration, maintains the existing road layout, does not create any new lots and increases the average lot size. Additionally, Hydraulics and Water Quality Assessment, City Assets and Gold Coast Water have assessed the proposed changes to the augmentation of the approved stormwater easement and have no objection to the minor change.



Figure 5: Proposed plan of subdivision (Source: Applicant material)

It is considered that the above condition be amended.

Condition 3 currently reads:

Approved Plans

The plan listed below is conceptually approved subject to the stated amendments. Undertake and maintain the development generally in accordance with the approved plan:

Hydraulics and Water Quality				
Plan Title	Author	Date	Plan Reference No.	Ver
Site Based Stormwater Management Plan – Vantage Yatala – Stage 2 – Development Application for Reconfiguring a Lot – Revision 4 at 60 Stapylton Jacobs Well Road, Stapylton	Gassman Development Perspectives	26 November 2021	Job Number: 5941	4

The abovementioned stormwater management plan is approved on the basis that all internal proposed stormwater drainage infrastructure is sized such that the major / minor stormwater drainage design principles in the Land development guidelines are to be adopted. This is where overland flows on the road surfaces during major events are compliant to the public safety standards in the Queensland Urban Drainage Manual (QUDM).

The applicant requests that this condition be amended to include the following:

Approved Plans

The plan listed below is conceptually approved subject to the stated amendments. Undertake and maintain the development generally in accordance with the approved plan:

Hydraulics and Water Quality				
Plan Title	Author	Date	Plan Reference No.	Ver
Site Based Stormwater Management Plan – Vantage Yatala – Stage 2 – Development Application for Reconfiguring a Lot – Revision 5 at 60 Stapylton Jacobs Well Road, Stapylton	Gassman Development Perspectives	31 May 2022	Job Number: 5941	5

The abovementioned stormwater management plan is approved on the basis that all internal proposed stormwater drainage infrastructure is sized such that the major / minor stormwater drainage design principles in the Land development guidelines are to be adopted. This is where overland flows on the road surfaces during major events are compliant to the public safety standards in the Queensland Urban Drainage Manual (QUDM).

Applicant's representation

"Supporting this minor change request is inclusion of an Amended Stormwater Management Plan. These documents have been amended in direct response to the above ROL layout changes, primarily focused around changes stemming from the relocation of Lot 201's boundary and augmented stormwater management proposal."

Officer's comment

Hydraulics and Water Quality Assessment have provided the following comments:

"The applicant has submitted a revised stormwater management report, being "Site Based Stormwater Management Plan – Vantage Yatala – Stage 2 Development Application for Reconfiguring a Lot, Revision 5" dated 31 May 2022 prepared by Gassman Development Perspectives. This report has been prepared generally in accordance with the previously approved report except modifications to the drainage reserve and associated drainage infrastructure design along the southern boundary of Lot 201. The proposed drainage reserve and associated drainage infrastructures generally comply with the City Plan policy – Land development guidelines and QUDM. Council's City Assets team was consulted, and they agree with our assessment."

It is considered that the above condition be amended.

Operational work

Condition 2 currently reads:

Approved drawings

Undertake and maintain the development generally in accordance with the following drawings including as amended in red by the Council:

Operational Works				
Drawing Title	Author	Date	Drawing No.	Ver
DRAWING INDEX AND LOCALITY PLAN	Gassman development perspectives	NOVEMBER 2021	5941 ENG BE2 001	D

GENERAL NOTES SHEET 1 OF 2	Gassman development perspectives	20-11-2020	5941 ENG BE2 002	A
GENERAL NOTES SHEET 2 OF 2	Gassman development perspectives	20-11-2020	5941 ENG BE2 003	A
LEGEND	Gassman development perspectives	20-11-2020	5941 ENG BE2 004	A
KEY PLAN LAYOUT	Gassman development perspectives	10.11.2021	5941 ENG BE2 005	D
EXISTING SURFACE AND FEATURES PLAN SHEET 1 OF 9	Gassman development perspectives	10.11.2021	5941 ENG BE2 010	C
EXISTING SURFACE AND FEATURES PLAN SHEET 2 OF 9	Gassman development perspectives	10.11.2021	5941 ENG BE2 011	C
EXISTING SURFACE AND FEATURES PLAN SHEET 3 OF 9	Gassman development perspectives	20-11-2020	5941 ENG BE2 012	A
EXISTING SURFACE AND FEATURES PLAN SHEET 4 OF 9	Gassman development perspectives	20-11-2020	5941 ENG BE2 013	A
EXISTING SURFACE AND FEATURES PLAN SHEET 5 OF 9	Gassman development perspectives	20-11-2020	5941 ENG BE2 014	A
EXISTING SURFACE AND FEATURES PLAN SHEET 6 OF 9	Gassman development perspectives	31-03-2021	5941 ENG BE2 015	B
EXISTING SURFACE AND FEATURES PLAN SHEET 7 OF 9	Gassman development perspectives	20-11-2020	5941 ENG BE2 016	A
EXISTING SURFACE AND FEATURES PLAN SHEET 8 OF 9	Gassman development perspectives	20-11-2020	5941 ENG BE2 017	A
EXISTING SURFACE AND FEATURES PLAN SHEET 9 OF 9	Gassman development perspectives	20-11-2020	5941 ENG BE2 018	A
SEDIMENT AND EROSION CONTROL PLAN SHEET 1 OF 9	Gassman development perspectives	09.11.2021	5941 ENG BE2 020	D
SEDIMENT AND EROSION CONTROL PLAN SHEET 2 OF 9	Gassman development perspectives	09.11.2021	5941 ENG BE2 021	D
SEDIMENT AND EROSION CONTROL PLAN SHEET 3 OF 9	Gassman development perspectives	09.11.2021	5941 ENG BE2 022	D
SEDIMENT AND EROSION CONTROL PLAN SHEET 4 OF 9	Gassman development perspectives	15-02-2021	5941 ENG BE2 023	B
SEDIMENT AND EROSION CONTROL PLAN SHEET 5 OF 9	Gassman development perspectives	20-11-2020	5941 ENG BE2 024	A
SEDIMENT AND EROSION CONTROL PLAN SHEET 6 OF 9	Gassman development perspectives	31-03-2021	5941 ENG BE2 025	B
SEDIMENT AND EROSION CONTROL	Gassman development perspectives	31-03-2021	5941 ENG BE2 026	C

PLAN SHEET 7 OF 9				
SEDIMENT AND EROSION CONTROL PLAN SHEET 8 OF 9	Gassman development perspectives	15-02-2021	5941 ENG BE2 027	B
SEDIMENT AND EROSION CONTROL PLAN SHEET 9 OF 9	Gassman development perspectives	15-02-2021	5941 ENG BE2 028	B
CONSTRUCTION PHASE SEDIMENT BASIN 1 LAYOUT SHEET 1 OF 4	Gassman development perspectives	31-03-2021	5941 ENG BE2 029	C
CONSTRUCTION PHASE SEDIMENT BASIN 1 LAYOUT SHEET 2 OF 4	Gassman development perspectives	31-03-2021	5941 ENG BE2 030	C
CONSTRUCTION PHASE SEDIMENT BASIN 1 LAYOUT SHEET 3 OF 4	Gassman development perspectives	31-03-2021	5941 ENG BE2 031	C
CONSTRUCTION PHASE SEDIMENT BASIN 2 LAYOUT SHEET 4 OF 4	Gassman development perspectives	15-02-2021	5941 ENG BE2 032	B
CONSTRUCTION PHASE SEDIMENT BASIN SECTIONS	Gassman development perspectives	31-03-2021	5941 ENG BE2 033	B
CONSTRUCTION PHASE SEDIMENT BASIN TYPICAL SECTIONS	Gassman development perspectives	20-11-2020	5941 ENG BE2 034	A
SEDIMENT AND EROSION TYPICAL DETAILS	Gassman development perspectives	20-11-2020	5941 ENG BE2 035	A
BULK EARTHWORKS LAYOUT PLAN SHEET 1 OF 9	Gassman development perspectives	09.11.2021	5941 ENG BE2 050	E
BULK EARTHWORKS LAYOUT PLAN SHEET 2 OF 9	Gassman development perspectives	09.11.2021	5941 ENG BE2 051	E
BULK EARTHWORKS LAYOUT PLAN SHEET 3 OF 9	Gassman development perspectives	09.11.2021	5941 ENG BE2 052	E
BULK EARTHWORKS LAYOUT PLAN SHEET 4 OF 9	Gassman development perspectives	31-03-2021	5941 ENG BE2 053	C
BULK EARTHWORKS LAYOUT PLAN SHEET 5 OF 9	Gassman development perspectives	31-03-2021	5941 ENG BE2 054	C
BULK EARTHWORKS LAYOUT PLAN SHEET 6 OF 9	Gassman development perspectives	31-03-2021	5941 ENG BE2 055	B
BULK EARTHWORKS LAYOUT PLAN SHEET 7 OF 9	Gassman development perspectives	31-03-2021	5941 ENG BE2 056	C
BULK EARTHWORKS LAYOUT PLAN SHEET 8	Gassman development perspectives	31-03-2021	5941 ENG BE2 057	C

OF 9				
BULK EARTHWORKS LAYOUT PLAN SHEET 9 OF 9	Gassman development perspectives	31-03-2021	5941 ENG BE2 058	C
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 1 OF 9	Gassman development perspectives	09.11.2021	5941 ENG BE2 100	D
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 2 OF 9	Gassman development perspectives	09.11.2021	5941 ENG BE2 101	D
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 3 OF 9	Gassman development perspectives	09.11.2021	5941 ENG BE2 102	D
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 4 OF 9	Gassman development perspectives	31-03-2021	5941 ENG BE2 103	B
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 5 OF 9	Gassman development perspectives	20-11-2020	5941 ENG BE2 104	A
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 6 OF 9	Gassman development perspectives	31-03-2021	5941 ENG BE2 105	B
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 7 OF 9	Gassman development perspectives	31-03-2021	5941 ENG BE2 106	C
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 8 OF 9	Gassman development perspectives	15-02-2021	5941 ENG BE2 107	B
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 9 OF 9	Gassman development perspectives	15-02-2021	5941 ENG BE2 108	B
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 1 OF 13	Gassman development perspectives	09.11.2021	5941 ENG BE2 150	C
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 2 OF 13	Gassman development perspectives	09.11.2021	5941 ENG BE2 151	D
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 3 OF 13	Gassman development perspectives	09.11.2021	5941 ENG BE2 152	E
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 4 OF 13	Gassman development perspectives	31-03-2021	5941 ENG BE2 153	B
FINISHED BULK	Gassman development	31-03-2021	5941 ENG	B

EARTHWORKS CROSS SECTIONS SHEET 5 OF 13	perspectives		BE2 154	
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 6 OF 13	Gassman development perspectives	31-03-2021	5941 ENG BE2 155	B
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 7 OF 13	Gassman development perspectives	20-11-2020	5941 ENG BE2 156	A
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 8 OF 13	Gassman development perspectives	20-11-2020	5941 ENG BE2 157	A
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 9 OF 13	Gassman development perspectives	31-03-2021	5941 ENG BE2 158	B
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 10 OF 13	Gassman development perspectives	20-11-2020	5941 ENG BE2 159	A
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 11 OF 13	Gassman development perspectives	20-11-2020	5941 ENG BE2 160	A
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 12 OF 13	Gassman development perspectives	20-11-2020	5941 ENG BE2 161	A
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 13 OF 13	Gassman development perspectives	20-11-2020	5941 ENG BE2 162	A
BULK EARTHWORKS ROAD TYPICAL SECTIONS	Gassman development perspectives	15-02-2021	5941 ENG BE2 163	B
CONTROL LINE LAYOUT PLAN	Gassman development perspectives	09.11.2021	5941 ENG BE2 400	D
CONTROL LINE SETOUT TABLES SHEET 1 OF 2	Gassman development perspectives	20-11-2020	5941 ENG BE2 401	A
CONTROL LINE SETOUT TABLES SHEET 2 OF 2	Gassman development perspectives	20-11-2020	5941 ENG BE2 402	A
ROAD 01 LONGITUDINAL SECTION SHEET 1 OF 2	Gassman development perspectives	20-11-2020	5941 ENG BE2 410	A
ROAD 01 LONGITUDINAL SECTION SHEET 2 OF 2	Gassman development perspectives	20-11-2020	5941 ENG BE2 411	A
FAIRWAY STREET LONGITUDINAL SECTION	Gassman development perspectives	20-11-2020	5941 ENG BE2 412	A
FUTURE ROAD	Gassman development perspectives	20-11-2020	5941 ENG	A

**REPORT ON MINOR CHANGE TO DEVELOPMENT APPROVAL AT LOT 502 HOMESTEAD
DRIVE, STAPYLTON
MIN/2022/245**

DIVISION NO. 1

LONGITUDINAL SECTION			BE2 413	
AMGROW DAM OVERFLOW DRAIN LONGITUDINAL SECTION	Gassman development perspectives	20-11-2020	5941 ENG BE2 414	A
BOULDER RETAINING WALL CONTROL LINE LAYOUT PLAN	Gassman development perspectives	11-11-2021	5941 ENG BE2 421	A
BOULDER RETAINING WALL TYPICAL DETAILS	Gassman development perspectives	11-11-2021	5941 ENG BE2 422	A
BOULDER RETAINING WALL LONGITUDINAL SECTION RW1	Gassman development perspectives	10-11-2021	5941 ENG BE2 423	A
BOULDER RETAINING WALL LONGITUDINAL SECTION RW2	Gassman development perspectives	11-11-2021	5941 ENG BE2 424	A
BOULDER RETAINING WALL LONGITUDINAL SECTION RW3	Gassman development perspectives	11-11-2021	5941 ENG BE2 425	A
BOULDER WALL SETOUT TABLES	Gassman development perspectives	10-11-2021	5941 ENG BE2 426	A
ROAD 01 CROSS SECTIONS SHEET 1 OF 8	Gassman development perspectives	20-11-2020	5941 ENG BE2 430	A
ROAD 01 CROSS SECTIONS SHEET 2 OF 8	Gassman development perspectives	20-11-2020	5941 ENG BE2 431	A
ROAD 01 CROSS SECTIONS SHEET 3 OF 8	Gassman development perspectives	20-11-2020	5941 ENG BE2 432	A
ROAD 01 CROSS SECTIONS SHEET 4 OF 8	Gassman development perspectives	20-11-2020	5941 ENG BE2 433	A
ROAD 01 CROSS SECTIONS SHEET 5 OF 8	Gassman development perspectives	20-11-2020	5941 ENG BE2 434	A
ROAD 01 CROSS SECTIONS SHEET 6 OF 8	Gassman development perspectives	20-11-2020	5941 ENG BE2 435	A
ROAD 01 CROSS SECTIONS SHEET 7 OF 8	Gassman development perspectives	20-11-2020	5941 ENG BE2 436	A
ROAD 01 CROSS SECTIONS SHEET 8 OF 8	Gassman development perspectives	20-11-2020	5941 ENG BE2 437	A
FAIRWAY STREET CROSS SECTIONS SHEET 1 OF 4	Gassman development perspectives	20-11-2020	5941 ENG BE2 438	A
FAIRWAY STREET CROSS SECTIONS SHEET 2 OF 4	Gassman development perspectives	20-11-2020	5941 ENG BE2 439	A
FAIRWAY STREET CROSS SECTIONS SHEET 3 OF 4	Gassman development perspectives	20-11-2020	5941 ENG BE2 440	A

FAIRWAY STREET CROSS SECTIONS SHEET 4 OF 4	Gassman development perspectives	20-11-2020	5941 ENG BE2 441	A
ROAD USER SAFETY CROSS SECTIONS SHEET 1 OF 5	Gassman development perspectives	15-02-2021	5941 ENG BE2 442	A
ROAD USER SAFETY CROSS SECTIONS SHEET 2 OF 5	Gassman development perspectives	10-11-2021	5941 ENG BE2 443	C
ROAD USER SAFETY CROSS SECTIONS SHEET 3 OF 5	Gassman development perspectives	10-11-2021	5941 ENG BE2 444	C
ROAD USER SAFETY CROSS SECTIONS SHEET 4 OF 5	Gassman development perspectives	10-11-2021	5941 ENG BE2 445	C
ROAD USER SAFETY CROSS SECTIONS SHEET 5 OF 5	Gassman development perspectives	15-02-2021	5941 ENG BE2 446	A
OPERATIONAL PHASE BIORETENTION BASIN SHEET 1 OF 4	Gassman development perspectives	31-03-2021	5941 ENG BE2 570	C
OPERATIONAL PHASE BIORETENTION BASIN SHEET 2 OF 4	Gassman development perspectives	31-03-2021	5941 ENG BE2 571	C
OPERATIONAL PHASE BIORETENTION BASIN SHEET 3 OF 4	Gassman development perspectives	31-03-2021	5941 ENG BE2 572	C
OPERATIONAL PHASE BIORETENTION BASIN SHEET 4 OF 4	Gassman development perspectives	31-03-2021	5941 ENG BE2 573	B

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

The applicant requests that this condition be amended to include the following:

Approved drawings

Undertake and maintain the development generally in accordance with the following drawings including as amended in red by the Council:

Operational Works				
Drawing Title	Author	Date	Drawing No.	Ver
DRAWING INDEX AND LOCALITY PLAN	Gassman development perspectives	June 2022	5941 ENG BE2 001	G
GENERAL NOTES SHEET 1 OF 2	Gassman development perspectives	24-09-2021	5941 ENG BE2 002	B
GENERAL NOTES SHEET 2 OF 2	Gassman development perspectives	24-09-2021	5941 ENG BE2 003	B
LEGEND	Gassman development perspectives	24-09-2021	5941 ENG BE2 004	B
KEY PLAN LAYOUT	Gassman development perspectives	24-06-2022	5941 ENG BE2 005	F

**REPORT ON MINOR CHANGE TO DEVELOPMENT APPROVAL AT LOT 502 HOMESTEAD
DRIVE, STAPYLTON
MIN/2022/245**

DIVISION NO. 1

EXISTING SURFACE AND FEATURES PLAN SHEET 1 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 010	E
EXISTING SURFACE AND FEATURES PLAN SHEET 2 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 011	D
EXISTING SURFACE AND FEATURES PLAN SHEET 3 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 012	D
EXISTING SURFACE AND FEATURES PLAN SHEET 4 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 013	D
EXISTING SURFACE AND FEATURES PLAN SHEET 5 OF 7	Gassman development perspectives	23-05-2022	5941 ENG BE2 014	C
EXISTING SURFACE AND FEATURES PLAN SHEET 6 OF 7	Gassman development perspectives	23-05-2022	5941 ENG BE2 015	D
EXISTING SURFACE AND FEATURES PLAN SHEET 7 OF 7	Gassman development perspectives	24-09-2021	5941 ENG BE2 016	B
SEDIMENT AND EROSION CONTROL PLAN SHEET 1 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 020	F
SEDIMENT AND EROSION CONTROL PLAN SHEET 2 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 021	E
SEDIMENT AND EROSION CONTROL PLAN SHEET 3 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 022	F
SEDIMENT AND EROSION CONTROL PLAN SHEET 4 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 023	E
SEDIMENT AND EROSION CONTROL PLAN SHEET 5 OF 7	Gassman development perspectives	23-05-2022	5941 ENG BE2 024	C
SEDIMENT AND EROSION CONTROL PLAN SHEET 6 OF 7	Gassman development perspectives	23-05-2022	5941 ENG BE2 025	D
SEDIMENT AND EROSION CONTROL PLAN SHEET 7 OF 7	Gassman development perspectives	24-09-2021	5941 ENG BE2 026	D
CONSTRUCTION PHASE SEDIMENT BASIN 1 LAYOUT SHEET 1 OF 4	Gassman development perspectives	24-09-2021	5941 ENG BE2 029	D
CONSTRUCTION PHASE SEDIMENT BASIN 1 LAYOUT SHEET 2 OF 4	Gassman development perspectives	23-05-2022	5941 ENG BE2 030	E
CONSTRUCTION PHASE SEDIMENT BASIN 1 LAYOUT SHEET 3 OF 4	Gassman development perspectives	24-09-2021	5941 ENG BE2 031	D
CONSTRUCTION PHASE SEDIMENT	Gassman development perspectives	24-09-2021	5941 ENG BE2 032	C

BASIN 2 LAYOUT SHEET 4 OF 4				
CONSTRUCTION PHASE SEDIMENT BASIN SECTIONS	Gassman development perspectives	24-09-2021	5941 ENG BE2 033	C
CONSTRUCTION PHASE SEDIMENT BASIN TYPICAL SECTIONS	Gassman development perspectives	24-09-2021	5941 ENG BE2 034	C
SEDIMENT AND EROSION TYPICAL DETAILS	Gassman development perspectives	24-09-2021	5941 ENG BE2 035	B
BULK EARTHWORKS LAYOUT PLAN SHEET 1 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 050	G
BULK EARTHWORKS LAYOUT PLAN SHEET 2 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 051	G
BULK EARTHWORKS LAYOUT PLAN SHEET 3 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 052	G
BULK EARTHWORKS LAYOUT PLAN SHEET 4 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 053	G
BULK EARTHWORKS LAYOUT PLAN SHEET 5 OF 7	Gassman development perspectives	23-05-2022	5941 ENG BE2 054	G
BULK EARTHWORKS LAYOUT PLAN SHEET 6 OF 7	Gassman development perspectives	23-05-2022	5941 ENG BE2 055	E
BULK EARTHWORKS LAYOUT PLAN SHEET 7 OF 7	Gassman development perspectives	10-02-2022	5941 ENG BE2 056	E
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 1 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 100	F
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 2 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 101	E
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 3 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 102	F
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 4 OF 7	Gassman development perspectives	24-06-2022	5941 ENG BE2 103	E
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 5 OF 7	Gassman development perspectives	23-05-2022	5941 ENG BE2 104	D
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN	Gassman development perspectives	23-05-2022	5941 ENG BE2 105	D

SHEET 6 OF 7				
FINISHED BULK EARTHWORKS SURFACE LEVEL PLAN SHEET 7 OF 7	Gassman development perspectives	24-09-2021	5941 ENG BE2 106	D
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 1 OF 11	Gassman development perspectives	24-06-2022	5941 ENG BE2 150	D
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 2 OF 11	Gassman development perspectives	24-06-2022	5941 ENG BE2 151	F
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 3 OF 11	Gassman development perspectives	24-06-2022	5941 ENG BE2 152	G
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 4 OF 11	Gassman development perspectives	17-12-2021	5941 ENG BE2 153	D
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 5 OF 11	Gassman development perspectives	24-06-2022	5941 ENG BE2 154	D
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 6 OF 11	Gassman development perspectives	24-09-2021	5941 ENG BE2 155	C
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 7 OF 11	Gassman development perspectives	24-09-2021	5941 ENG BE2 156	B
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 8 OF 11	Gassman development perspectives	24-09-2021	5941 ENG BE2 158	C
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 9 OF 11	Gassman development perspectives	24-09-2021	5941 ENG BE2 159	B
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 10 OF 11	Gassman development perspectives	24-09-2021	5941 ENG BE2 160	B
FINISHED BULK EARTHWORKS CROSS SECTIONS SHEET 11 OF 11	Gassman development perspectives	24-06-2022	5941 ENG BE2 161	C
BULK EARTHWORKS ROAD TYPICAL SECTIONS	Gassman development perspectives	24-09-2021	5941 ENG BE2 163	B
CONTROL LINE LAYOUT PLAN	Gassman development perspectives	24-06-2022	5941 ENG BE2 400	F
CONTROL LINE SETOUT TABLES SHEET 1 OF 2	Gassman development perspectives	24-09-2021	5941 ENG BE2 401	B

**REPORT ON MINOR CHANGE TO DEVELOPMENT APPROVAL AT LOT 502 HOMESTEAD
DRIVE, STAPYLTON
MIN/2022/245**

DIVISION NO. 1

CONTROL LINE SETOUT TABLES SHEET 2 OF 2	Gassman development perspectives	24-09-2021	5941 ENG BE2 402	B
ROAD 01 LONGITUDINAL SECTION SHEET 1 OF 2	Gassman development perspectives	24-09-2021	5941 ENG BE2 410	B
ROAD 01 LONGITUDINAL SECTION SHEET 2 OF 2	Gassman development perspectives	24-09-2021	5941 ENG BE2 411	B
FAIRWAY STREET LONGITUDINAL SECTION	Gassman development perspectives	24-09-2021	5941 ENG BE2 412	B
AMGROW DAM OVERFLOW DRAIN LONGITUDINAL SECTION	Gassman development perspectives	24-09-2021	5941 ENG BE2 414	B
ROAD 01 CROSS SECTIONS SHEET 1 OF 8	Gassman development perspectives	24-09-2021	5941 ENG BE2 430	B
ROAD 01 CROSS SECTIONS SHEET 2 OF 8	Gassman development perspectives	24-09-2021	5941 ENG BE2 431	B
ROAD 01 CROSS SECTIONS SHEET 3 OF 8	Gassman development perspectives	24-09-2021	5941 ENG BE2 432	B
ROAD 01 CROSS SECTIONS SHEET 4 OF 8	Gassman development perspectives	24-09-2021	5941 ENG BE2 433	B
ROAD 01 CROSS SECTIONS SHEET 5 OF 8	Gassman development perspectives	24-09-2021	5941 ENG BE2 434	B
ROAD 01 CROSS SECTIONS SHEET 6 OF 8	Gassman development perspectives	24-09-2021	5941 ENG BE2 435	B
ROAD 01 CROSS SECTIONS SHEET 7 OF 8	Gassman development perspectives	24-09-2021	5941 ENG BE2 436	B
ROAD 01 CROSS SECTIONS SHEET 8 OF 8	Gassman development perspectives	24-09-2021	5941 ENG BE2 437	B
FAIRWAY STREET CROSS SECTIONS SHEET 1 OF 4	Gassman development perspectives	24-09-2021	5941 ENG BE2 438	B
FAIRWAY STREET CROSS SECTIONS SHEET 2 OF 4	Gassman development perspectives	24-09-2021	5941 ENG BE2 439	B
FAIRWAY STREET CROSS SECTIONS SHEET 3 OF 4	Gassman development perspectives	24-09-2021	5941 ENG BE2 440	B
FAIRWAY STREET CROSS SECTIONS SHEET 4 OF 4	Gassman development perspectives	24-09-2021	5941 ENG BE2 441	B
ROAD USER SAFETY CROSS SECTIONS SHEET 1 OF 5	Gassman development perspectives	24-06-2022	5941 ENG BE2 442	C

**REPORT ON MINOR CHANGE TO DEVELOPMENT APPROVAL AT LOT 502 HOMESTEAD
DRIVE, STAPYLTON
MIN/2022/245**

DIVISION NO. 1

ROAD USER SAFETY CROSS SECTIONS SHEET 2 OF 5	Gassman development perspectives	24-06-2022	5941 ENG BE2 443	D
ROAD USER SAFETY CROSS SECTIONS SHEET 3 OF 5	Gassman development perspectives	24-06-2022	5941 ENG BE2 444	D
ROAD USER SAFETY CROSS SECTIONS SHEET 4 OF 5	Gassman development perspectives	10-11-2021	5941 ENG BE2 445	C
ROAD USER SAFETY CROSS SECTIONS SHEET 5 OF 5	Gassman development perspectives	24-09-2021	5941 ENG BE2 446	B
SWALE CONTROL LINE LAYOUT PLAN	Gassman development perspectives	23-05-2022	5941 ENG BE2 460	A
SWALE LONGITUDINAL SECTION AND SETOUT TABLE	Gassman development perspectives	23-05-2022	5941 ENG BE2 461	A
OPERATIONAL PHASE BIORETENTION BASIN SHEET 1 OF 4	Gassman development perspectives	24-09-2021	5941 ENG BE2 570	D
OPERATIONAL PHASE BIORETENTION BASIN SHEET 2 OF 4	Gassman development perspectives	23-05-2022	5941 ENG BE2 571	E
OPERATIONAL PHASE BIORETENTION BASIN SHEET 3 OF 4	Gassman development perspectives	24-09-2021	5941 ENG BE2 572	D
OPERATIONAL PHASE BIORETENTION BASIN SHEET 4 OF 4	Gassman development perspectives	24-09-2021	5941 ENG BE2 573	C
LOT 205 BOULDER RETAINING WALL CONTROL LINE AND SETOUT TABLE	Gassman development perspectives	24-06-2022	5941 ENG BE2 850	C
BOULDER RETAINING WALL TYPICAL DETAILS	Gassman development perspectives	23-05-2022	5941 ENG BE2 854	B
LOT 205 BOULDER RETAINING WALL LONGITUDINAL SECTION RW1	Gassman development perspectives	23-05-2022	5941 ENG BE2 851	B
LOT 205 BOULDER RETAINING WALL LONGITUDINAL SECTION RW2	Gassman development perspectives	23-05-2022	5941 ENG BE2 850	B
LOT 205 BOULDER RETAINING WALL LONGITUDINAL SECTION RW3	Gassman development perspectives	23-05-2022	5941 ENG BE2 853	B
LOT 201 BOULDER RETAINING WALL LAYOUT PLAN AND DETAILS	Gassman development perspectives	23-05-2022	5941 ENG BE2 860	A

The conditions of this approval are to be read in conjunction with the attached stamped approved drawings. Where a conflict occurs between the conditions of this approval and the stamped approved drawings, the conditions of this approval shall take precedence.

Applicant's representation

"Supporting this minor change request is inclusion of Amended Bulk Earthworks Drawings. These documents have been amended in direct response to the above ROL layout changes, primarily focused around changes stemming from the relocation of Lot 201's boundary and augmented stormwater management proposal."

Officer's comment

Council Operational Works Assessment officers have reviewed the submitted Amended Bulk Earthworks Drawings and are in support of the change to Condition 2 for Approved drawings of the Operational Works conditions. It is considered that the Amended Bulk Earthworks Drawings reflect the proposed lot configuration.

5 CONCLUSION

This report assessed a request for a minor change for a development permit dated 18 February 2022 for a minor change to COM/2020/262 for a 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.

The assessment of this request determined the minor change is acceptable and recommended for approval.

6 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority the Executive Coordinator Planning Assessment of the City Development Branch approves the Minor change application to the minor change to the development permit for a Combined application 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, in accordance with the Attachment entitled: Decision notice – change application approval including amended suite of development conditions for MIN/2021/637.

Author:

Natasha Sidabutar

Planner

July 2022

Authorised by:

Roger Sharpe

Executive Coordinator Planning Assessment

Attachment No. 1 – Assessment criteria for minor change to development approval

Review of the proposed change to the development approval has been undertaken against the:

- Definition of minor change contained within Schedule 2 of the *Planning Act 2016*.
- Schedule 1 of the Development Assessment Rules that identifies criteria for determining if a change would result in a substantially different development; and
- Section 81 of the *Planning Act 2016* that applies to assessing and deciding an application for minor change to a development approval.

Definition of minor change under Schedule 2 of the *Planning Act 2016*:

(b) for a development approval:

Minor change for a development approval	Officer comment
(i) would not result in substantially different development; and	The proposed changes do not result in a substantially different development.
(ii) if a development application for the development, including the change, were made when the change application is made would not cause— (A) the inclusion of prohibited development in the application; or	The proposed changes do not involve the inclusion of prohibited development.
(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or	The proposed changes do not require referral to any concurrence agencies that were not required as part of the original application.
(C) referral to extra referral agencies, other than to the chief executive; or	The proposed changes do not trigger any extra referral agencies.
(D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or	The proposed changes do not involve a referral agency as the assessment manager.
(E) public notification if public notification was not required for the development application.	Public notification is not required because of the changes.

Development Assessment Rules - Schedule 1: Substantially different development

Substantially different development consideration	Officer comments
A change may be considered to result in a substantially different development if the proposed change:	
(a) involves a new use; or	No new land uses are proposed
(b) results in the application applying to a new parcel of land; or	No new parcel of land is impacted by the change.
(c) dramatically changes the built form in terms of scale, bulk and appearance; or	The proposed changes will not result in any dramatic variations in built form.

(d) changes the ability of the proposed development to operate as intended; or	The proposed changes will not result in variations to the developments intended functionality.
(e) removes a component that is integral to the operation of the development; or	The proposed development does not remove a component that is integral to the operation of the development.
(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or	There are no new traffic impacts introduced.
(g) introduces new impacts or increase the severity of known impacts; or	There are no new anticipated impacts associated with the proposed change introduced into the development.
(h) removes an incentive or offset component that would have balanced a negative impact of the development; or	No incentive or offset components are removed as a result of the change.
(i) impacts on infrastructure provisions.	The minor change will have no impact on the approved infrastructure provision, location, or demand.

Section 81 of the *Planning Act 2016* applies to assessing an application for minor changes, in particular Subsection (2) (3) and (4) – matters the responsible entity must consider when assessing a minor change application.

Section 81 – Assessing change applications for minor changes	Officer comments
(1) In assessing the change application, the responsible entity must consider –	
(a) the information the applicant included with the application; and	The information submitted has been considered as part of the assessment of the minor change application.
(b) if the responsible entity is the assessment manager – any properly made submissions about the development application or another change application that was approved; and	No changes were proposed which impact matters raised by a submitter.
(c) any pre-request response notice or response notice given in relation to the change application; and	Not applicable
(d) if the responsible entity is, under section 78A(3), the Minister – all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and	Not applicable
(da) if paragraph (d) does not apply – all matters the responsible entity would or may assess against or have regard to if the change application were a development application; and	The original application was assessed against the superseded M38 Industrial Estate Place Code. This provision is requesting the responsible entity to assess the minor change component as if it was part of the original development application. Assessment against the M38 Industrial Estate

	Place Code revealed the proposed minor changes would still meet the intent of the relevant applicable codes.
(e) another matter that the responsible entity considers relevant.	Not applicable

Section 81 – Assessing change applications for minor changes	Officer comments
(2) Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d) or (da) consider – (a) a statutory instrument; or (b) another document applied, adopted or incorporated (with or without changes) in a statutory instrument.	Noted
Section 81 – Assessing change applications for minor changes	Officer comments
(3) The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.	Noted and considered.
Section 81 – Assessing change applications for minor changes	Officer comments
(4) However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances to –	
(a) the statutory instrument or other document as in effect when the change application was made; or	Noted
(b) if the statutory instrument or other document is amended or replaced after the change application is made but before it is decided – the amended or replacement instrument or document; or	Noted
(c) another statutory instrument – (i) That comes into effect after the change application is made but before it is decided; and (ii) That the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made.	Noted
Section 81 – Assessing change applications for minor changes	Officer comments

Section 81A of the *Planning Act 2016* applies to deciding an application for minor changes, in particular Subsection (2) – deciding change applications for minor changes.

- (2) After assessing the change application under section 81, the responsible entity must decide to –
- (a) make the change, with or without imposing development conditions, or amending development conditions, in relation to the change; or
 - (b) refuse to make the change.

Noted and actioned.