

1 INFORMATION NOTE

This Accepted to Code development application has been assessed against certain assessment benchmarks, limited to the subject matter of the Required outcomes with which there is non-compliance.

This report addresses in section 5 the subject matter of the Required outcomes with which there is non-compliance.

Development conditions are only relative to the limited scope of assessment against the Required outcomes to ensure the basis for the development application is accurate.

2 APPLICATION SUMMARY

Application information	
Address	Future Lot 16 within current 84-160 Christensen Road South, STAPYLTON QLD 4207 <i>Note. Refer to section 3 below for further detail.</i>
Lot and plan	Future Lot 16 within current Lot 334 SP193431 <i>Note. Refer to section 3 below for further detail.</i>
Site area	12,350m ²
Type of development and proposed use	Material change of use for Medium impact industry
Categories of development and assessment	Accepted to Code assessment
Properly made date	6 December 2023
Decision due date	5 April 2024
Applicant and Applicant's consultancy team	Burnside Developments P/L & Yellowstone Investment – Applicant I-Plan Town Planning Pty Ltd – Town Planning Multi Span Australia – Plans Q Traffic – Traffic Report Land and Environment Consultants – Bushfire assessment
Owner details	Yellowstone Investments Pty Ltd and Burnside Developments Pty Ltd
City Plan version	10
Zone / Precinct	High impact industry
Overlays	• Acid sulfate soils ○ Land at or below 20m AHD • Airport environs ○ PANS OPS contour • Bushfire hazard area ○ Medium Potential Bushfire Intensity

Application information	
	○ Potential Impact Buffer • Environmental significance ○ State significant species ○ Koala habitat areas ○ Medium priority vegetation ○ General priority vegetation • Extractive resources – Separation area • Industry community infrastructure and agriculture land interface area – Community infrastructure interface area • Minimum lot size (4,000m²) • Water catchments and dual supply system area <i>Note: The above overlays relate to the area of the subject premises which comprises approved future Lot 16 only (refer to section 5.3.2(4) of the City Plan).</i>
Referral agencies	Not applicable
Officer's recommendation	Approval

3 BACKGROUND

- **Subject site**

The development application was lodged over 84-160 Christensen Road South, Stapylton (Lot 334 SP193431) which is subject to an approved Development permit (ROL201800026) for the Reconfiguring of a lot to subdivide one (1) into seventeen (17) community title scheme lots. The approved subdivision has been subject to two minor change requests with the most recent approved change request being MIN/2023/361 (refer to figure 2 below for the approved plan of subdivision). During the assessment of the subject development application, plan sealing of stages 1 and 2 of the approved and amended subdivision was achieved (refer to figures 1 and 2 below). Having achieved plan sealing of stage 2 of the approved subdivision, the development application now pertains to 15 Proximity Place, Stapylton, being Lot 16 SP342459 (refer to figures 2 and 8). All assessment provided herein is limited to the subject site of 15 Proximity Place, Stapylton (Lot 16 SP342459).

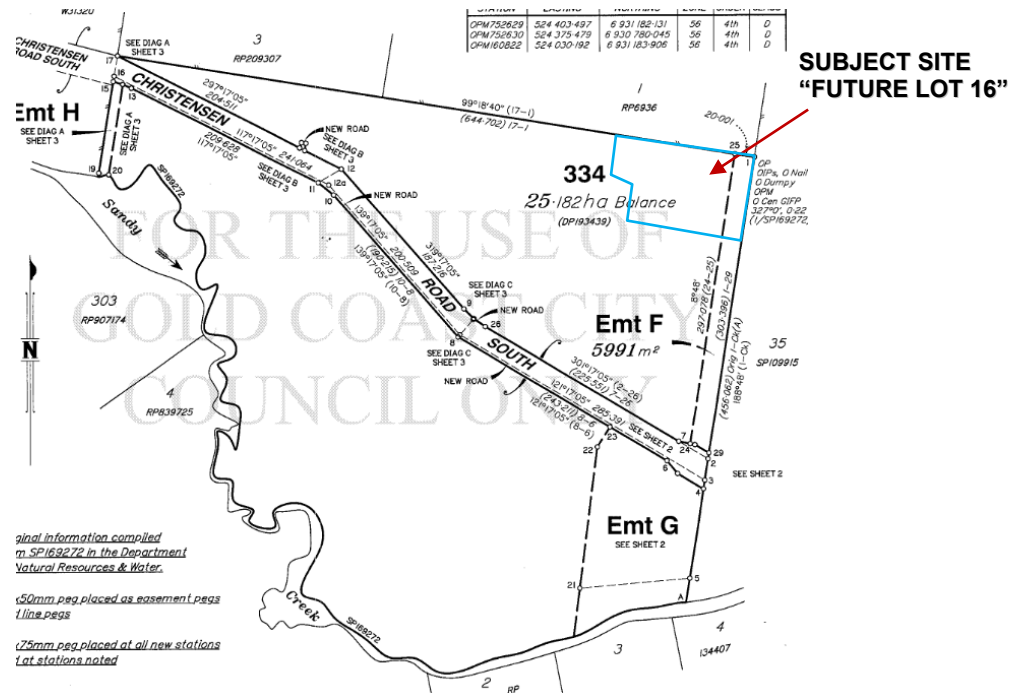


Figure 1: Survey plan of development site at time of lodgement being 84-160 Christensen Road South, Stapylton. (Source: Council records)

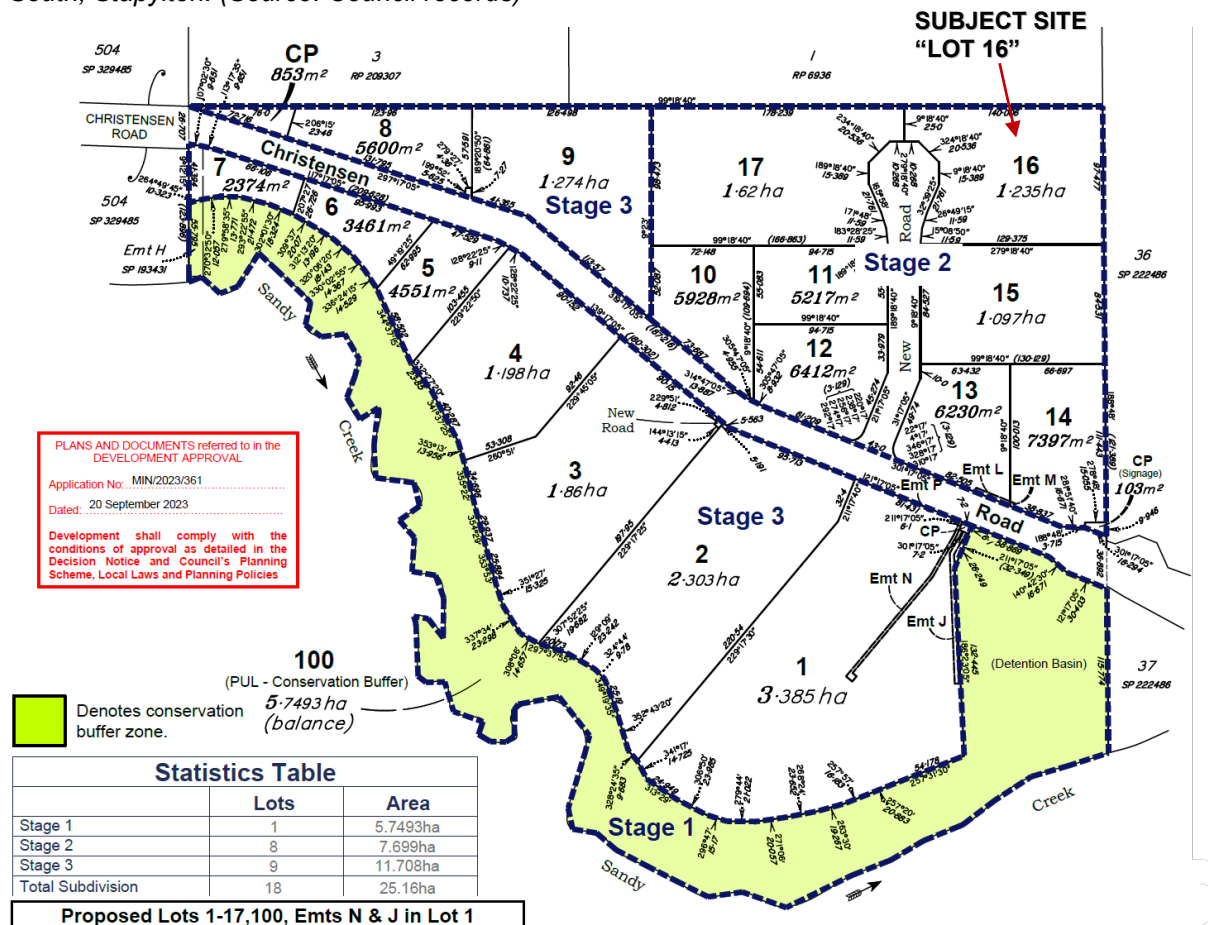


Figure 2: Approved 17 CTS lot subdivision of which stages 1 and 2 have achieved plan sealing. (Source: Stamped approved drawings MIN/2023/361).

The purpose of this report is to assess an application for a Development permit for a Material change of use to establish Medium impact industry at 15 Proximity Place, Stapylton.

The City Plan defines the proposed Medium impact industry as follows:

“Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products and have one or more of the following attributes:

- potential for noticeable impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise;*
- potential for noticeable offsite impacts in the event of fire, explosion or toxic release;*
- generates high traffic flows in the context of the locality or the road network;*
- generates an elevated demand on the local infrastructure network;*
- onsite controls are required for emissions and dangerous goods risks;*
- the use is primarily undertaken indoors;*
- evening or night activities are undertaken indoors and not outdoors.”*

Table 5.5.11: MCU – High impact industry zone of the City Plan categorises the proposal as Accepted, subject to requirements. The development is elevated to Code assessment because it does not comply with one or more of the Required outcomes for certain codes (refer to section 6.2 for more details).

The following illustrations identify the proposed development:

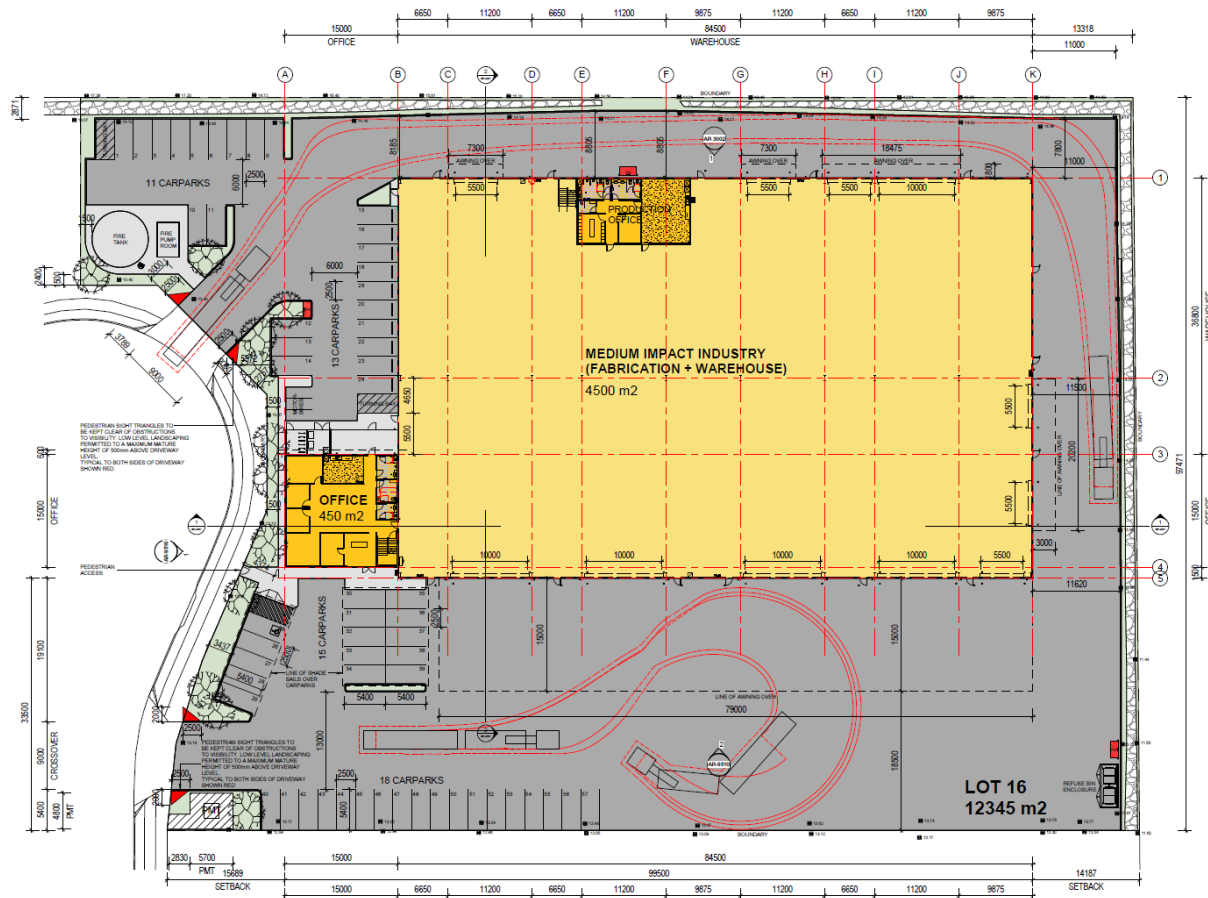


Figure 3: Site plan of proposed development. (Source: Applicant's material)

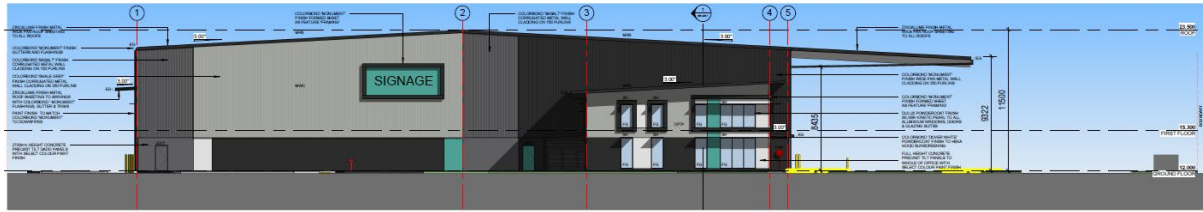


Figure 4: Western elevation of proposed development. (Source: Applicant's material)



Figure 5: Southern elevation of proposed development. (Source: Applicant's material)

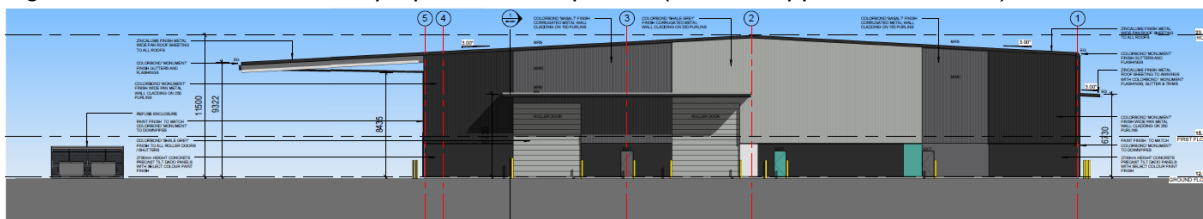


Figure 6: Eastern elevation of proposed development. (Source: Applicant's material)

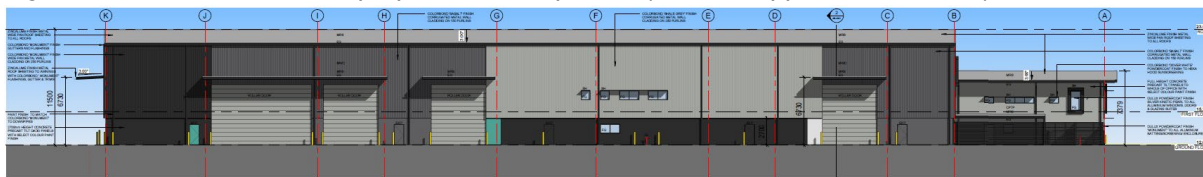


Figure 7: Northern elevation of proposed development. (Source: Applicant's material)

4.1 Brief description of proposed development

The development application proposes a Medium impact industry use for the purpose of manufacturing aluminium and steel roller shutters and high-speed overhead doors. In association with the manufacturing of goods, the use proposes storage, warehousing and distribution of associated steel and aluminium materials. The applicant has identified that all powder coating and painting will be carried out off site by a contractor and the storage of dangerous goods will be limited to LPG for forklifts and oxyacetylene for welding purposes (both gasses in limited amounts).

To facilitate the development, a 4,500m² factory/warehouse is proposed with a 424m² ancillary office at the front of the development (in accordance with the City Plan definition of an ancillary office, the office is less than 20% of the GFA of the factory). The development is to include two industrial vehicle crossovers (VXO) which will service the 57 on-site car parking spaces.

Development proposal	
Height	Maximum of 11.5m.
Services	To be connected to all relevant services with infrastructure provided as per the industrial subdivision.
Site cover	49.2%
Car parking	57 off-street car parking spaces 12 off-street bicycle parking spaces
Gross floor area	Factory: 4,500m²

	Ancillary office: 424m²
Hours of operation	24 hours per day, 7 days per week.

5 SITE CONTEXT

5.1 Subject site and immediate context

As discussed in section 3 of this report, the development site is the subject of a 1 into 17 lot industrial community title scheme subdivision, having recently achieved plan sealing of stages 1 and 2 of the approved development. As such, earthworks, retaining works, vegetation clearing, and services have all been carried out in accordance with the approved subdivision.

The subject site features a flat topography and is clear of vegetation. Boulder retaining walls have been provided along the northern and eastern boundaries.

The following images provide a perspective of the current state of the site.



Figure 8: Aerial mapping of development site (identified in orange) noting potable water, reticulated sewer and stormwater infrastructure within Proximity Place and Christensen Road South. (Source: Council mapping)



Figure 9: Photograph of development site facing north-east. (Source: Assessment manager site inspection)



Figure 10: Photograph of development site facing south-east. (Source: Assessment manager site inspection)



Figure 11: Photograph of development site facing south-west. (Source: Assessment manager site inspection)

5.2 Local context

At a broader context, the subject site is located within a large industrial precinct of Stapylton with zoning mixed between High, Medium and Low impact industry. To the north the site borders a Council owned lot comprising the Stapylton Land Fill, whilst it is bound by a vegetated Council owned lot to the east (both zoned as Special purpose). The Stapylton Quarry is located approximately 400m to the north-east of the site, whilst the Gold Coast railway line and Pacific Motorway are located approximately 700m and 1.2km respectively to the south-west. Further to the north and east are the Rural zoned areas of Alberton and Gilberton which are predominantly used for agricultural purposes.

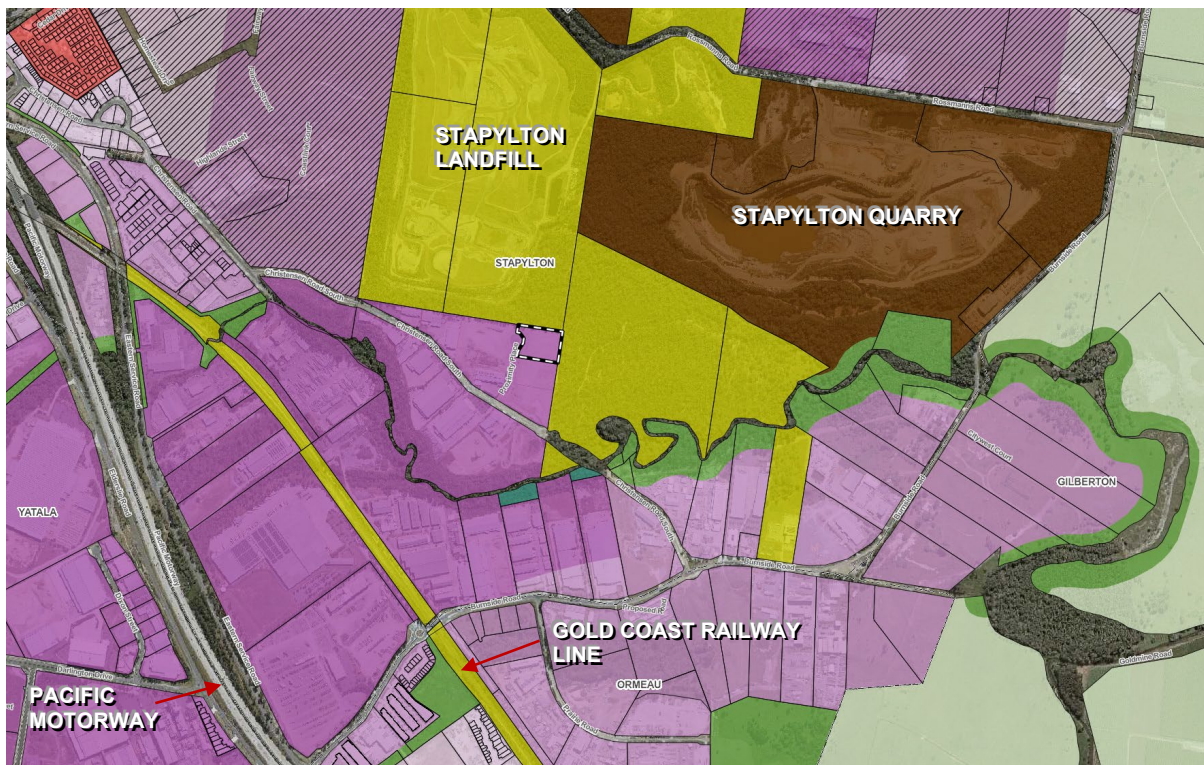


Figure 12: Aerial mapping of development site (identified by black and white dotted lines) at a broader context noting key landmarks. (Source: Council mapping)

6 PLANNING ASSESSMENT

Assessment pursuant to section 5.3.3(2) of City Plan

Where a table of assessment in Part 5 of City Plan categorises development as “accepted subject to requirements”, the development must comply with the Required outcomes set out in the applicable codes which are listed in the table of assessment.

Section 5.3.3(2) of City Plan states:

- (2) *Accepted development that does not comply with one or more of the nominated required outcomes in the relevant parts of the applicable code(s) becomes code assessable development unless otherwise specified.*

The development application must be assessed in accordance with the requirements for code assessable development applications, subject to the limitation set out in section 5.3.3(4)b(i) of the City Plan which states:

- (4) *Code assessable development:*
(b) *that occurs as a result of development becoming code assessable pursuant to sub-section 5.3.3(2), must:*
i. *be assessed against the assessment benchmarks for the development application, limited to the subject matter of the required outcomes that were not complied with or were not capable of being complied with under sub-section 5.3.3(2);*

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*.

6.1 Assessment against the assessment benchmarks applicable to the subject matter of the Required outcomes with which there is non-compliance

Under the City Plan, for accepted to code development, compliance with a code can be achieved by either compliance with the Purpose and Overall outcomes of the code, or the Performance outcomes of the code where non-compliant with the Required outcomes.

The tables of assessment in Part 5 of City Plan identify the applicable assessment benchmarks for the proposal outlined in the table below:

Zone code	Overlay codes	Development codes
High impact industry zone code	- Acid sulfate soils overlay code - Airport environs overlay code - Bushfire hazard overlay code - Environmental significance overlay code - Extractive resources overlay code	- General development provisions code - Healthy waters code - Industrial design code - Transport code

Zone code	Overlay codes	Development codes
	- Industry, community infrastructure and agriculture land interface area overlay code - Water resource catchment overlay code	

The development complies with all the relevant Required outcomes identified in the codes above, with the exception of the assessment benchmarks applicable to the subject matter of the Required outcomes outlined in the table below:

Code	Required outcome	Subject matter of Required outcome
Industrial design code	RO1	Design and appearance
	RO8 and RO9	Amenity
Healthy waters code	RO1	Erosion and sediment control
Transport code	RO4 and RO7	Active Transport Network

Assessment has been undertaken against either the applicable Performance outcome or Overall outcome and Purpose for the subject matter of each non-compliant Required outcome below:

Design and appearance – Industrial design code

The Required outcome and corresponding Performance outcome is provided below:

Performance outcome	Required outcome
PO1 Building design promotes a high quality industrial area through building articulation and presentation to the street.	RO1 Walls facing the primary street frontage are designed to provide a showcase for businesses and reduce massing and bulk by incorporating the following features: a. variation in horizontal plane every 10m through the use of recesses, columns or blades; b. variation in parapet design or roof height every 10m; c. building composition includes colour schemes with at least 3 different colours or 3 different material types; and d. windows and building openings have canopies or awnings which have a projection of at least 0.5m.

Officer's comment

The proposed development does not incorporate all design details prescribed under Required outcome RO1 of the Industrial design code and therefore requires further assessment against Performance outcome PO1.

The proposal is considered to achieve an appropriate level of architectural quality and a sufficient urban design outcome. The building form has an appropriate degree of modulation and articulation

through the inclusion of geometric forms and protrusions, feature frame elements, awnings, and a variety of colours to all elevations. These elements assist to break up the monolithic form and provide interest and amenity. The proposed office incorporates activated frontages to the important street frontage with windows and feature wall panels and awnings.

The building will have an appropriate appearance from the street and therefore meets the requirements of Performance outcome PO1.

Amenity – Industrial design code

The Required outcome and corresponding Performance outcome is provided below:

Performance outcome	Required outcome
PO6 Landscaping is provided to: (a) soften the built form and hardstand areas; (b) appropriately screen industrial buildings and storage areas; (c) provide a buffer to sensitive land uses and non-industrial zoned land; (d) enhance the visual amenity of the area; and (e) enhance the appearance of the use from transport corridors.	RO8 Landscaping is provided along street frontages with a minimum width of 1.5m and an average width of 3m for the full width of the boundary (excluding entry points). The area is planted with large trees that have a minimum bag size of 100L every 6m and a variety of shrubs.
	RO9 Where the site adjoins: a. a non-industrial zoned lot; or b. a sensitive land use; or c. the rail corridor; or d. a state controlled road as identified on the State controlled roads, rail corridor and transport noise corridors overlay map. A landscape buffer at least 10m wide is provided using plant species and pot sizes that provide at least 50% screening along the boundary within one year and reaches a maturity height greater than 10m.

Officer's comment

The applicant has identified that the proposed development does not comply with Required outcome RO8. City officers requested an increase in the width of the front landscape garden bed to a minimum width of 1.5m. The proposal is also to include a maximum landscape garden width of 4.374m at one point near the office.

As the submitted site plan is conceptual and does not provide detail of plant species, plant densities and locations within the landscape garden bed frontage, planting specifications are included within the recommended condition of approval for the lodgement of an Operational Works application for Private Landscaping.

Officers have determined that 5 to 6 large canopy trees could be installed within the front garden beds where setbacks to the building allow for canopy establishment to soften the built form. A site inspection undertaken by the assessment manager identified that the road reserve does not contain any existing trees. Street trees will therefore be recommended for inclusion in the conditions of approval. Through the above assessment of the proposed development and recommended conditions of approval, officers have determined that despite minor non-compliances with Required outcome RO8, the development can comply with Performance outcome PO6.

As identified in section 5.2 of this report, the subject site is bound by non-industrial zoned lots to the north and east. More specifically, the proposed development does not include landscape buffers along

these property boundaries and therefore, does not comply with the requirements identified under Required outcome RO9.

As mentioned in section 5.2 of this report, officers have identified that the northern non-industrial zoned lot is the Council owned Stapylton Land Fill, whilst the neighbouring lot to the east is a vegetated, Council owned lot. Of note is that both Special purpose zoned lots are surrounded by existing Industrial uses and Extractive industries being the Stapylton Quarry (refer to figure 12 above). Officers consider that the potential impact posed by the development to the non-industrial zoned lots will be negligible when considering the existing uses in the area. Additionally, both neighbouring lots feature substantial levels of vegetation which act as a buffer between neighbouring lots. Finally, officers are of the opinion that the design of the proposed development promotes separation of building bulk from adjoining boundaries as the development is to feature vehicle access around all sides.

Based on the above assessment it is considered that the development complies with Performance outcome PO6 of the Industrial design code.

Erosion and sediment control – Healthy waters code

The Required outcome and corresponding Performance outcome or Overall outcome and Purpose is provided below:

Performance outcome	Required outcome
PO1 Stormwater discharge from a development site achieves the construction phase water quality objectives of SC6.12 City Plan policy – Land development guidelines, Section 4 – Stormwater drainage and water sensitive urban design standards.	RO1 Development does not involve works that will: 1. result in the exposure of a ground surface area greater than 1,200m²; or 2. require the importation or excavation of 50m³ or greater of soil.

Officer's comment

The applicant has identified that the proposed development will not comply with the requirements prescribed under Required outcome RO1. As such, further assessment against Performance outcome PO1 is required.

The Reconfiguring a lot approval for the estate incorporated the construction of a new detention and bioretention system to the south of Christensen Road which address both the quantity and quality of stormwater runoff for both individual lots and road areas. As such, the proposed stormwater discharge will achieve construction phase water quality objectives prescribed under the SC6.12 in accordance with Performance outcome PO1 of the Healthy waters code.

In addition, Officers are recommending the inclusion of conditions requiring that overland flow paths are to be unaltered and erosion and sediment control measures be undertaken.

Based on the above assessment it is considered that the development complies with Performance outcome PO1 of the Healthy waters code.

Active transport network – Transport Code

The Required outcome and corresponding Performance outcome is provided below:

Performance outcome	Required outcome
PO7 Off-street bicycle parking and off-street end-of-trip	RO4 Development provides off-street bicycle parking and

facilities are provided to encourage active transport and are: (a) designed to meet the needs and volumes of pedestrians and cyclists; and (b) located in safe, convenient and highly accessible areas.	off-street end-of-trip facilities in accordance with Table 9.4.13-10: Bicycle parking rates and 9.4.13-11: End-of-trip facilities for active travel users. RO7 Development provides off-street bicycle parking within the site in accordance with the <i>Cycling Aspects of Austroads</i> and <i>AS 2890.3: Parking facilities Part 3: Bicycle parking</i> and: (a) employee and residential bicycle parking is at Security level B; (b) visitor bicycle parking is provided at Security level C; and ramps and pathways are as direct as possible from the roadway and/or pathways to the bicycle parking facilities.
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Officer's comment

Table 9.4.13-10 prescribes the following off street bicycle parking rate to the Medium impact industry land use:

- 1 Security level B space for staff per 150m² of TUA.
- No end of trip facilities.

This equates to a total off street bicycle parking requirement of 35 Security B level spaces for staff of the proposed development.

Land use	Bicycle parking required to meet RO4 of the Transport code	Proposed bicycle parking
Medium impact industry	35 spaces	12 spaces

The applicant has provided a site plan and floor plan which shows a total of 12 Security level B spaces at the front of the site with no additional Security level C spaces for visitors. Therefore, the development does not comply with Required outcomes RO4 and RO7 with further consideration required against Performance outcome PO7.

In the context of the subject site and the proposed land use, it is considered that 12 off street bicycle parking spaces will be sufficient to meet the needs of the proposed development. The subject site is located far from any residential uses due to the industrial nature of the area and it is therefore considered that most staff will drive and park a vehicle at the subject site. Additionally, it is also considered that informal space is provided within the building for the storage of staff bicycles if the 12 spaces are full.

Based on the above assessment it is considered the development complies with Performance outcome PO7 of the Transport code.

7 INFRASTRUCTURE CHARGES

The final estimated infrastructure charge is \$434,548.77.

Charge calculation

Charges Resolution No. 1 of 2023					
	Qty			Rate	Gross Charge Amount
Impervious area	11,855	Square Metres	@	\$ 12.10	\$ 143,445.50
Other industry	5,370	sq m Gross Floor Area	@	\$ 60.52	\$ 324,992.40
					\$ 468,437.90
Net Charge Summary					
Gross Charge Amount		Applied Credit Amount		Net Charge Amount	
\$ 468,437.90		\$ 33,889.13		\$ 434,548.77	

Applied credit details

Standard Lot credit applied.

8 REFERRALS

8.1 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)
Architecture Assessment	Architecture Assessment reviewed the proposed development and provided the following conditions of approval: Screening of visually offensive components
Bushfire Assessment	Bushfire Assessment reviewed the proposed development and provided the following comments: - There is an existing Bushfire Management Plan for the industrial estate. - The subject site will have Building Classes of 6, 7 or 8 – which are not applicable to Bushfire Assessment to assess under AS3959:2018. - The applicant has undertaken a review of the Bushfire hazard overlay code and no further assessment is required for Bushfire Assessment.
Hydraulics and Water Quality	Hydraulics and Water Quality reviewed the proposed development and provided the following conditions of approval: - Overland flow paths and hydraulic alterations - Erosion and sediment control
Landscape Assessment	Landscape Assessment reviewed the proposed development and provided the following conditions of approval: - Landscaping works - Existing structures and services And the following advice note: - Further development permits / compliance permits
Operational Works	Operational Works reviewed the proposed development and provided the following conditions of approval:

	• Rectification of Council's infrastructure • Existing infrastructure, structures and services • Driveways and vehicle crossings • Construction of vehicle crossing And the following advice note: • Connections to, alteration or realignment of Council infrastructure
Plumbing and Drainage	Plumbing and Drainage reviewed the proposed development and provided the following conditions of approval: • Plumbing and drainage works
Transport Assessment	Transport Assessment reviewed the proposed development and provided the following conditions of approval: • Approved drawings • Off street bicycle parking facilities
Water and Waste	Water and Waste reviewed the proposed development and provided the following conditions of approval: • Timing • Approved drawings • Restrictions regarding Council sewer and water supply infrastructure • Screening of visually offensive components • Rectification of Council's infrastructure • Sewer connection • Water connection • Fire loading • Certification of works – Water and Waste (Fire loading certification) • Certification of works – Water and Waste (WCV manoeuvring areas) And the following advice notes: • Council water and sewer mains to be protected during site works • Connections and disconnections • Water meter sizing • Further development permits / compliance permits • Connections to, alteration or realignment of Council infrastructure • Design, Constructability and Minor change applications

8.2 External referrals

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

9 CONCLUSION

The purpose of this report is to assess an application for a development permit for a Material change of use to establish Medium impact industry at 15 Proximity Place, Stapylton.

Assessment reveals the proposal has addressed the relevant Performance outcomes of the assessment benchmarks relevant to the subject matter of the Required outcomes where non-compliance was identified.

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

10 NOTIFICATIONS

No property notifications will be applied as a result of the development.

11 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority, the Manager Planning Assessment approves the issue of a development permit for a Material change of use for an Accepted to Code assessment for Medium impact industry (for the manufacture, storage and distribution of aluminium and steel roller shutters, high-speed overhead doors and associated goods), in accordance with the Attachment entitled: Decision notice – approval with conditions.

Author:

Nicholas Cudicio

Planner

April 2024

Authorised by:

Adam Brown

A/Manager Planning Assessment