

1 APPLICATION SUMMARY

Application information		
Address	20 Eastridge Street, Stapylton	
Lot and plan	Lot 115 SP316137	
Site area	5,805m ²	
Type of development and proposed use	Industry for fertiliser manufacturing and associated Environmentally Relevant Activity being ERA 7 (Chemical Manufacturing)	
Categories of development and assessment	Code	
Properly made date	14 April 2022	
Decision due date	14 March 2023	
Applicant and Applicant's consultancy team	Agrobest Australia – (Applicant) Gassman Development Perspectives – (Planning Consultant) Architects Dovey & Associates – (Designer) Traffic Engineering – (Rytenskild)	
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.

2.2 Proposed development

The purpose of this report is to assess an application for a development permit for a Material change of use to establish Industry and associated Environmentally Relevant Activities at 20 Eastridge Street, Stapylton.

The proposal includes the construction of a single industrial building with ancillary office space intended for the manufacturing, storage and distribution of manufactured chemicals specifically the manufacture of fertiliser. The industrial activity includes Environmentally Relevant Activity (ERA) ERA 7 for (Chemical manufacturing). The proposal includes establishing the Industry and ERA 7 on a vacant lot within the Vantage Industrial Estate.

The proposed ERA triggers concurrence referrals to the State Assessment Referral Agency (SARA) for development involving Environmentally Relevant Activities. An Environmental Authority (EA) has been issued concurrently by the Department of Environment and Science (DES), who have assessed and approved the EA having regard to the requirements of the *Environmental Protection Act 1994*, its subordinate regulation and the relevant Environmental Protection Policies (EPP's).

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:

Industry:

'Any premises used or intended for use that, in the course of any trade or business, involves the manufacture, productions, processing, repair, or storage of any article, material or thing whether solid, liquid or gaseous.

This term includes any of the following ancillary activities, when carried out on the same land as the primary activity:

- *the storage of goods;*
- *the provision of amenities for employees and clientele;*
- *selling by wholesale goods resulting from the operation; and*
- *accounting or administration in connection with the operation, provided that this activity does not exceed 20% of the total use area.*

This term includes a Car Wash Facility. It does not include a Service Industry, a Motor Vehicle Repair Station, a Salvage Yard, a Service Station, Home Activity or Home Occupation.'

DIVISION NO. 1

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

Servicing

The following drawings identify the proposed development.

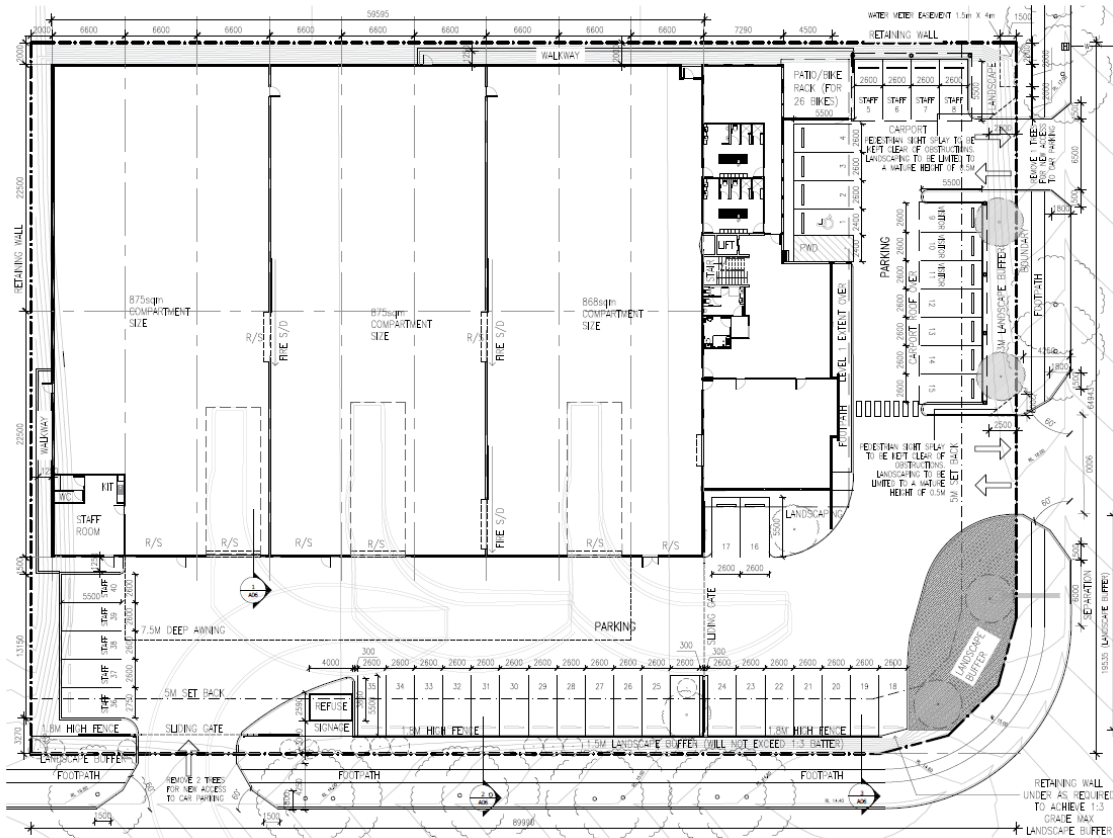


Figure 1: Proposed Site Plan (Source: Architects Dovey & Associates)

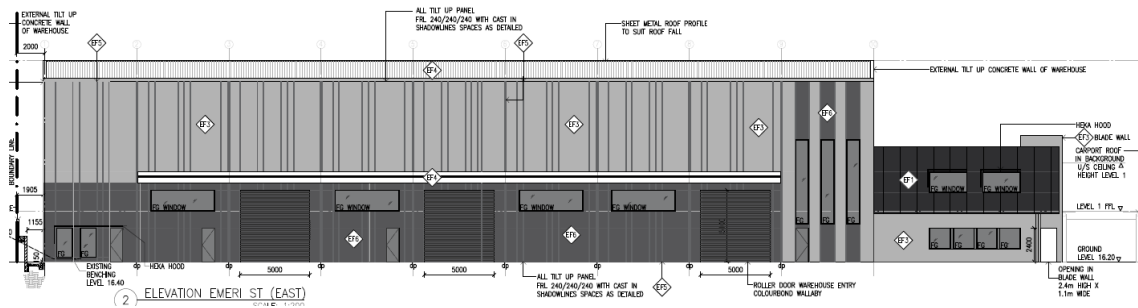


Figure 2: Proposed East Elevation (Source: Architects Dovey & Associates)

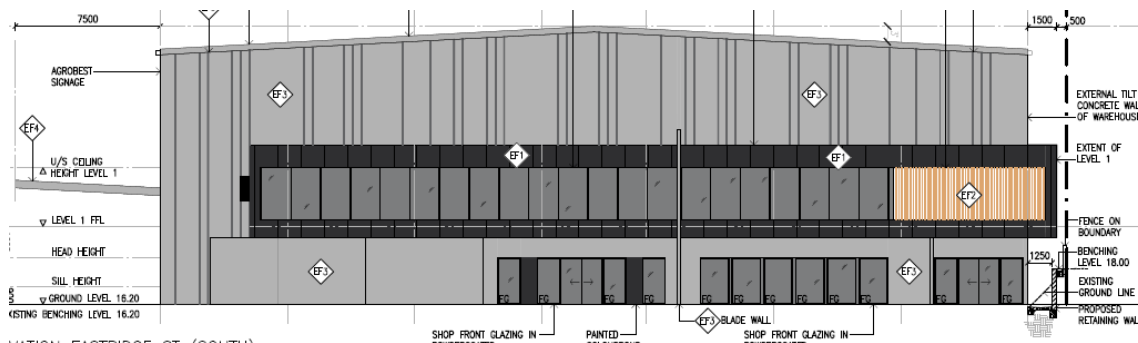


Figure 3: Proposed South Elevation (Source: Architects Dovey & Associates)

3 KEY CONSIDERATIONS

The key considerations of the proposal include:

Environmental Authorities

The development application includes an Environmentally Relevant Activity (ERA), which is regulated under the *Environmental Protection Act 1994* (EPA) and *Environmental Protection Regulation 2019* (EPR). The relevant activity, identified in Schedule 2 of the EPR, is described as follows:

- ERA 07 – Chemical manufacturing – 4(a) – Manufacturing, in a year, the following quantities of fertiliser – 200t to 5,000t.

Environmental Authority P-EA-100375693 has been issued with the Referral agency response for the subject application. It has been provided based on DES's favourable assessment of the proposed development. This EA is not currently in effect. The new EA would take effect on the date the development approval for this development application takes effect.

A Development Permit issued under the *Planning Act 2016* is not the statutory approval which regulates ERA's. For the subject development application, the decision for the ERA is issued in conjunction with the Referral agency response for the application. The Environmental Authority controls aspects relating to air quality, water quality and quantity, environmental impacts, acoustic impacts, waste management, self-monitoring and reporting and other general matters.

The M38 Industrial Place Code Council would assess the nature and scale of the proposed land use, site requirements and critical design requirements as applicable under the provisions of the assessment benchmarks.

The Department of Environment and Science, who is the administering authority for EA's assesses the activities associated with the ERA's under the EPA, its subordinate regulation and the relevant Environmental Protection Policies. EA's generally include operational conditions (i.e. compliance with

management plans, noise level limits, dust management and limits, stormwater management, maintenance and cleaning of equipment, record keeping, training, and monitoring and reporting). Notwithstanding, Council has a jurisdiction to complete an assessment against all of the provisions of the relevant assessment framework regardless of the assessment completed by the State. This also includes amenity provisions (in addition to the considerations identified above) and therefore, Officers have completed an assessment against the potential amenity impacts associated with the Industry use (i.e. odour) with consideration of the submitted specialist reporting material (traffic impact assessment, site based management plan inclusive of dust management plan). Officers have recommended specific conditions to ensure the proposed development complies with the provisions of The M38 Industrial Place Code and acknowledge that in some instances, these conditions are inconsistent with the requirements of the EA.

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 clear of vegetation with no established services;
- A regular shaped corner lot; and
- Will gain access from Emery Street and Eastridge Street.

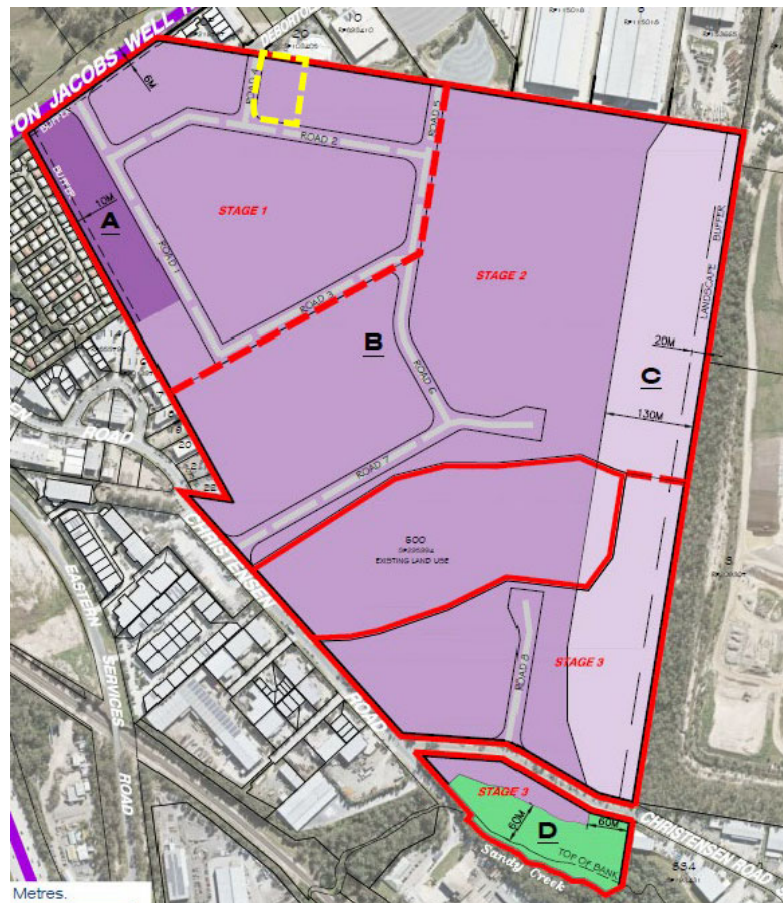


Figure 4: Subject site and future development site location (Source: Plan of subdivision)

4.2 Local context

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 local areas is comprised of industrial uses, landfill (Special purpose zone), and Extractive industry zone. The west of the site includes a small area of Medium density residential surrounded by Low impact industry zone (see figure 5).

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

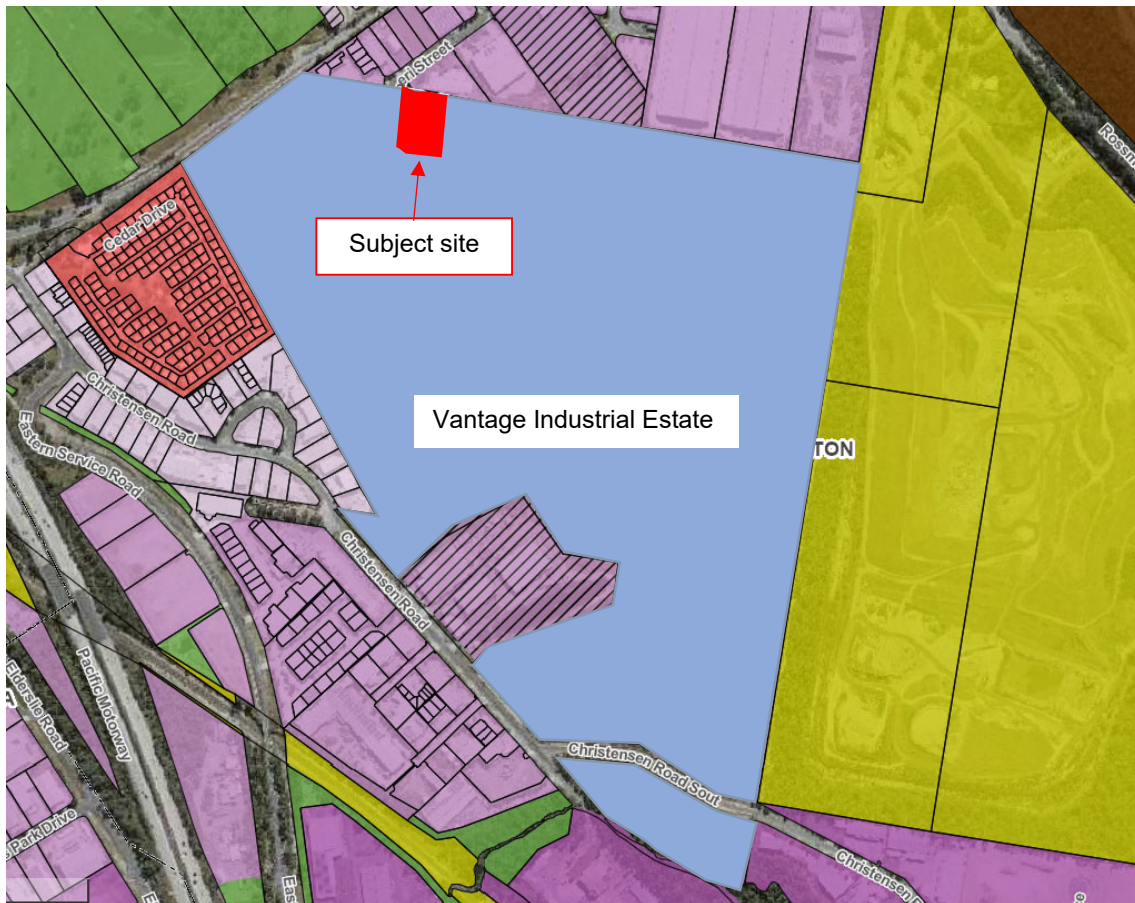


Figure 5: Aerial view of the Subject site and local context (source: CoGC)

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 City Plan appropriately reflects all aspects of the State Planning Policy apart from aspects relating to natural hazards, risk and resilience (coastal hazards). The proposal does not trigger assessment against any assessment benchmarks relating to natural hazards, risk and resilience (coastal hazards).
South East Queensland Regional Plan	The proposal is consistent with the goals, elements and strategies; and the Southern Sub-regional directions of the South East Queensland Regional Plan 2017 (ShapingSEQ).
Planning Regulation 2017	The proposal triggers assessment against the State development assessment provisions Schedule 10, Part 5, Division 4, Table 2, Item 1 – Non-devolved environmentally relevant activities. The application was referred to State Assessment Referral Agency 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	Acceptable / Performance Outcome	Subject matter
M38 Industrial Estate Place Code	Performance Criteria 14	Siting
	Performance Criteria 15	
	Performance Criteria 16	
	Performance Criteria 20	Building and layout design, safety and comfort
	Performance Criteria 25	Landscape design
	Performance Criteria 44	Access
Car Parking and Transport Integration Code	Performance Criteria 46 & 47	Amenity
	Performance Criteria 9	Access to Car Parks
	Performance Criteria 10	Driveways & 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:

Siting - M38 Industrial Estate Place Code

The Acceptable Solution and corresponding Performance Criteria is provided below:

Performance Criteria	Acceptable Solution
PC14	AS14

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 .	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 site is currently vacant, the siting of the proposed development within the lot benefitting from a dual frontage is cohesive with the intent of the M38 Industrial Estate Place Code. The proposed development includes generous side and front setbacks addressing the road frontages maintaining an appropriate interface to future industrial uses on the adjacent lots.

The lot benefits from two road frontages to the west and south of the site. As such the built form faces south, siting the ancillary office space 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. A single VXO accessing the site from Emeri Street provides direct access to the loading bays while the two VXOs accessing Eastridge Street provides vehicle access to visitor car parking areas situated adjacent to the ancillary office entrance.

While car parking is provided throughout the site to meet car parking requirements, the articulation and humanising elements in the design of the ancillary office space clearly identifies the office as the main entrance for pedestrians. It is considered that the proposed site layout achieves separation between public access areas and areas intended for servicing the building.

PC16: The proposed development includes suitable landscaping between 1.5 metres and 8.5 metres addressing the road frontages which is designed to soften the built form of the industrial use. Additionally, 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
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 ancillary office entrance. 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 an Industrial building inclusive of ancillary office space. As the ancillary 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 separate, 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.

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
PC21 All ground level parking is to be suitable landscaped to provide an attractive and pleasant outlook and shade for parked vehicle, and to contribute towards the quality presentation of new developments.	AS21.4 Car parking areas located in frontage setback areas are set back behind a minimum three metre landscape buffer to the frontages. To reduce their visual impact, front car parking areas may be lowered and mounds incorporated in frontage landscape.

Officer's comment

The proposed development provides frontage landscaping with a minimum frontage garden width of 1.5 metres along the western boundary. As Acceptable Solution AS21.4 requires carparking areas to be setback behind a minimum 3 metre landscape buffer to frontages, compliance with the Acceptable Solution cannot be achieved and assessment has been provided against the applicable Performance Criteria PC21 requirements.

The nominated continuous 1.5 metre width garden bed along the western boundary is considered to be of an acceptable size to support canopy trees and screening shrub plantings within the frontage to assist with providing a pleasant outlook and shade for parked vehicles as identified in the statement of landscape intent below (figure 6). The carparking area along the western boundary additionally

benefits from a landscaped bay which can accommodate a large tree providing additional shade to the car parking area.

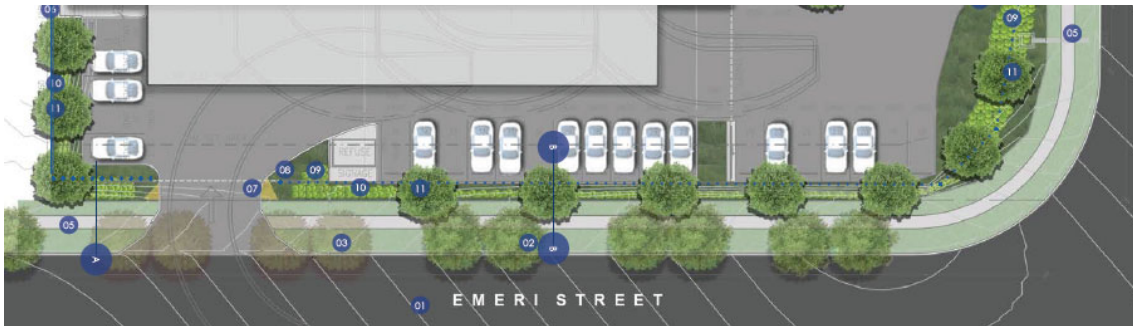


Figure 6: Excerpt of western car parking landscaping provision (Source: Gassman Development Perspectives)

Based on the above assessment it is considered the development complies with Performance Criteria PC21 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 outcome	Acceptable outcome
PC25 Landscape design is used to enhance the landscape character of the YEA.	AS25.1 Frontage setback areas are attractively landscaped, including: (a) at least 25% of the frontage having a landscaped buffer of minimum five metres depth and the remainder, excluding access ways, a landscape buffer of minimum three metres depth; and (b) one metre landscaped area adjacent to building walls facing the street. AS25.2 Planting of shade trees occurs along pathways, throughout car parking areas and within public road reserve, as well as and in any other exposed areas where relief from sun and glare would be beneficial. AS25.3 Dwarf walls prevent vehicles breaching landscaped areas along frontages. AS25.4 Screen planting, utilising an appropriate mix of tall trees and lower level shrubs, is used around outdoor parking, equipment, storage and other unsightly areas, particularly where visible from roads. AS25.5 Landscape Design includes: (a) provision of pleasant, shaded areas with appropriate furniture for lunch/relaxation areas for workers and visitors; (b) retention of existing mature vegetation, wherever possible;

	(c) retention of existing natural drainage channels and planting to strengthen their resistance to erosion, especially where proposed development is expected to result in increased volume and velocity of stormwater runoff; (d) use of garden edges, lines of trees and mass planting to frame pathways and define site and building entries. AS25.6 A minimum ten (10) metre wide north south landscape buffer is provided along the western boundary of the site adjoining the existing residential uses generally as outlined on the Landscape Intent Plan prepared by Gassman Development Perspectives and titled 5941 Landscape Intent Rev C. AS25.7 A minimum of twenty (20) metre wide north south landscape buffer is provided along the eastern boundary of the site (consisting of 10 metre wide 'undisturbed corridor', and 10 metre wide 'works corridor' including earthworks and landscape treatment).
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Officer's comment

The proposed development provides frontage landscaping with a minimum frontage garden width of 1.5 metres. As Acceptable Solution AS25.1 requires a minimum 3 metre frontage garden, compliance with the Acceptable Solution cannot be achieved and assessment has been provided against the applicable Performance Criteria PC25 requirements.

In order to assist demonstrating compliance with the applicable Performance Criteria, the landscape design must enhance the landscape character of the Yatala Enterprise Area. To assist demonstrating the desired landscape enhancement, a sufficient landscape buffer is recommended to be provided capable of supporting a combination of large canopy trees and screening shrub planting. The vegetation is recommended to remain unobscured (by any proposed fencing) when viewing the subject site from the adjoining public road reserve.

The proposed frontage landscape buffer varies from 1.5 metres to 8.5 metres in width along the front boundary. The 1.5 metre width section being primarily located within the Emeri Street frontage. The nominated continuous 1.5 metre width garden bed is considered to be of an acceptable size to support canopy trees and screening shrub plantings within the frontage to assist enhance the local landscape character. As reflected in Figure 7 below, the submitted Statement of Landscape Intent (SLI) is considered to reflect appropriate landscaping area to support tree planting within the frontage. Council officers recommend imposing conditions requiring large canopy tree planting to be provided at appropriate centres (6 metres) with associated accent planting to assist demonstrating compliance with the applicable Performance Criteria.



Figure 7: Proposed Statement of Landscape Intent (Source: Gassman Development Perspectives)

Based on the above assessment it is considered the development complies with Performance Criteria PC25 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 Solution and corresponding Performance Criteria 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; h. odour and emissions; i. dust; and j. vibration.	AS47 No acceptable solution provided.

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 Industry is accepted development within the M38 Industrial Place Code. It is expected that Industry involves activities which will increase traffic through the wholesale of merchandise and goods produced and dispatched. 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 has not included any signage, including 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 area 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: Odour impacts were assessed by DES under its jurisdiction as the administering authority for the EA. The EA contains conditions which require odour impacts to comply with the prescribed standards in the document. DES assessed the odour impacts in accordance with the EPA, its subordinate regulation, and relevant policies.

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.

5.3.3.2 Assessment against the Constrain 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 Solution and corresponding Performance Criteria 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

To comply with Acceptable Solution AS9.1 of Car Parking and Transport Integration Code, 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.

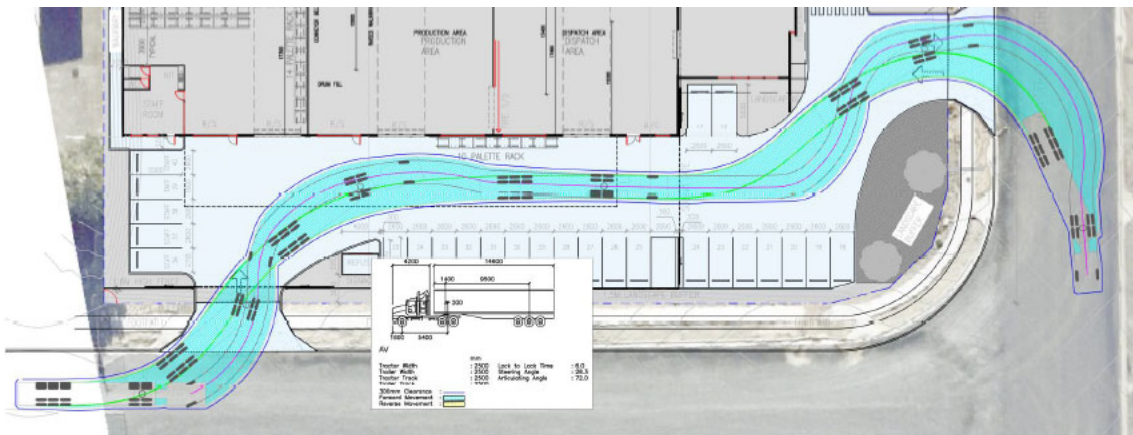
The applicant has confirmed that all gates are to remain open during the proposed operating hours. A condition of approval has been imposed requiring that all gates remain open during operating hours to allow access for employees and visitors.

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

The Acceptable outcome and corresponding Performance outcome is provided below:

Officer's comment

The purpose of the two crossovers to Eastridge Street includes a singular VXO access provided for light vehicles and the second VXO is intended provide access to the loading areas. The subject site benefits from a dual frontage and the proposed development includes a VXO for heavy vehicles accessing Emeri Street, adjacent to the loading bays (Figure 8). The inclusion of VXOs for heavy vehicles to both street frontages allows on-site service vehicle manoeuvring including Articulated Vehicles (AV).



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 \$206,516.47.

Charge calculation

Charges Resolution No. 1 of 2019					
	Qty			Rate	Gross Charge Amount
Impervious Area	5,342	Square Metres	@	\$ 11.09	\$ 59,242.78
Industry	3,213	sq m Gross Floor Area	@	\$ 55.51	\$ 178,353.83
					\$ 237,596.41
Net Charge Summary					
Gross Charge Amount		Applied Credit Amount		Net Charge Amount	
\$ 237,596.41		\$ 31,079.94		\$ 206,516.47	

Applied credit details

Credit applied for a standard lot.

Office Use Only	
\$ 140,985.94	DC011
\$ 49,479.59	DC013
\$ 16,050.94	DC020
\$ 206,516.47	

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

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)
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.
Landscape Assessment	Landscape Assessment reviewed the proposed development and have provided the following conditions: - Environmental and Landscaping – landscaping works; and - 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
Transport Assessment	Transport Assessment reviewed the proposed development and have provided the following conditions:

	• General – Approved drawings • Transport: - Off street vehicle and car parking facilities; - Off street bicycle parking and end of trip facilities; - Loading and unloading (excluding waste collections vehicles); and - Security gate requirements
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 – reuse existing sewer connection; - Water connection; - Fire loading; and - Sub-metering.

7.2 External referrals

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

7.2.1 Concurrence agency(s)

State Assessment and Referral Agency (SARA)

On 11 May 2022, the application was confirmed as referred to SARA for:

- Schedule 10, Part 5, Division 4, Table 2, Item 1 – Non-devolved environmentally relevant activities;
 - ERA 7 (Chemical Manufacturing)

On 2 February 2023, the Department of Environment and Science (DES) approved the Environmental authority permit (P-EA-100375693) for ERA 07 – Chemical manufacturing – 4(a) – Manufacturing, in a year, the following quantities of fertiliser – 200t to 5,000t. The environmental authority permit does not take effect until the related development approval takes effect (the subject application). The Environmental relevant permit includes conditions relating to self-monitoring and reporting, waste, air quality, stormwater management, release of contaminants, acoustic, and waste.

8 PUBLIC NOTIFICATION

No part of the application required public notification.

9 CONCLUSION

Council is in receipt of an application for a development permit for a material change of use to establish Industry and an associated Environmentally Relevant Activity at 20 Eastridge Street, 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 Industry and associated Environmentally Relevant Activity, in accordance with the Attachment entitled: Decision notice —approval (with conditions).

Author:

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March 2023

Authorised by:

Roger Sharpe

Executive Coordinator Planning Assessment