

1 APPLICATION SUMMARY

Application information		
Address	10 Homestead Drive, STAPYLTON QLD 4207	
Lot and plan	Lot 122 SP329476	
Site area	20,900m ²	
Type of development and proposed use	Warehouse and Change to ground level	
Categories of development and assessment	Code assessment	
Properly made date	3 August 2023	
Decision due date	16 November 2023	
Applicant and Applicant's consultancy team	Fpi Queensland Pty Ltd – Applicant Gassman Development Perspectives – Town Planning / Engineering Frasers Property – Drawings PTT – Traffic Engineer Acousticworks – Acoustic Engineer	
Owner details	Australand Industrial No. 89 Pty Limited	
City Plan version	Not applicable	
Preliminary approval - Zone / Precinct	M38 Industrial Place Code	
City Plan - Zone / Precinct	Low impact industry Future low impact industry precinct	
Overlays	Not applicable	
Submissions	Objections	Support
	Not applicable	Not applicable
Key matters raised by submitters	Not applicable – code assessable	
Referral agencies	Not applicable	
Officer's recommendation	Approval, subject to conditions	

2 PROPOSAL

2.1 Site history

- 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.
- On 19 February 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 (Community Title Subdivision to create 1 into 22 Industrial lots, common property, balance lot, stormwater lot and new road) to establish Stage 1 of the Vantage Point Estate (ROL/2020/123).
- On 22 April 2022, Under Delegated Authority the Executive Coordinator Planning Assessment of the City Development Branch approved the issue of a combined Development permit for Reconfiguring a lot for a three (3) into three (3) lot boundary realignment and Change to ground level (COM/2022/13). This boundary realignment resulted in a change to the boundary of the subject site as approved in accordance with ROL/2020/123 in order to facilitate an approved Material change of use for a Warehouse and Manufacturers shop on the adjoining site (MCU/2021/718).
- The subject site (Lot 122 SP329476) was subsequently registered (in its current configuration) on 24 April 2023.

2.2 Brief description of proposed development

The purpose of this report is to assess an application for a combined development permit for a Material change of use (Code assessable) for a Warehouse and Operational works (Code assessable) for Change to ground level at 10 Homestead Drive, Staplyton. The subject site is located within Stage 1 of the Vantage Industrial Estate.

The proposal includes the construction of a new Warehouse with ancillary office space. The development will provide a storage and logistical hub for various goods.

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 use 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.'

Table A of the Yatala Enterprise Area Local Area Plan Table of Development (As Modified) – Material Change of Use identifies a Warehouse 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 A COMBINED DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE AND OPERATIONAL WORKS (CODE ASSESSMENT) FOR WAREHOUSE AND CHANGE TO GROUND LEVEL AT 10 HOMESTEAD DRIVE, STAPYLTON COM/2023/162

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

Development proposal	
Height	Warehouse: 14.6m and one (1) storey Office: 6.5m and one (1) storey
Setbacks	Front (Eastridge Street): 34.7m to Warehouse and 15.5m to Office Front (Homestead Drive): 7m Side: 41m Rear: 6.5m
Site cover	55.1%
Gross Floor Area	Warehouse: 9143m ² Office: 460m ²
Car parking	55
Hours of operation	24 hours – Monday to Sunday
Servicing	The proposed service area can accommodate 7 Articulated Vehicles (AVs)
Access	One heavy vehicle VXO to Eastridge Street One singular light vehicle VXO to Fairway Street

The following drawing identifies the proposed development.

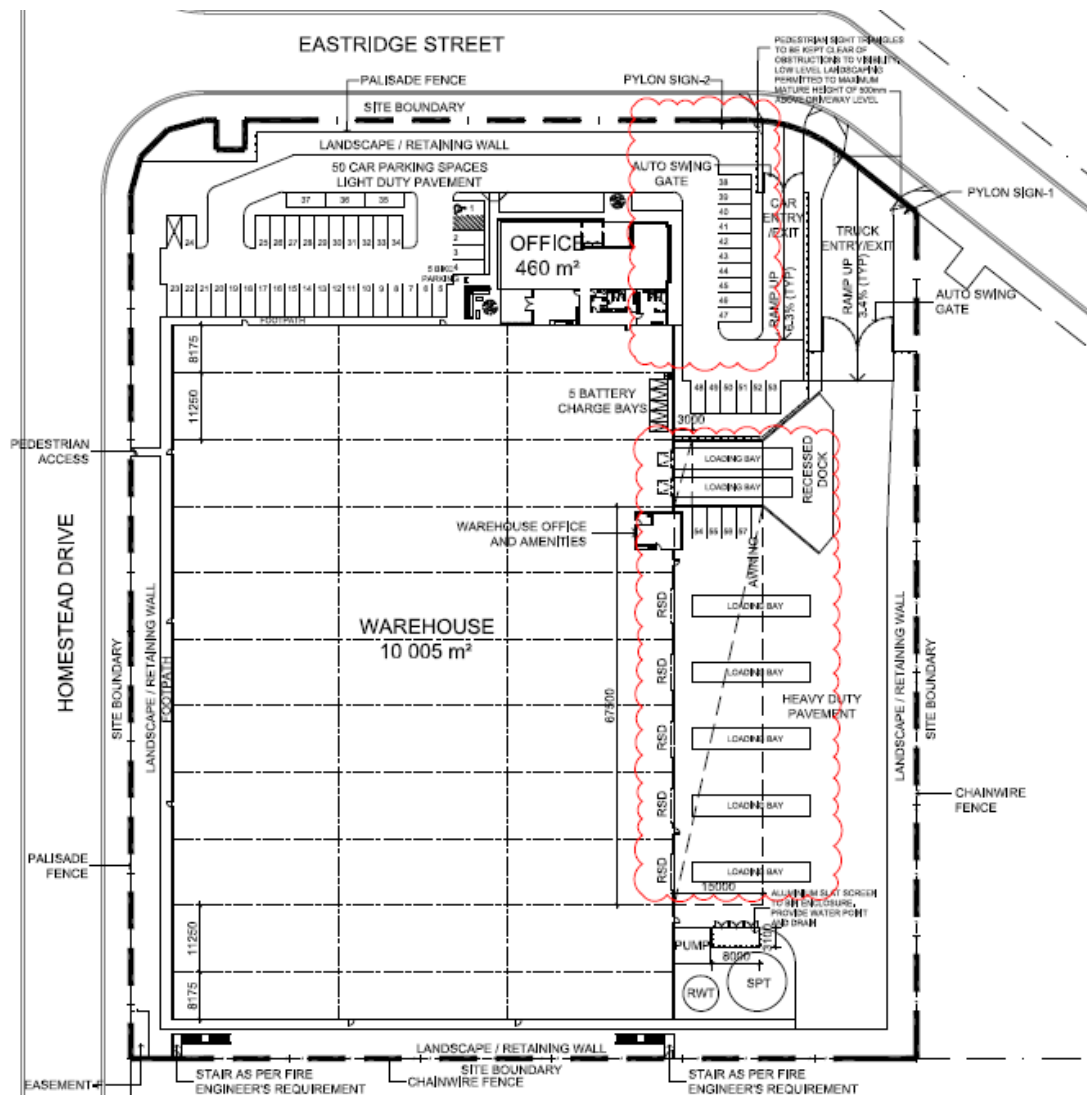


Figure 1 – Proposed site plan (Source: Frasers Property)

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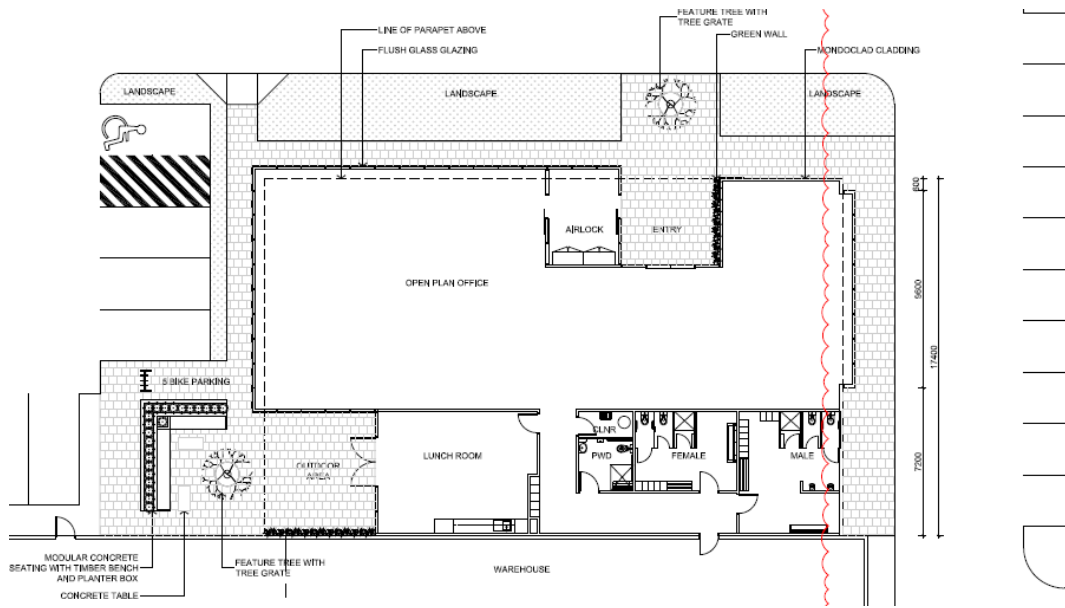


Figure 2 – Proposed office floor plan (Source: Frasers Property)

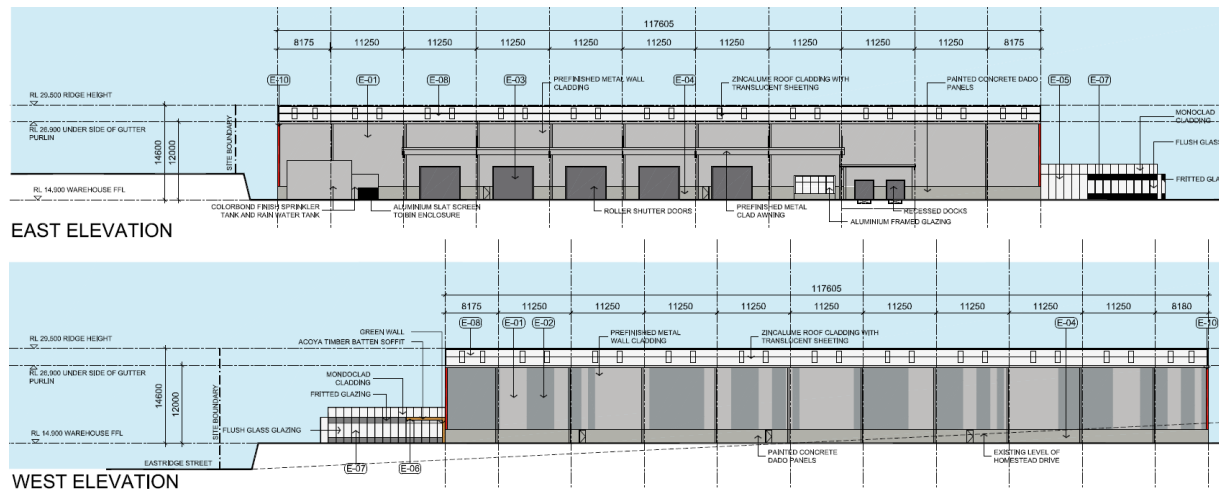


Figure 3 – Proposed east and west elevation (Source: Frasers Property)

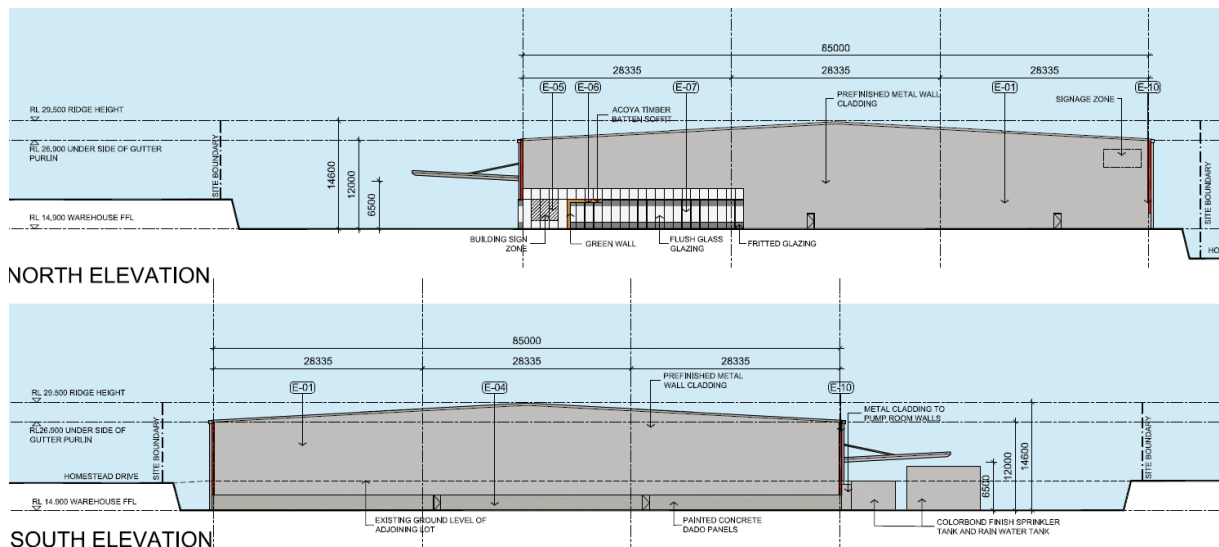


Figure 4 – Proposed east and north and south elevation (Source: Frasers Property)

3 SITE CONTEXT

3.1 Subject site and immediate context

The subject site is:

- Part of Stage 1 of the Vantage Industrial Estate;
- Subject to the M38 Industrial Estate Place Code;
- 20,900m² in area;
- regular in shape and proposed associated earthworks;
- burdened by an easement in the south-western corner for drainage purposes; and
- benefitted by frontages to both Homestead Drive and Eastridge Street.

The subject site is located in the suburb of Stapylton which includes large areas of industrial zoned land strategically located in close proximity to the Pacific Motorway. The subject land is vacant, cleared, and is subject to bulk earthworks.

Immediately to the:

- North: a continuation of land zoned Low impact industry (Future low impact industry precinct) which form part of the Vantage Point Estate. Further north is Stapylton Jacobs Well Road
- East: a continuation of land zoned Low impact industry (Future low impact industry precinct) which form part of the Vantage Point Estate. Further east is Stapylton Landfill and a deactivated quarry.
- South: a continuation of land zoned Low impact industry (Future low impact industry precinct). The proposed development is directly north of other future industrial lots which form part of Stage 2 of the Vantage industrial estate. Further south lies Stage 3 and Christensen Road.
- West: a continuation of land zoned Low impact industry (Future low impact industry precinct) which form part of the Vantage Point Estate. Further west is Medium density residential zoned land utilised for a residential estate.



Figure 5 – Local context map (Source: City Plan Interactive Mapping)

4 PLANNING ASSESSMENT

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

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.

4.1 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 The proposal does not trigger assessment against any assessment benchmarks in Schedule 10 (Development assessment) of the <i>Planning Regulation 2017</i> .

4.2 Local categorising instruments

The application has been assessed against the following instruments:

Local categorising instrument	Comment
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	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.
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4.2.1 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 solutions or where a relevant performance criteria does not have a stated corresponding acceptable solution. This is outlined in the table below:

Code	Performance Criteria	Subject matter
M38 Industrial Estate Place Code	PC8	Vehicular parking
	PC14, 15 & 16	Siting
	PC44	Site access
	PC46 & 47	Amenity protection
Car parking, access and transport integration	PC9	Access to Car Parks

Assessment against the M38 Industrial Estate Place Code

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

Car parking supply – M38 Industrial Estate Place Code

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	AS8.1.2 The number of car parking spaces provided on-site is generally in accordance with Table to Acceptable Solutions AS8.1.2. Warehouse- 2 spaces per tenancy or lot, plus one 1 space per

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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.	50m ² of GFA up to 500m ² , plus 1 space per 100m ² of GFA over 500m ²
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Officer's comment

To comply with Acceptable solution AS8.1.2 of the M38 Industrial Place Code, the development must provide 104 car parking spaces. The submitted drawings show a total of 55 spaces. Compliance with Acceptable solution AS8.1.2 is not achieved, thus requiring assessment against Performance criteria PC8.

Project Traffic Engineer (Pekol Traffic and Transport) has proposed the following solution:

- Austroads considers the 85th percentile peak parking demand to be an adequate measure of the minimum parking provision.
- A desktop survey of ten sites in the Stapylton area shows an 85th percentile parking rate of 2 spaces plus 0.45 spaces per 100m² TUA.
- Application of this rate to the subject site results in a requirement of 44 spaces.

Officers have considered but do not support the above solution for the following reasons:

- Austroads Guide to Traffic Management Part 11: Parking recommends using 85th percentile for land uses such as shopping centres where demand varies quite considerably throughout the year (e.g. in the lead up to Christmas etc). In cases such as this, if parking were provided to satisfy the maximum demand, there would be large expanses of car parking which remain vacant throughout the year.
- Officers would expect the proposed development to have a consistent car parking demand based on the number of staff and visitors expected onsite. Provision of the maximum car parking demand would be used every day of the year.

The applicant was requested to confirm the maximum number of staff per shift (based on 24 hour, 7 days per week operation), shift change over periods and expected maximum demand for visitor parking. The applicant responded advising that the operational characteristics are not yet known as the tenant is yet to be decided.

In the absence of specific staffing information, based on the supply of 55 car parking spaces, officers are prepared to accept a Warehouse use with maximum of 50 staff onsite at any one time. This allows for shift change over and leaves a nominal 5 spaces for visitors. Officers have imposed a condition to this effect. Compliance with Performance criteria PC8 is achieved through conditions of approval.

Siting - M38 Industrial Estate Place Code

The Acceptable Solution and corresponding Performance Criteria 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 proposed development and configuration 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.

PC15: The proposed development clearly articulates a separation between public access and areas allocated for servicing the building. Access to the staff parking area and the ancillary office is gained through a light vehicle VXO from Eastridge Street, which continues clearly through to the public access area adjacent Eastridge Street. The proposed heavy vehicle VXO from Eastridge Street is barriered by fencing, and continues to the east of the site, which is dedicated to loading and manoeuvring areas. 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 Warehouse and ancillary office space is located directly adjacent to the public parking areas and Eastridge Street. As such the loading and servicing areas are exclusively located at the eastern portion of the subject site. Additionally, the proposed development includes substantial landscaping between 5m and 7m addressing all property boundaries, which is anticipated 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.

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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.

Site Access - M38 Industrial Estate Place Code

The Acceptable Solution and corresponding Performance Criteria 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. Despite this, 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: Environmental health provided the following assessment:

"In support of the application, the applicant has submitted a Noise Impact Assessment (NIA) by 'Acoustic Works' dated 20 July 2023.

The report has been reviewed in accordance with internal assessment processes and is considered to appropriately address potential acoustic amenity impacts. The report has predicted that noise from the proposed development will be adequately mitigated to within criteria levels and therefore reduce opportunity for nuisance to be created. Compliance is helped largely by the building having a blank western façade, truck movements located on the eastern side of the building, intervening buildings to the west of the site and separation of approx. 170m to (western) sensitive receivers."

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

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 nature of the use and proposed operating hours are anticipated. It is not anticipated that the proposed hours of operation will negatively 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 (Warehouse) is Self-Assessable development in accordance with M38 Industrial Place Code. Traffic demand associated with the industrial nature of the site has been previously considered as a result of the existing underlying preliminary approval. It is not considered that the proposed Warehouse will introduce any negative, previously unconsidered, traffic impacts.

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.

(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: The future development of the balance of the Vantage Point Estate is anticipated to be of a similar high quality industrial design with landscaping. Additionally, construction has commenced for a

larger development to the south of the subject site. The proposed development has been designed with consideration of the nearby approved developments. As such, it is not anticipated that nearby development will impact on the visual amenity of the subject site.

(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 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. Furthermore, sensitive receivers including office space is orientated away from potential odour creating existing of future activities.

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

6 INFRASTRUCTURE CHARGES

The final estimated infrastructure charge is \$736,274.86.

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

Charge calculation

Charges Resolution No. 1 of 2022					
	Qty			Rate	Gross Charge Amount
Impervious area	17,508	Square Metres	@	\$ 11.74	\$ 205,543.92
Other industry	9,603	sq m Gross Floor Area	@	\$ 58.69	\$ 563,600.07
					\$ 769,143.99
Net Charge Summary					
Gross Charge Amount		Applied Credit Amount		Net Charge Amount	
\$ 769,143.99		\$ 32,869.13		\$ 736,274.86	
Applied credit details		Standard lot credit applied.			

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)
Health and Regulatory Services	General - Approved drawings - Approved plans Amenity - Screening of visually offensive components Construction Management - Certification of works - Health and Regulatory Services
Hydraulics and Water Quality	Stormwater Drainage - Overland flow paths and hydraulic alterations Construction Management - Erosion and sediment control plan
Landscape Assessment	Environmental and Landscaping - Landscaping works - Retaining wall and fencing location (specific condition) Engineering - Existing structures and services Construction Management - Certification of works – Landscape Assessment Advice Notes - Further development permits / compliance permits
Plumbing and Drainage	Plumbing and Drainage Act 2018 Plumbing and drainage works
Subdivision Engineering	Engineering - Electrical reticulation - Telecommunications network Construction Management - Certification of works - Subdivision Engineering
Transport Assessment	General - Approved drawings - Amended drawings Transport - Operational restrictions - Off-street vehicle and car parking facilities - Security gate requirements - Loading and unloading (excluding waste collection vehicles) Engineering - Eastridge Street – ‘No stopping’ yellow line marking - Footpaths Advice Notes - Development infrastructure - Further development permits / compliance permits

Water and Waste	<u>MCU Component:</u> General • Timing • Approved drawings Property • Restrictions regarding Council easements and sewer and water supply infrastructure Amenity • Screening of visually offensive components Engineering • Rectification of Council's infrastructure Sewer and Water Works • Sewer connection • Water connection • Sub-metering • Fire loading Solid Waste Management • Bin type, storage capacity and storage points • Storage / servicing point Construction Management • Certification of works - Water and Waste • Certification of works – Water and Waste (Solid Waste Management) • Hold point inspection – Solid Waste Advice Notes • Works in properties other than the development land • Development infrastructure • Council water and sewer mains to be protected during site works • Works in Transport and Main Roads (TMR) Corridor • Connections and disconnections • No open trenching of the road pavement for water connections across / in roadways • Water meter sizing • Further development permits / compliance permits • Separate service connection points • Connections to, alteration or realignment of Council infrastructure • Operational Works meeting prior to lodgement • Design, Constructability and Minor change applications <u>OPW Component:</u> Advice notes • Council water and sewer mains to be protected during site works • Further development permits / compliance permits
Operational Works	<u>OPW Component:</u> General

	• Approved drawings Engineering • Rectification of Council's infrastructure • Earthworks Stormwater Drainage • Overland flow paths and hydraulic alterations • Erosion and sediment control Construction Management • Certification of works • Supervision of works • Availability of approved plans, drawings and reports • Haulage access/site management plan • Transport of soil / fill / excavated material • Earthworks as-constructed data • Pre-start inspection • Hold point inspection • Practical Completion Advice Notes • Indigenous cultural heritage legislation and duty of care requirement • Encroachment of works • Applicant responsibilities • Water usage • Fire ant control
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7.2 External referrals

There is no concurrence or advice agency(s) triggered by this development application.

8 PUBLIC NOTIFICATION

No part of the application required public notification.

9 CONCLUSION

Council is in receipt of an application for a Combined Development permit for a Material change of use for a Warehouse and Operational works for Change to ground level at 10 Homestead Drive, 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:

- Development permit for Material change of use for a Warehouse; and
- Development permit for Operational works for Change to ground level.

In accordance with the Attachment entitled: Decision notice —approval (with conditions).

Author:

Kyra Reid

Planner

November 2023

Authorised by:

Roger Sharpe

Executive Coordinator Planning Assessment