

1 APPLICATION SUMMARY

Application information		
Address	Lot 504 Homestead Drive, Stapylton	
Lot and plan	BAL Lot 504 SP329485 (future Lot 505 SP316171)	
Site area	49.6ha	
Properly made date	8 May 2023	
City Plan version	The site is subject to a Preliminary approval for making a Material change of use to override the Planning Scheme for industry uses granted on 4 March 2013 (Council ref: MCU201100650) and most recent Minor change approval (Council ref: MIN/2023/64).	
Zone / Precinct	Land use classification for M38 Industrial Park: - General impact business and industry; - Limited general impact business precinct; and - Open space / reserve.	
Proposed use	Reconfiguring a lot one into four community title scheme industrial lots, common property, two public stormwater lots, public open space conservation lot, and new public road and Operational Works for change to ground level and tree works.	
Categories of development and assessment	Code assessment	
Applicant and Applicant's consultancy team	FPI Pty Ltd (Applicant) Gassman Development Perspectives (Planning consultant / Designer / Engineering / Landscape concept) Rytenskild Traffic Engineering (Traffic Impact Assessment)	
Land owner	Australand Industrial No. 89 Pty Ltd	
Submissions	Objections	Support
	Not applicable.	Not applicable.
Key matters raised by submitters	Not applicable.	
Decision due date	28 August 2023	
Referral agencies	SARA - Planning Group - Queensland Treasury. - Reconfiguring a lot near a State transport corridor	

	– Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1
Officer's recommendation	Approval with conditions.

2 PROPOSAL

The purpose of this report is to assess an application for a development permit for a Combined application for Reconfiguring a lot one into four community title scheme industrial lots, common property, two public stormwater lots, public open space conservation lot, and new public road and Operational Works for change to ground level at Lot 504 Homestead Road, Stapylton.

The proposed industrial lots will range in allotment areas from 7,564m² to 7.62ha with landscaped buffers provided along the eastern property boundary in accordance with the Preliminary Approval. The proposal includes the delivery of a common property lot to support recreational space to service the immediate workforce of the industrial estate. The common property is proposed to be embellished with sheltered seating areas including BBQ facilities, basketball court and outdoor gym equipment, car parking area and landscaping.

The proposed new road and two stormwater basins are to be dedicated as public assets. The stormwater basins are to be accesses via access easements burdening proposed industrial Lots 301 and 302. The proposed new road provides direct access to proposed lots 301, 302 and 303. Existing road Christensen Road South intersects Stage 3 of the Vantage Industrial Estate. Proposed Lot 304 will gain direct access to Christensen Road South which includes proposed road upgrades.

The proposed development includes the dedication of a conservation lot approximately 1.89ha adjacent to Sandy Creek. The conservation area is encumbered with medium priority vegetation including koala habitat. Rehabilitation works are proposed within the lot to be dedicated for conservation.

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

Development within the M38 Industrial Park, including the site, is subject to a Preliminary approval for making a Material change of use to override the Planning Scheme for industry uses (under s242 of SPA), approved 4 March 2013 (Council ref: MCU201100650 and MIN/2020/659). It should be noted that the delivery of Stage 1 of the M38 Industrial Park, including a Community Title Subdivision to create 1 into 22 Industrial lots, common property, balance lot, stormwater lot and new road has been completed. Approval for Stage 2 and subsequent changes have been approved resulting in an approval for 5 industrial lots, stormwater lot and new road delivered through sub-staging.

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

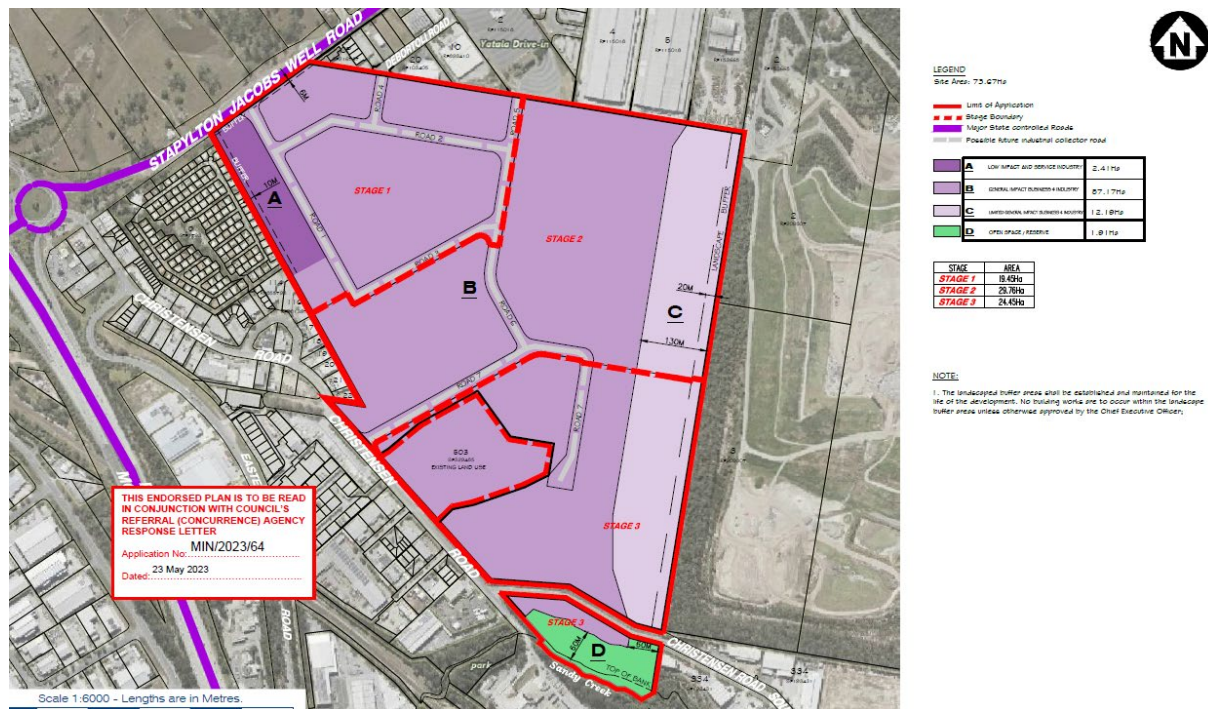


Figure 1: Land Use Classification and Staging Plan (Source: MIN/2023/64)

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

Table E of the M38 Industrial Estate Place Code categorises the proposed development for Operation works for Tree works as subject to Code assessment.

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

Table F of the M38 Industrial Estate Place Code identifies that a Reconfiguring a Lot within precinct D (Open Space / Reserve) that results in one or more lots with an area less than 20 hectares is subject to Impact assessment. The proposed Reconfiguring a Lot includes the dedication in entirety of Precinct D as a conservation lot. Precinct D includes a total area of 1.89 hectares and therefore cannot meet the Code Assessable minimum lot size of 20 hectares as identified within Table F. As a technicality, the dedication of Precinct D is subject to Impact Assessment. However, given the intent of the Precinct D for Open Space / Reserve is maintained through dedication of a conservation lot as discussed further within this report, officers consider it appropriate to maintain the level of assessment as Code Assessable.

The development proposal for the Reconfiguration of a lot to subdivide 1 into 4 Industrial lots, common property, balance lot, stormwater lot and new road is considered to be generally in accordance with the Land Classification and Staging Plan included as Figure 1 and is outlined in the table below:

Development proposal	
Proposed Lot	Size

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DELEGATED AUTHORITY REPORT ON DEVELOPMENT PERMIT FOR RECONFIGURING A LOT
(1 INTO 4 COMMUNITY TITLE SCHEME INDUSTRIAL LOTS, COMMON PROPERTY, PUBLIC
OPEN SPACE CONSERVATION LOT, 2 STORMWATER LOTS AND NEW ROAD) AND
OPERATIONAL WORK FOR CHANGE TO GROUND LEVEL AND TREE WORKS AT LOT 504
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301	5.09ha
302	7.62ha
303	1.94ha
304	7,564m ²
Common property	9,854m ²
Drainage reserve 902	2,627m ²
Drainage reserve 903	5,268m ²
Conservation lot	1.89ha

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

Development parameters	
Landscaping	10 metre buffer provided to the eastern boundary (for Precinct C)
Common property	Proposed health precinct will contain park shelters, gym equipment, basketball court and open landscaped areas to cater for the staff and visitors to the estate.
Lot size	Proposed lots range from 7,564m ² to 7.62ha
Stormwater and water quality	Bio-retention basins to be dedicated to Council as part of Stage 3 of the development.
Provision of new road	While the lots will be part of the M38 Industrial Park Community Title estate, the proposed new roads will be public roads.
External Roadworks	Conditions of the overarching preliminary approval require external road reprioritisation and upgrades including the following: - a the upgrade of Christensen Road and Christensen Road South; - b the intersection of Christensen Road South and proposed new road; - c the intersection of Christensen Road and proposed new road; - d the intersection of Christensen Road and the Eastern Service Road; - e the re-prioritisation of the intersection of Christensen Road and Christensen Road South.
Provision of Electricity and Telecommunication	The existing electricity and telecommunication infrastructure will need to be augmented to service the proposed development.
Access to Stage 3	Formal access to the area of Stage 3 will be facilitated via the new road created as part of Stage 2, with the exception of Lot 304 gaining access from the existing Christensen Road South.
Sewer and Water	Conditions are to be imposed for the connection of sewer and water reticulation to proposed lots including associated easements.
Geotechnical Engineering	Earthwork and Cut/Fill Batters.
Vegetation clearing	Vegetation clearing within the road reserve is proposed within areas previously forming part of the Amgrow site.

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Earth Batters design	Batters of a height up to 6.0 metres including benching are proposed
Land dedication	Two bioretention basin and conservation lot.
Street trees	Internal public roads.
Environmental	Open Space Rehabilitation Management Plan of conservation lot to be dedicated.
2003 Planning Scheme – Land development guidelines (Hydraulic assessment)	- Stormwater quality and quantity - Community title scheme - Lawful point of discharge - External catchment - Major/minor drainage system

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

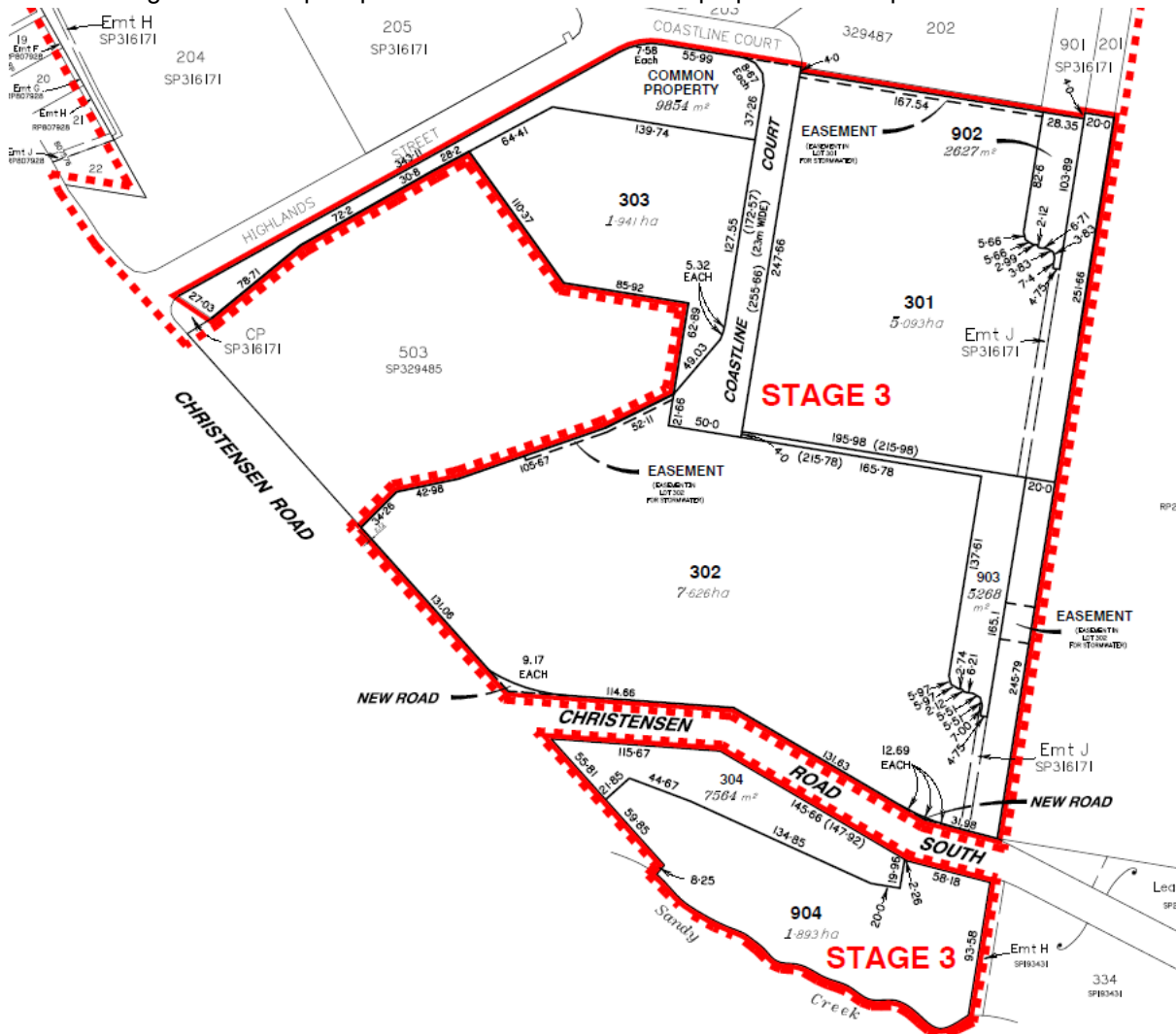


Figure 2: Proposed plan of subdivision (Source: Gassman Development Perspectives)

The proposal includes 9,854m² common property area intended to facilitate a recreational health precinct within the estate. The health precinct aims to promote health and wellbeing of staff and visitors to the estate through embellished communal open space. The common property proposed to

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include park shelters, gym equipment, basketball court and open landscaped park embellishments (figure 3).



Figure 3: Common property plan (Source: Gassman Development Perspectives)

The proposal includes external roadworks as conditioned as part of the preliminary approval. The following concept intersection diagrams represent the proposed road geometry.

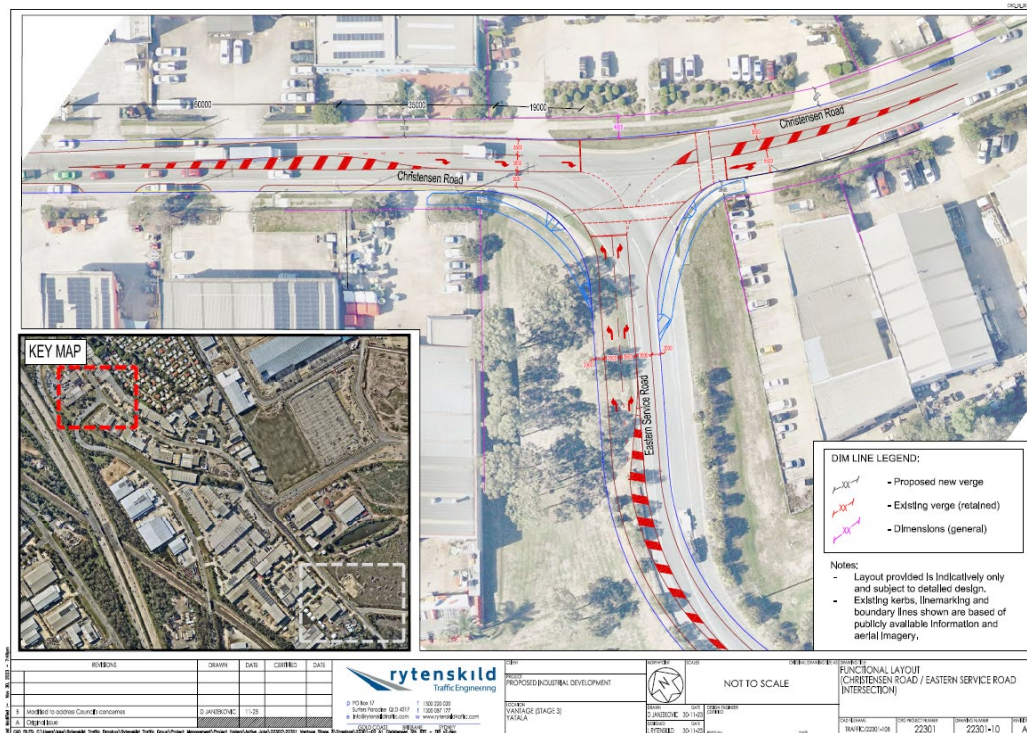
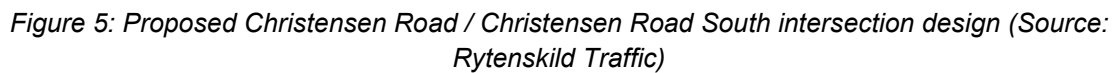


Figure 4: Proposed Christensen Road / Eastern Service Road intersection design (Source: Rytenskild Traffic)

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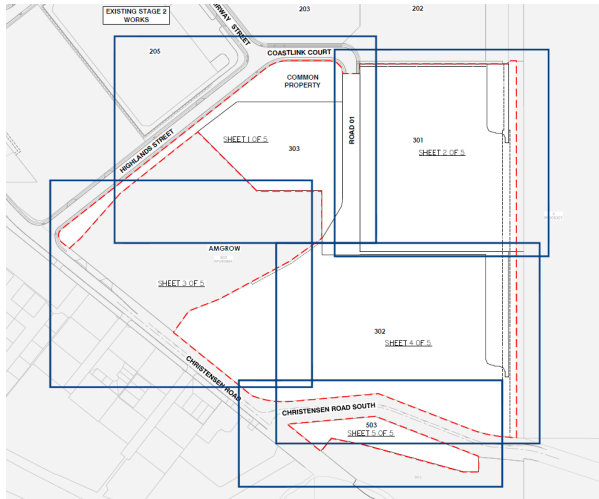


Stage 2 – Change to ground level Total	
Cut	203,744m³
Fill	240,566m³
Fill to import	36,911m³

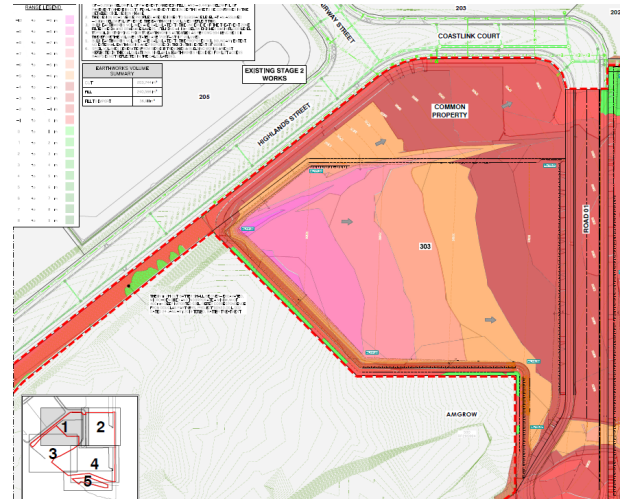
The following bulk earthworks proposal plan provides an initial view of the proposed earthworks.

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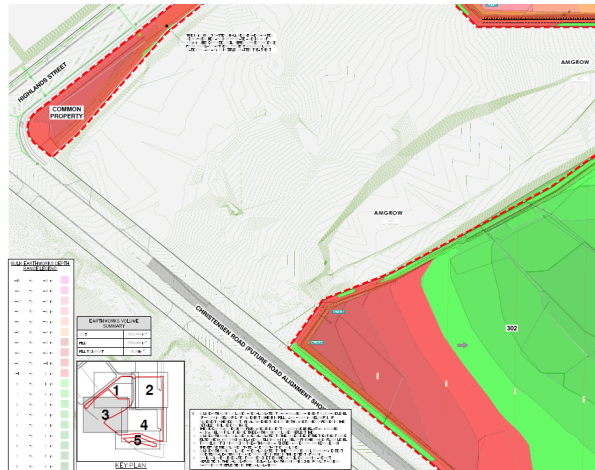
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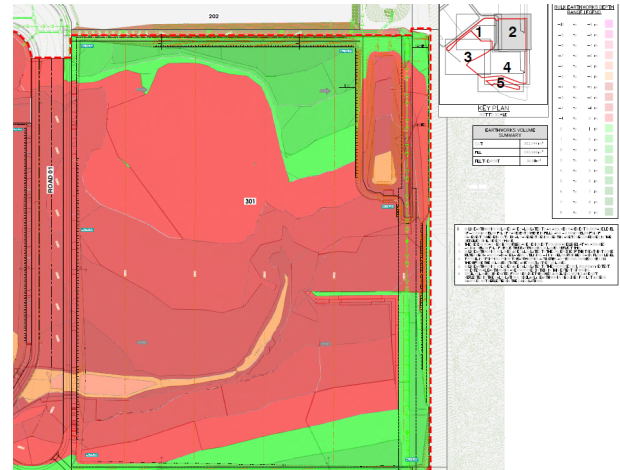
Bulk earthworks plan areas



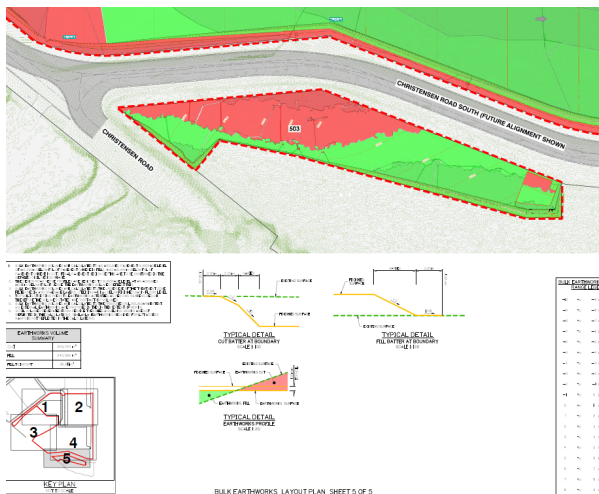
Plan area 1: Bulk Earthworks



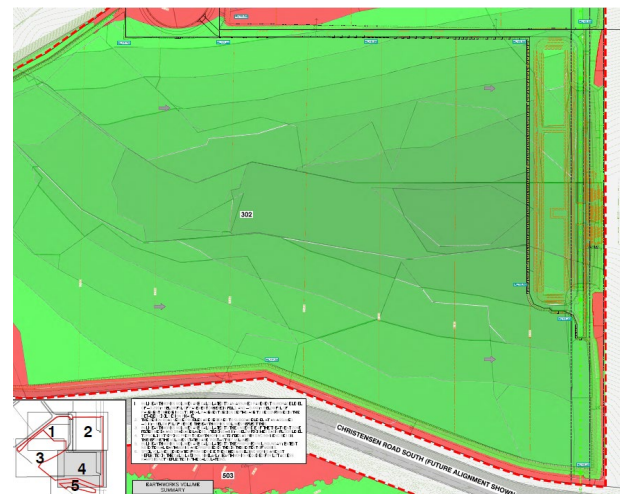
Plan area 3: Bulk Earthworks



Plan area 2: Bulk Earthworks



Plan area 5: Bulk Earthworks



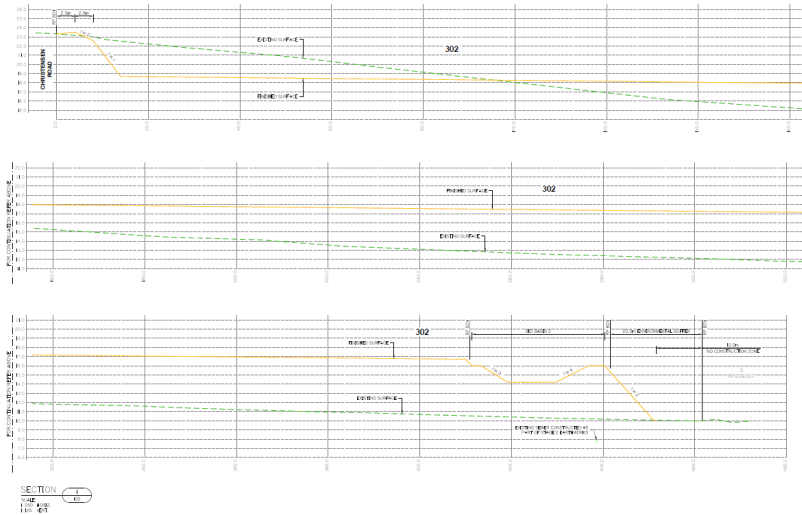
Plan area 4: Bulk Earthworks

Figure 6: Proposed Bulk Earthworks Plan (Source: Gassman Development Perspectives)

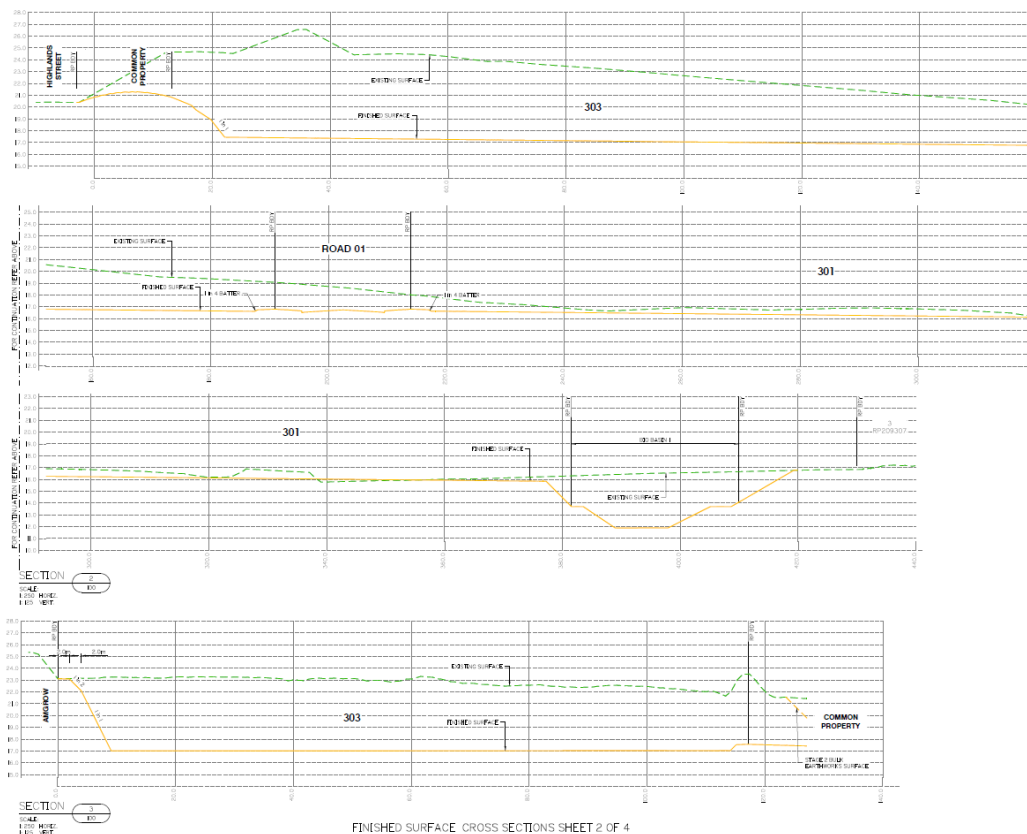
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The following Sections show the some of the finished bulk earthworks levels over the site.



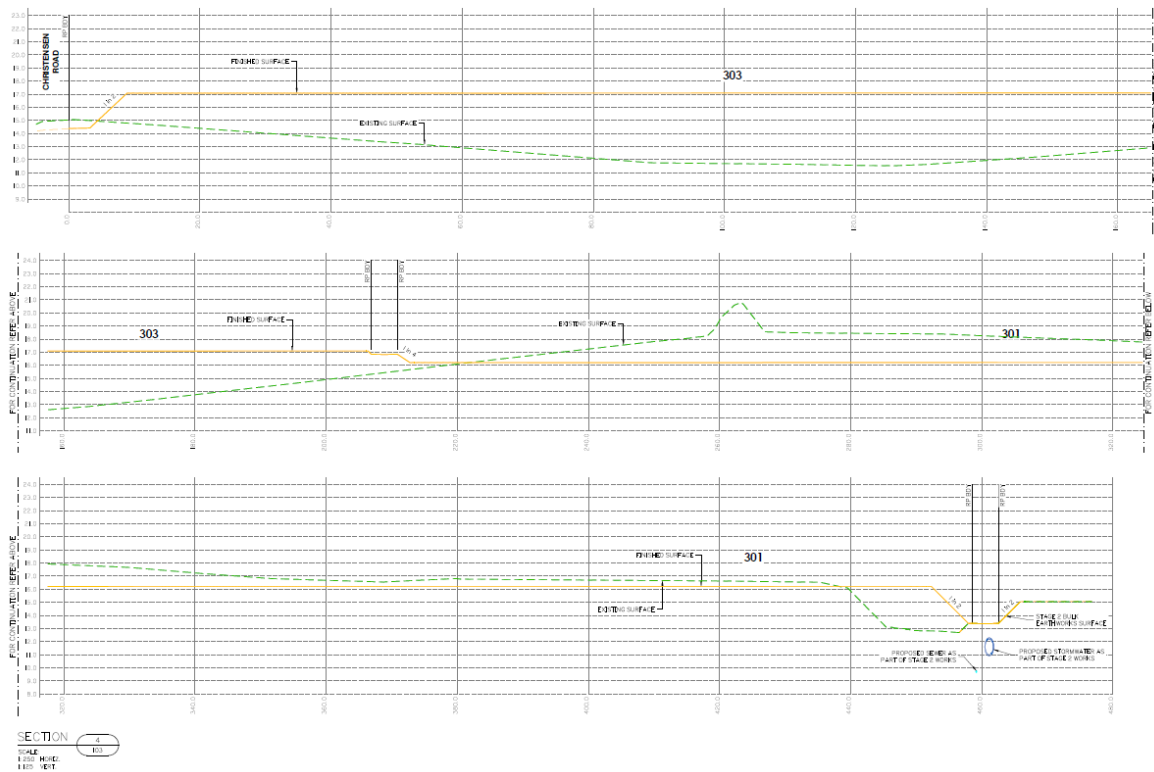
Bulk earthworks Section 1



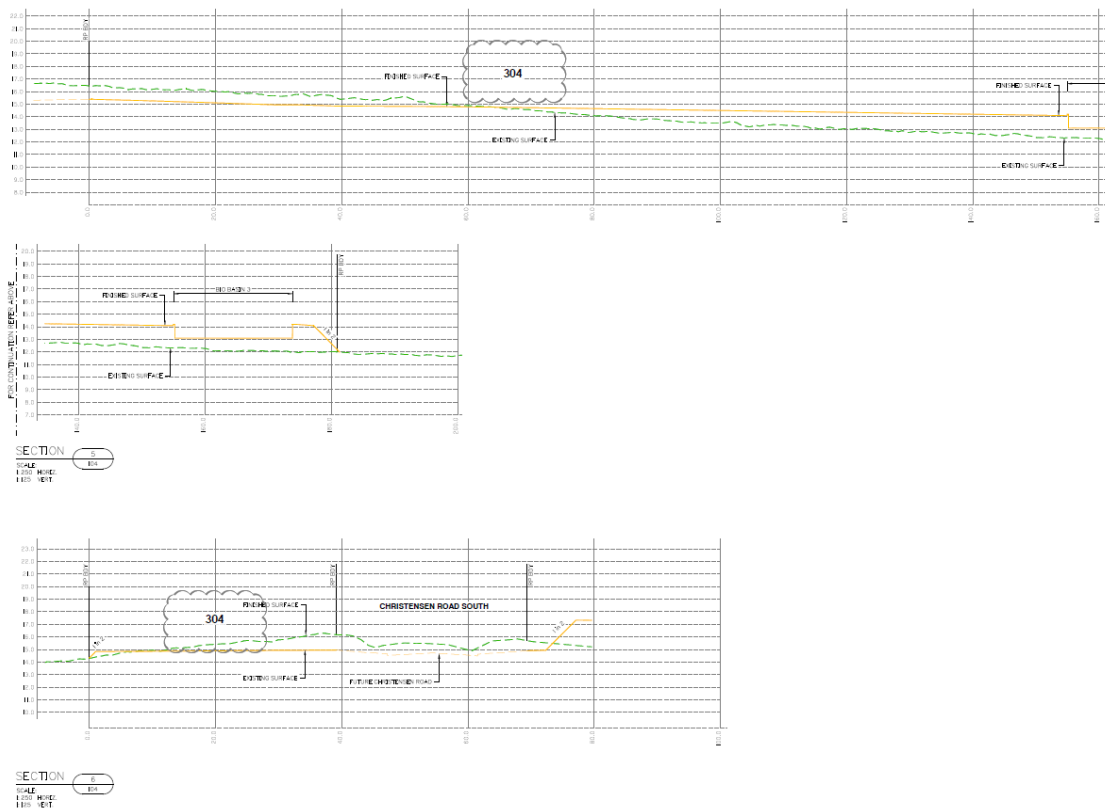
Bulk Earthworks Sections 2 & 3

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Bulk Earthworks Section 4



Bulk Earthworks Sections 5 & 6

Figure 7: Finished Bulk Earthworks Cross Sections (Source: Gassman Development Perspectives)

The preliminary approval determined the extent of impact to mapped vegetation. The M38 Industrial Estate Place Code specifies the requirement to lodge an Operational works tree clearing application to clear vegetation on site. While the majority of tree clearing has already occurred on the site following the previous approval for tree clearing (Council reference OPW/2018/486), the boundary realignment resulting in additional land being added to the site included vegetation within the development area. The proposed development includes the proposed vegetation to be removed as a result of the addition of the former Amgrow land. Additionally, tree clearing is proposed within the road verge of the existing road transecting the site as identified within the below image.

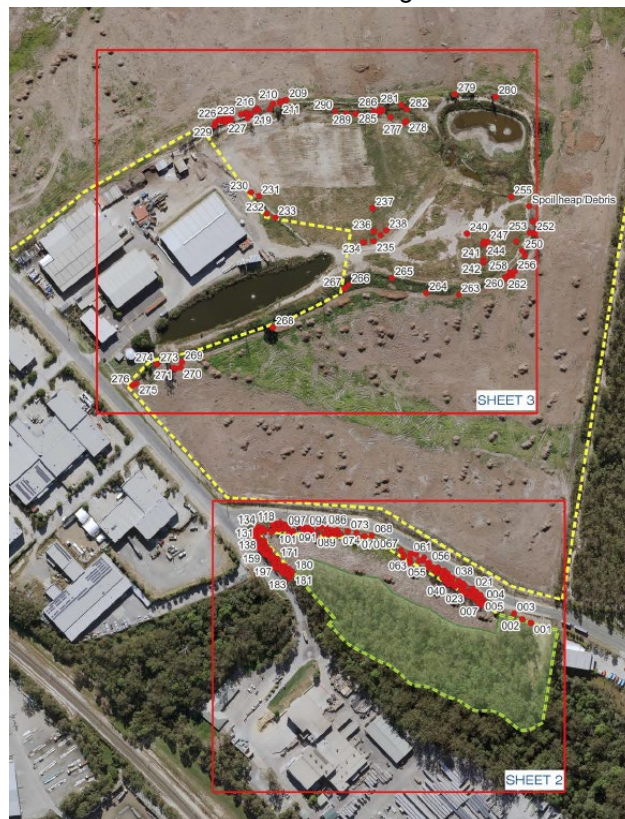


Figure 8: Tree works plan (Source: Gassman Development Perspectives)

3 SITE CONTEXT

3.1 Subject site



Figure 9: Aerial (Source: CoGC Mapping)

The overall subject site is irregular in shape and has a frontage to Christensen Road and Christensen Road South which transects the site in an east to west direction. The subject site is located approximately 0.5kms east of the M1 Motorway, with access from Christensen Road. The subject site has been cleared to facilitate development for industry uses with the exception of vegetation within the newly acquired Amgrow area and the remnant vegetation within the southern portion of the site.



Figure 10: Photo looking north west from Christensen Road (Source: Site photo)

3.2 Immediate context

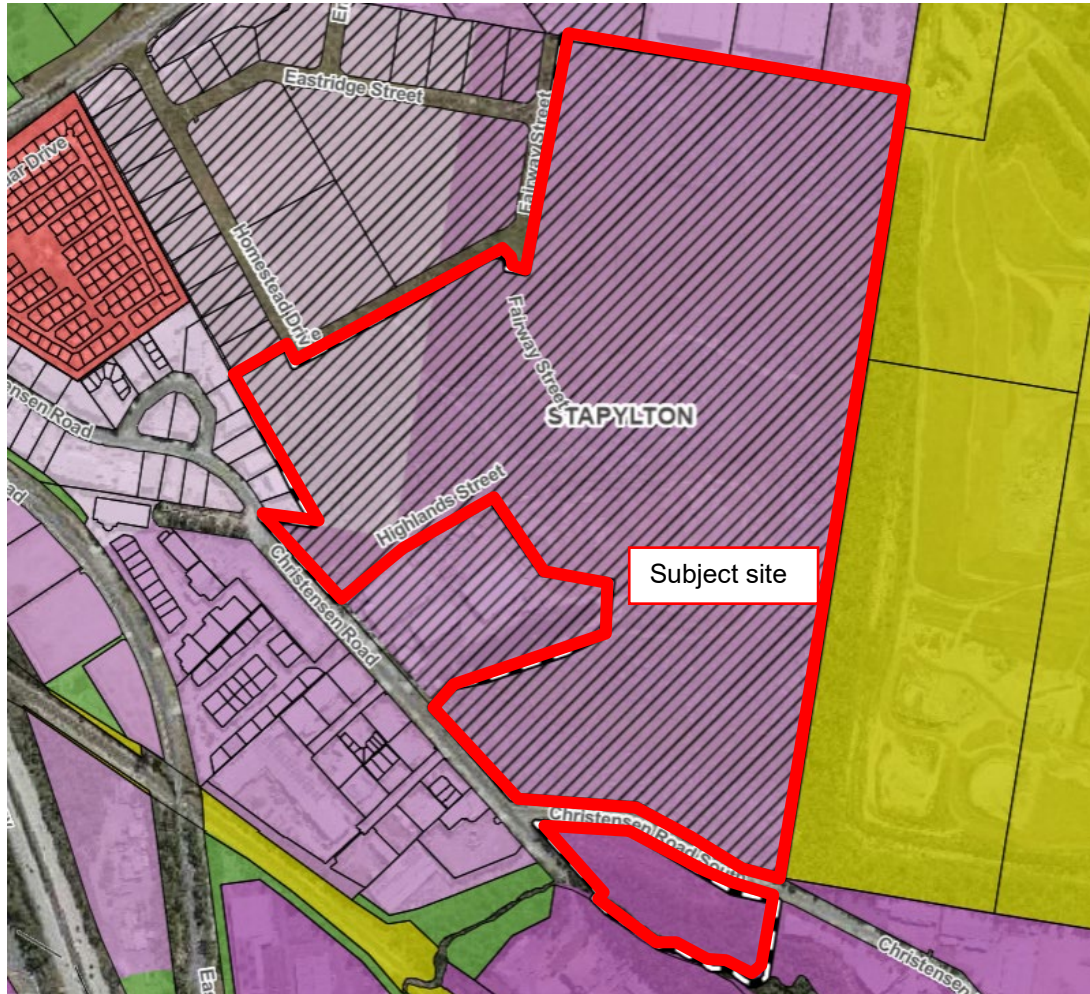


Figure 11: Zone Mapping of immediate area (Source: CoGC mapping)

To the immediate north of the site is Stage 2 of the Vantage Industrial Estate, yet to be plan sealed.

To the immediate west of the site is Christen Road proving connection to the future road and access to Stage 3. Further to the west of Christensen Road are smaller industrial lots zoned as Low impact industry separating the subject site from both the heavy rail and the Pacific Motorway.

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

To the south of the site are further industrial lots zoned for Medium impact industry uses.



Figure 13: Mapping of immediate area (Source: City Plan Interactive Mapping – Version 8)

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

4 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*.

4.1 State Planning instruments

The application has been assessed against the following instruments:

Instrument	Comment
State Planning Policy	The City Plan appropriately reflects all aspects of the State Planning Policy apart from aspects relating to natural hazards, risk and resilience (coastal hazards). The proposal does not trigger assessment against any assessment benchmarks relating to natural hazards, risk and resilience (coastal hazards).
South East Queensland Regional Plan	The proposal is consistent with the goals, elements and strategies; and the Southern Sub-regional directions of the South East Queensland Regional Plan 2017 (ShapingSEQ).
<i>Planning Regulation 2017</i>	The proposal triggers assessment against the State development assessment provisions as development impacting State transport infrastructure. This is discussed in section 8.2 within this planning report.

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.
Preliminary Approval (section 242 of SPA 2009)	The proposal does trigger assessment against a Preliminary Approval (section 242 of SPA 2009). This is discussed in section 5.2.1 below.
City Plan (Version 9)	The proposal is within the City Plan area of the City of Gold Coast. The proposal does not trigger requirement for new trunk works.

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

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

Assessment against the M38 Industrial Estate Place Code

Under the M38 Industrial Estate Place Code, code assessable development may comply with an alternative solution, provided that the alternative solution can be demonstrated to meet the relevant Performance Criterion to Council's satisfaction. Where no acceptable solution is provided for a Performance Criterion in the code, the development must provide its own solution to meet that particular Performance Criterion.

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

4.2.2 Assessment against the Strategic framework

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

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

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

4.2.3 Assessment against the codes

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

Place Code	Specific Development Codes	Constraint Codes
M38 Industrial Estate Place Code	- Reconfiguring a Lot. - Works for infrastructure. - Changes to Ground Level and Creation of New Water bodies. - Vegetation Management. - Landscape work.	- Sediment and Erosion Control. - Bushfire management Areas. - Car Parking, Access and Transport Integration. - Cultural Heritage (Indigenous). - Cultural Heritage (Historic). - Flood Affected Areas.

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Place Code	Specific Development Codes	Constraint Codes
		• Nature Conservation. • Steep Slopes or Unstable Soils. • Natural Wetland Areas and Natural Waterways. • Canals and Waterways. • Rail Corridor Environs. • Road Traffic Noise Management.

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:

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

4.2.4 Assessment against the M38 Industrial Estate Place Code

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

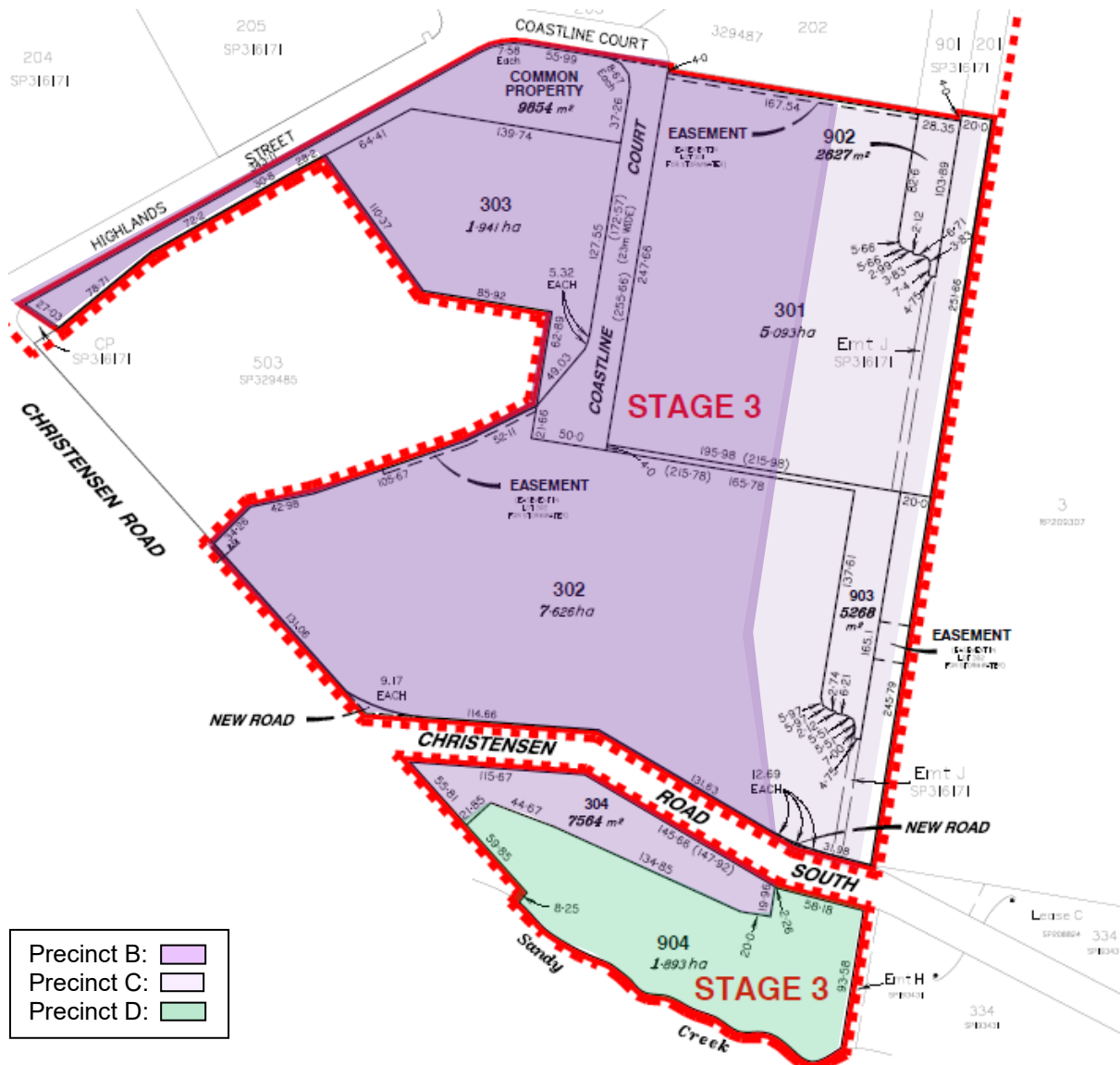


Figure 14: Proposed plan of subdivision in the context of the Preliminary Approval Plan (Source: Gassman Development Perspectives)

Intent of Precinct B (General Impact Business and Industry)

The intent of Precinct B promotes land uses and allotment sizes that would ordinarily be located within Precinct 1 Land use designation of the YEA LAP (minimum lot size of 2,000m² and average area of 1ha). The proposed Lot sizes within Precinct B range from 7,564m² to 7.62ha. Proposed lots 303 and 304 are located in Precinct B, and parts of 302 and 301 are to be located in both Precinct B and C.

Intent of Precinct C (Limited Impact Business and Industry)

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

Intent of Precinct D (Open Space / Reserve)

All areas within the site that are highlighted as Precinct D are intended to serve as an area of environmental conservation and natural landscape relief compatible with the retention and rehabilitation of vegetation and habitat landscape and/or buffer values. Land may be in public or private ownership. The proposal intends on dedicating the entire Precinct D as a conservation lot, maintaining the intent of Precinct D to be preserved for environmental conservation.

Assessment has determined the proposal for Stage 3 is consistent with the intent of these Precincts.

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

- AS32.1 – Lot size
- AS47 – Amenity protection

Lot size – M38 Industrial Estate Place Code

Performance Criteria	Acceptable Solution															
PC32 All lots are to be of sufficient size to comfortably accommodate the type of development envisaged in the LAP and the relevant precinct intent. The number of allotments within Precinct C is controlled to minimise the number of premises exposed to any environmental nuisance from nearby landfill and associated heavy industrial uses.	AS32.1 Any new lots created are sized in accordance with the following schedule: <table><tr><th>Precinct</th><th>Min Area</th><th>Ave Area</th></tr><tr><td>A</td><td>2,000m²</td><td>1 hectare</td></tr><tr><td>B</td><td>2,000m²</td><td>1 hectare</td></tr><tr><td>C</td><td>1 hectare</td><td>1 hectare</td></tr><tr><td>D</td><td>20 hectares</td><td>20 hectares</td></tr></table> AS32.2 The number of allotments and tenancies located within Precinct C is minimised.	Precinct	Min Area	Ave Area	A	2,000m ²	1 hectare	B	2,000m ²	1 hectare	C	1 hectare	1 hectare	D	20 hectares	20 hectares
Precinct	Min Area	Ave Area														
A	2,000m ²	1 hectare														
B	2,000m ²	1 hectare														
C	1 hectare	1 hectare														
D	20 hectares	20 hectares														

Officer's comment

The proposed development includes the creation of a Public Open Space Lot dedicated for conservation. The Public Open Space lot includes the entire extent of Precinct D consisting of 1.89 hectares of densely vegetated land. The total area of Precinct D does not meet the minimum Lot size requirements identified within Acceptable Solution AS32.1. As such, assessment against Performance Criteria PC32 of the M38 Industrial Estate Place Code.

The proposed Reconfiguring a Lot includes the dedication in entirety of Precinct D as a conservation lot. Precinct D includes a total area of 1.89 hectares. Precinct D is intended to serve as an area of environmental conservation and natural landscape relief compatible with the retention and rehabilitation of vegetation and habitat landscape and/or buffer values. The proposal intends on dedicating the entire Precinct D as a single conservation lot, maintaining the intent of Precinct D to be preserved for environmental conservation.

Given the intent of the Precinct D for Open Space / Reserve is maintained through dedication of a conservation lot it is considered that the 1.89 hectare conservation lot achieves compliance with Performance Criteria PC34 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
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 PC47 to maintain compliance with the M38 Industrial Estate Place Code.

The proposed development includes a subdivision, change to ground level and tree works to support future land uses envisioned under the M38 Industrial Estate Place Code. The proposed development does not introduce any sensitive land uses. Due to the Industrial nature of the site and surrounding areas a level of negative aspects of amenity is expected. The existing amenity is not considered to unreasonably impact negatively on the proposed development.

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

4.2.5 Assessment against constraint codes

The proposal has been assessed against the relevant provisions and the Canals and Waterways, Flood Affected Areas, Nature Conservation and Sediment and Erosion Control code. The proposed development complies with the applicable acceptable outcomes of the codes. In accordance with section 5.3.3 of the City Plan, this means the development complies with the purpose and overall outcomes of the codes – therefore complies with the codes.

4.2.6 Assessment against specific development codes

The proposal has been assessed against the following development codes:

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

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

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

Change to Ground Level and Creation of New Waterbodies

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

Reconfiguring a lot code

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

- Circulation and Access Design

Circulation and Access Design – Reconfiguring a lot code

Performance outcome	Acceptable Solution
PC10 The subdivision design must achieve enhanced vehicular permeability and legibility in the location and layout of roads and streets.	AS10.2 The length of a cul-de-sac does not exceed 120 metres. AS10.3 Where cul-de-sacs are used, their design and location allows for future connectivity to adjoining roads or streets.

Officer's comment

The proposed subdivision includes the provision of a 247 metre long cul-de-sac. Following the approval of MIN/2023/142, road connection to Christensen Road South was removed with no intent for the design to provide future connectivity from the proposed cul-de-sac. As such compliance with Acceptable Solutions AS10.2 and AS10.3 cannot be achieved. Assessment against Performance Criteria PC10 is provided below.

Through the assessment of MIN/2023/142 to augment the proposed road layout removing connection to Christensen Road to the south and extending the Coastline Court connection through Stage 3, a Traffic Impact Assessment (TIA) was conducted. Reporting within the TIA concluded that the changed access arrangements along Christensen Road will not have adverse impact on the safety and

efficiency of the frontage road and the intersection. As such, City officers approved the changes to the road layout.

As a result of the lot reconfiguration (ROL/2022/50), part of the former Amgrow site (Lot 503 SP329485) was allocated to Stage 3 of the Vantage Industrial Estate (below image). Changes to the road layout were subsequently sought to logically utilise the additional land within the Vantage Industrial Estate.



Amgrow site prior to approval of ROL/2022/50



Increased Vantage Industrial Estate area following plan sealing of ROL/2022/50

Figure 15: Aerial image demonstrating changes to the areas of the Vantage Industrial Estate (Source: CoGC Mapping)

The proposed 247 metre cul-de-sac provides vehicle access to the common property and three industrial lots (below image). New lots 304 and 904 are afforded road access via Christensen Road South, and do not rely upon the internal road configuration. The cul-de-sac is an extension of internal road Coastline Court which connects to Stapylton Jacobs Well Road to the north, and achieves connection to Christensen Road via internal road Highlands Street.

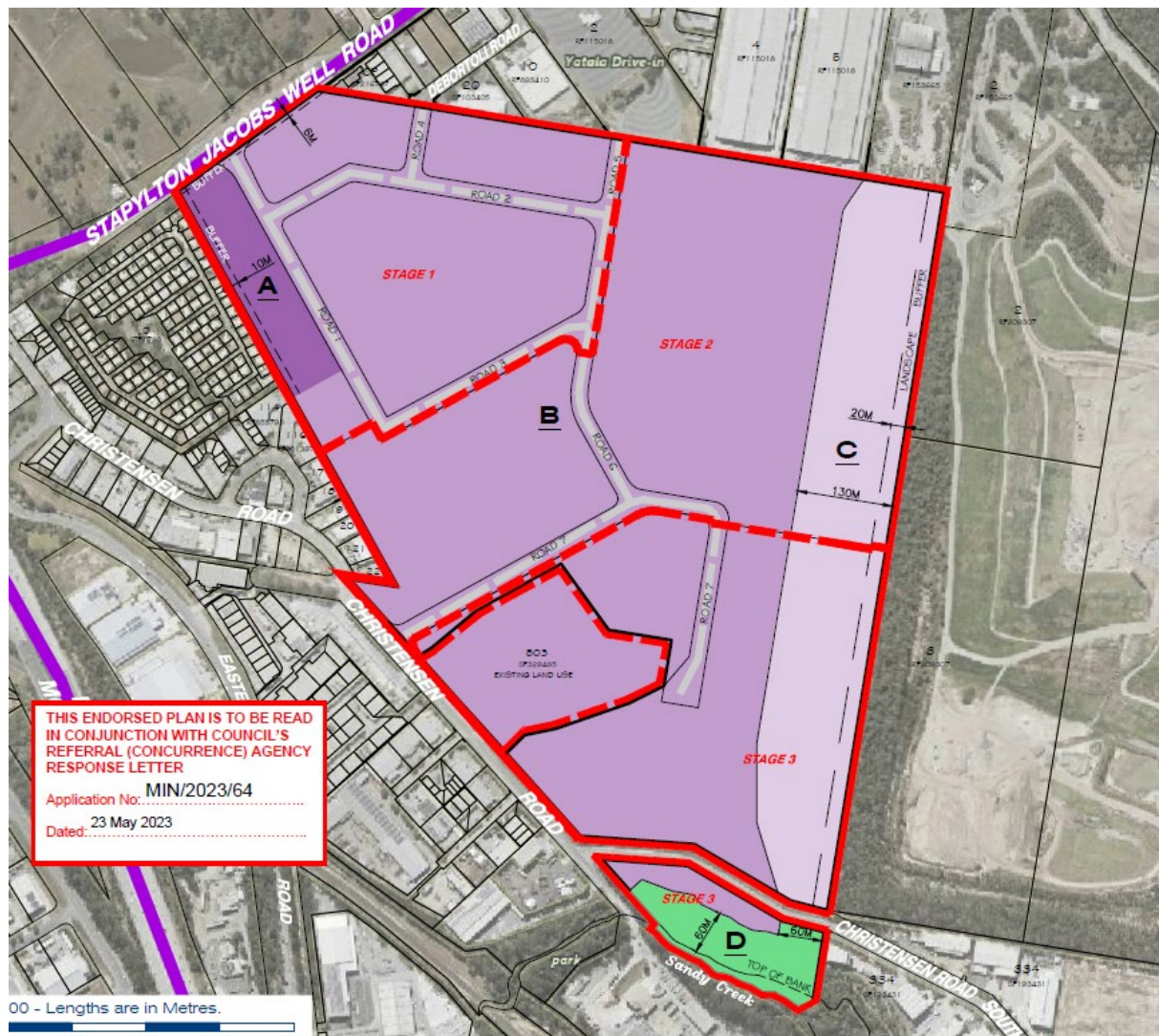


Figure 16: Vantage Industrial Estate Staging Plan and indicative road layout design (Source: MIN/2023/64)

As the proposed subdivision results in the delivery of the final stage of the Vantage Industrial Estate, it is considered appropriate to assess the vehicular permeability of the subdivision as a whole including the two prior stages. Based on the existing approved road layout design it is considered that the proposed road access achieves legibility in the location and layout of the internal roads.

Based on the above assessment, the proposed development achieves compliance with Performance Criteria PC10 of the Reconfiguring a lot code.

Environmental Open Space, Habitat and landscape Protection – Reconfiguring a lot code

Performance outcome	Acceptable Solution
PC23 An environmental open space network must be protected to: a) Ensure the retention of significant vegetation, wetlands, waterways, and other	AS23 No acceptable solution is provided.

habitat areas, their associated buffer and linkages, corridors and natural and cultural features; b) Facilitate appropriate measures for stormwater and flood management and care of valuable environmental resources; c) Be cost effective to maintain.	
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Officer's comment

The Reconfiguring a lot code does not provide an Acceptable Solution regarding Environmental open space, habitat and landscape protection. As such assessment is provided against Performance Criteria PC23 below.

The proposal includes the dedication of Public Open Space Conservation lot within Precinct D. The lot dedication provides a 60metre buffer to Sandy Creek to the south of the site.

Based on the above assessment, the proposed development achieves compliance with Performance Criteria PC23 of the Reconfiguring a lot code.

5 INFRASTRUCTURE CHARGES

The final estimated infrastructure charge is \$129,653.92.

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
Reconfiguring a lot	4 Lots	@ \$ 32,413.48	\$ 129,653.92
			\$ 129,653.92
Net Charge Summary			
	Gross Charge Amount	Applied Credit Amount	Net Charge Amount
	\$ 129,653.92	\$ 0.00	\$ 129,653.92
Applied credit details	Credits for existing lawfully established uses and/or existing lot credits currently reside on MIN/2022/245 (ROL). Once MIN/2022/245 (ROL) has been fully paid and sealed, credits will be available to partially offset charges on this COM/2023/82.		

6 REFERRALS

6.1 Internal referrals

This application has been assessed by internal referral officers who have provided comments and reasonable and relevant conditions. An overview of the recommended conditions are provided in the table below:

Internal referral area	Conditions/Comments (if not included within report)
OPW Assessment	OPW Assessment reviewed the proposed development and recommended the following conditions: <u>Part B: Operational works – Change to ground level</u>

	• General: - Timing; - Approved drawings; - When the approval lapses if works not completed; • 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, drawing 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; - Bond
Environmental Assessment	Environmental Assessment reviewed the proposed development and recommended the following conditions: <u>Part A – Reconfiguring a lot</u> • General: Approved plans; • Environmental and Landscaping: - Vegetation management; - Fauna management; • Construction Management: - Certification of works; - Supervision of works; - Hold point inspection. <u>Part B: Operational works – Change to ground level</u>

	• Environmental and Landscaping: - Vegetation management; - Fauna management; - Tree pruning and work; - Root pruning and barriers; - No damage to retained vegetation; • Construction management: - Certification of works; - Supervision of works. <u>Part C: Operational works – Tree Clearing</u> • General: - Approved drawings; - Approved plans; - Scope of works; • Environmental and Landscaping: - Vegetation management; - Tree pruning and work; - Root pruning and barriers; - No damage to retained vegetation; - Fauna management; • Construction Management: - Certification of works; - Supervision of works; and - Pre-start inspection.
Hydraulics and Water Quality	Hydraulics and Water Quality Assessment reviewed the proposed development and recommended the following conditions: <u>Part A – Reconfiguring a lot</u> • General: - Approved plans; -Private infrastructure; • Stormwater Drainage: -Legal point of discharge; -Overland flow paths and hydraulic alterations; -Bioretention basin maintenance management plan; • Construction Management:

	-Certification of works – Hydraulics and Water Quality; -Erosion and sediment control.
Transport Assessment	Transport Assessment reviewed the proposed development and recommended the following conditions: <u>Part A – Reconfiguring a lot</u> • General: Amended drawings; • Engineering: -Eastern Service Road / Christensen Road Intersection; -Traffic signals – Eastern Service Road / Christensen Road; -Relocated bus stop infrastructure; -Christensen Road / Christensen Road South intersection; • Property: Land dedication.
Subdivision Engineering	Subdivision Engineering reviewed the proposed development and recommended the following conditions: <u>Part A – Reconfiguring a lot</u> • General: Amended drawings* • Property: -Community Management (CMS); -Land dedication*; • Engineering: -New roads/ intersections; -Existing roads; -Permanent turning area facility for the stub road section of Christensen Road*; -Footpaths; -Street lighting; -Electrical reticulation; -Telecommunications network; -Connection to permanent survey marks; • Construction Management: -Certification of works; -Road names to be submitted <i>*The recommended turnaround area within Christensen Road and associated land dedication poses impacts which conflict with the conservation lot and the approved rehabilitation management plan. As such, the Assessment Manager has omitted all recommendations associated with the turnaround area and land dedication for road reserve within the conservation lot area.</i>
Geotechnical Assessment	Geotechnical Assessment reviewed the proposed development and recommended the following conditions:

	<u>Part B – Operational works change to ground level</u> • General: Approved plans; • Construction Management: Certification of works.
Open Space and Landscape Assessment	Open Space and Landscape Assessment reviewed the proposed development and recommended the following conditions: <u>Part A – Reconfiguring a lot</u> • General: Approved drawings; • Property: Land transfer; • Environmental and Landscaping: -Landscaping works on private land; -Landscape works on private land (future development); -Landscaping works within public open spaces; -Required landscape treatment to batters (public land); -Boundary fences; • Engineering: Existing structures and services. <u>Part B – Operational works change to ground level</u> • Environmental and landscaping: -Required landscape treatment to batters (public land); -Batter treatments (private land); • Construction Management: -Pre-start inspection; -Hold Point Inspection; -Practical Completion.
Water and Waste	Water and Waste Assessment reviewed the proposed development and recommended the following conditions: <u>Part A – Reconfiguring a lot</u> • General: Timing; • Property: Requirements to register easements – Sewerage; • Engineering: Rectification of Council's infrastructure; • Sewer and Water Works: -Sewer reticulation; and -Water reticulation.

6.2 External referrals

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

6.2.1 Concurrence agency(s)

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

- Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 of the Planning Regulation 2017 for Development impacting State transport infrastructure.

SARA as a concurrence agency provided a referral agency response with General advice on 13 June 2023.

7 PUBLIC NOTIFICATION

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

8 CONCLUSION

Council is in receipt of an application for a development permit for Reconfiguring a Lot (Community Title Subdivision to create 1 into 4 Industrial lots, common property, public open space conservation lot, 2 stormwater lots and new road) and Operational Works for Change to ground level and Tree works at Lot 504 Homestead Drive, Stapylton.

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

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

9 NOTIFICATIONS

The following property notifications will be applied:

- Vegetation Management;
- Stormwater;
- Stapylton Landfill and Sewerage Treatment Plant;
- Common Property.

10 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority, the Executive Coordinator Planning Assessment of City Development approves the issue of a development permit for Reconfiguring a Lot (Community Title Subdivision to create 1 into 4 Industrial lots, common property, public open space conservation lot, 2 stormwater lots and new road) and Operational Works Change to ground level and Tree works, in accordance with the Attachment entitled: Decision notice—approval (with conditions)

Author:

Natasha Sidabutar

Planner

December 2023

Authorised by:

Roger Sharpe

Manager Planning Assessment