

1 APPLICATION SUMMARY

Application information	
Address	1 Homestead Drive, STAPYLTON QLD 4207 5 Homestead Drive, STAPYLTON QLD 4207
Lot and plan	Lot 101 SP316137 Lot 102 SP316137
Site area	Total = 5,448m ² - Lot 101 – 2,535m² - Lot 102 – 2,913m²
Type of development and proposed use	Development permit for a Material change of use for Low Impact Industry and Warehouse
Categories of development and assessment	Code assessment
Properly made date	Wednesday, 31 January 2024
Decision due date	19 April 2024
Applicant and Applicant's consultancy team	Applicant - Devmcoz Properties Pty Ltd Planning consultant – Gassman Development Perspectives Architect – BN Group
Owner details	Devmcoz Property Pty Ltd
City Plan version	Version 10
Zone / Precinct	Assessed within the Vantage industrial Estate Preliminary Approval Area: - M38 Industrial Estate Place Code City Plan v10: - Low impact industry zone (Future low impact industry precinct)
Overlays	City Plan v10: - Acid sulfate soils - Airport environs - Bushfire hazard - Extractive resources - Industry, community infrastructure and agriculture land interface area - State controlled roads, rail corridor and transport noise corridor

	M38 Industrial Estate Place Code: • Car Parking, Access and Transport Integration • Landscape Work	
Submissions	Objections	Support
	Not applicable	Not applicable
Key matters raised by submitters	Not applicable	
Referral agencies	Concurrence agency: • State Assessment Referral Agency (SARA) ○ Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material change of use of premises near a state transport corridor (Planning Regulation 2017)	
Officer's recommendation	Approval, with conditions	

2 PROPOSAL

The purpose of this report is to assess an application for a Development permit for Material change of use to establish Low Impact Industry and Warehouse at 1 - 5 Homestead Drive, Stapylton.

The subject site is located within the Vantage industrial Estate Preliminary Approval Area and subject to the M38 Industrial Estate Place Code.

The M38 Industrial Estate Place Code (Place Code) approves variations to the Gold Coast Planning Scheme 2003, version 1.2. It effects the place code, type of assessment and tables of development of the Yatala Enterprise Area Local Area Plan, in determining the level of assessment for development applications.

Section 3.2 of the Place Code and Schedule 1.1 of the City Plan define the proposed land uses are follows:

Warehouse

The use of premises for:

- storing or distributing goods, whether or not carried out in a building; or*
- the wholesale of goods, if the use is ancillary to the use in (a).*

Low Impact Industry

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

- negligible impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise;*
- minimal traffic generation and heavy-vehicle usage;*

- c. *demands imposed upon the local infrastructure network consistent with surrounding uses;*
- d. *the use generally operates during the day (e.g. 7am to 6pm);*
- e. *offsite impacts from storage of dangerous goods are negligible;*
- f. *the use is primarily undertaken indoors.*

Table A – Yatala Enterprise Area Local Area Plan Table of Development (as modified) - Material Change of Use for Precinct A (Low Impact and Service Industry) of the M38 Place Code categorises the land use as Self assessable. However, the proposed development does not achieve all of the required benchmarks and the development is triggered to Code assessment. The required benchmarks not achieved are listed below:

- Acceptable Solution AS8.1.2 of the M38 Industrial Estate Place Code;
- Acceptable Solution AS43 of the M38 Industrial Estate Place Code; and
- Acceptable Solution AS14.1 of the 4 Car Parking, Access and Transport Integration.

2.1 Brief description of proposed development

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

Development proposal	
Height	9 meters in building height
Setbacks	North: 0m to boundary 6m to road west: 7m to boundary 10m to body corporate East: 5m to road south: 0m
GFA	3457m ²
Site cover	52.9% (2883m ²)
Car parking	• The facility is serviced by a total of 52 car parking spaces (16 of which are tandem), with one marked PWD space within a centralised shared carpark. • Each tenancy is equipped with internal parking. Where this internal parking arrangement is shown in a tandem arrangement the tenancy also has a secondary roller door access.
Hours of operation	• The proposed development will not operate beyond the hours of 7am to 8pm Monday to Friday. • Delivery and collection activities are not proposed to exceed 7am to 8pm Monday to Friday
Gross floor area	The facility comprises of 10 individual warehouse tenancies, all featuring partial mezzanines accessed via stairs with specific staff areas underneath. The warehouses vary in size and shape, ranging from 175m ² to 407m ² .
Servicing	The site has been designed to allow for full internal movement access up to and including Heavy Reticulated Vehicle, with both ingress and egress possible in a forward gear. Articulated Vehicle (AV) access is available via a reverse in bay adjacent to the crossover of the site.

The following drawings identifies the proposed development:



Figure 1: Perspective of proposed development (BN Group).



Figure 2: Perspective of proposed development (BN Group).

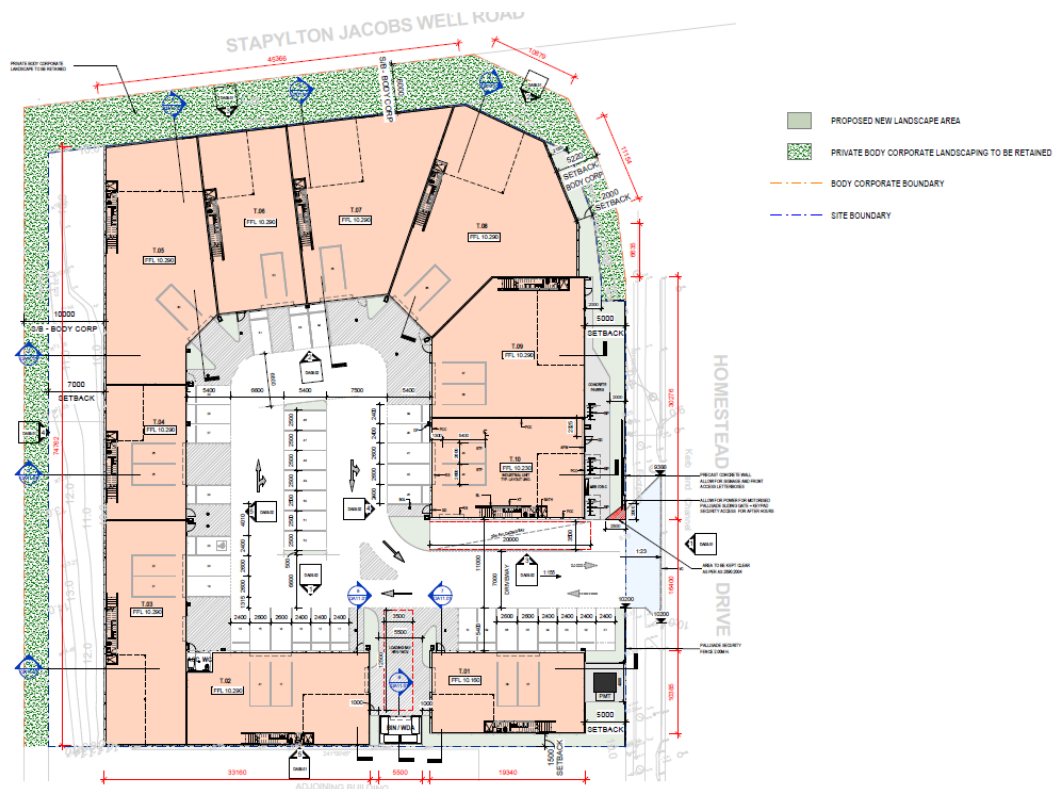


Figure 3: Proposed ground floor site plan (BN Group).

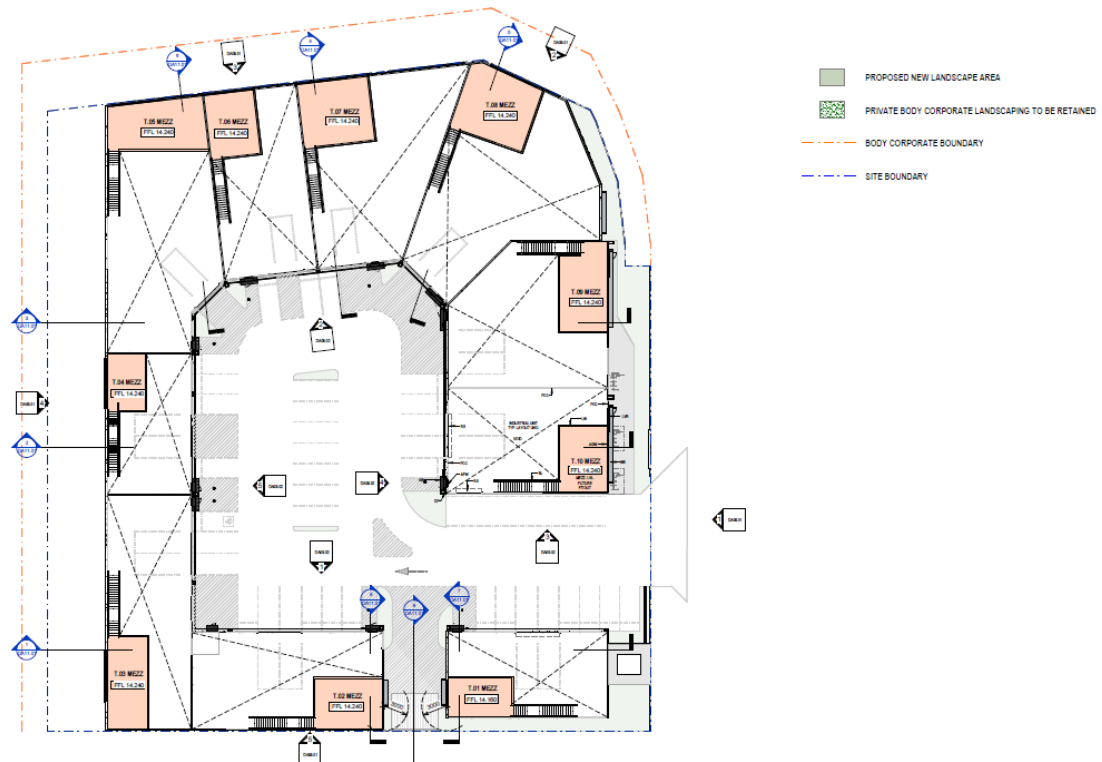


Figure 4: Proposed first floor site plan (BN Group).



Figure 5: Proposed external elevations (BN Group).

3 SITE CONTEXT

3.1 Subject site and immediate context



Figure 6: Ariel of subject site and surrounding road network (Nearmap).

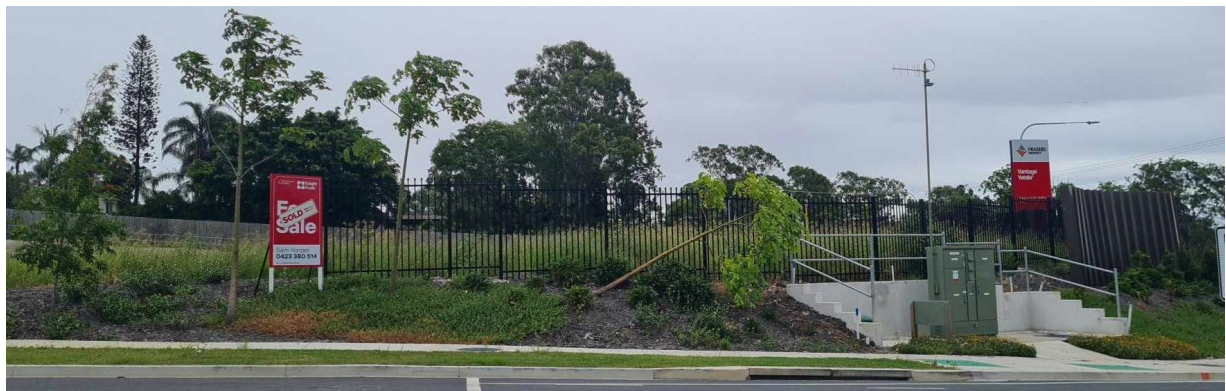


Figure 7: Street view of the CTS managed landscaping buffer (Assessment manager).



Figure 8: View of the site towards Stapylton Jacobs Well Road (Assessment manager).



Figure 9: Subject site topography including rear landscape buffer (Assessment manager).

The subject site is:

- Legally described as Lot 101 SP316137 and Lot 102 SP316137;
- Relatively flat in topography with a slight fall to the west of the site;
- Not encumbered by infrastructure, however there is infrastructure located within close proximity to the boundary line; and
- Connected to services (water, sewer, and electricity).

The subject site has an existing Development permit enacted on the subject site which influences this proposed development. On 22 February 2021, Council approved Stage 1 of the Vantage Estate (ROL/2020/123), including creation of industrial lots within a Community Management Statement (CMS). The subject site is located within the north-western corner of the estate with Precinct A, as shown within the yellow highlighted portion in the figure below:

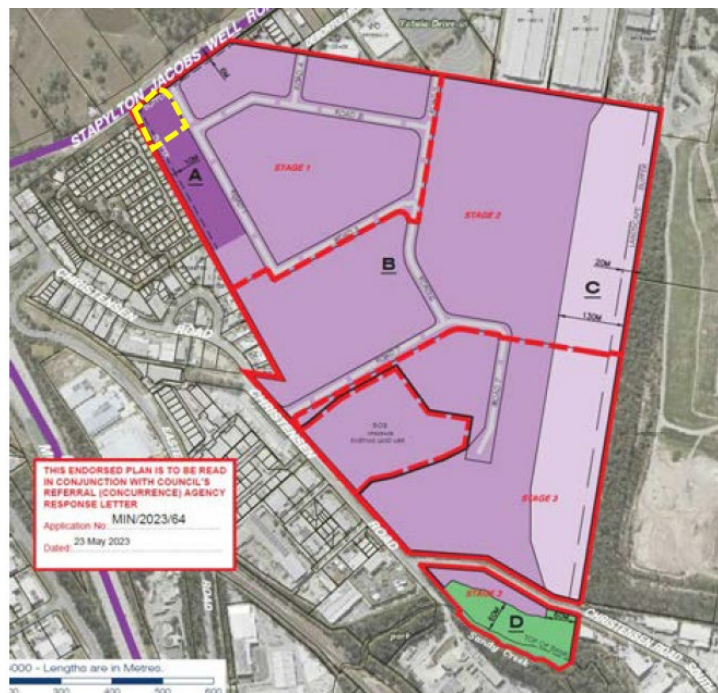


Figure 10: Approved subdivision plan (subject site highlighted in yellow)

The subject site is located within Stage one of the estate. The following figure demonstrates both lots within the subject site in the north-western corner frontage Staplyton Jacobs Well Road.

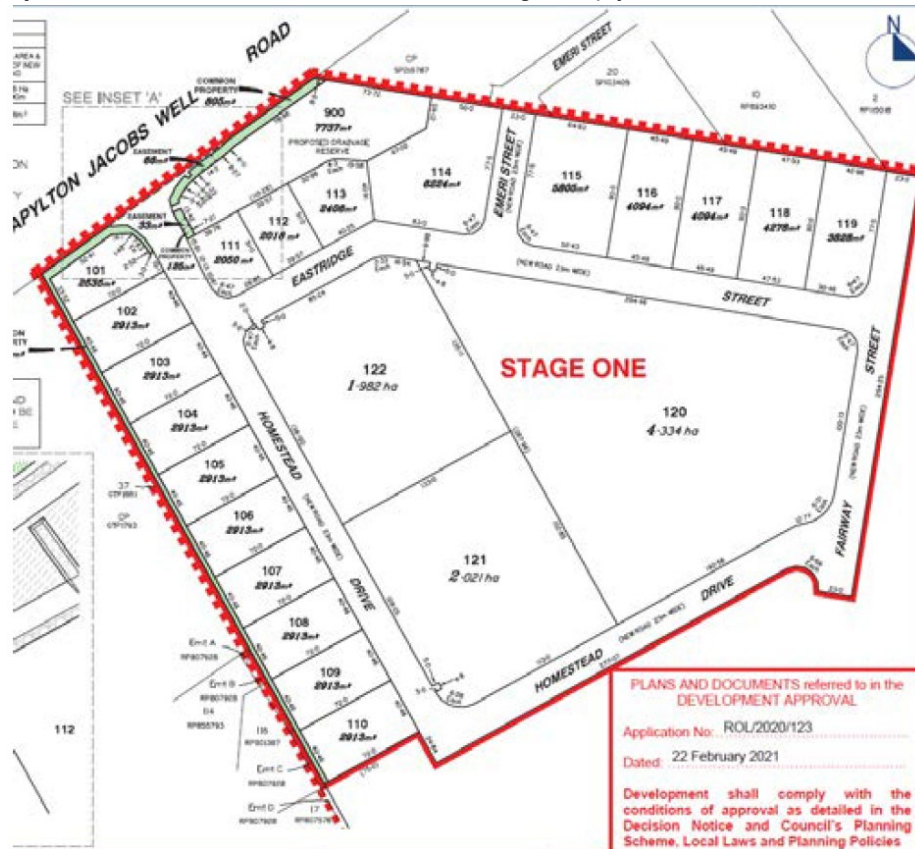


Figure 11: Approved Stage one of the industrial estate. Subject site can be seen within the north-western corner.

3.2 Local context

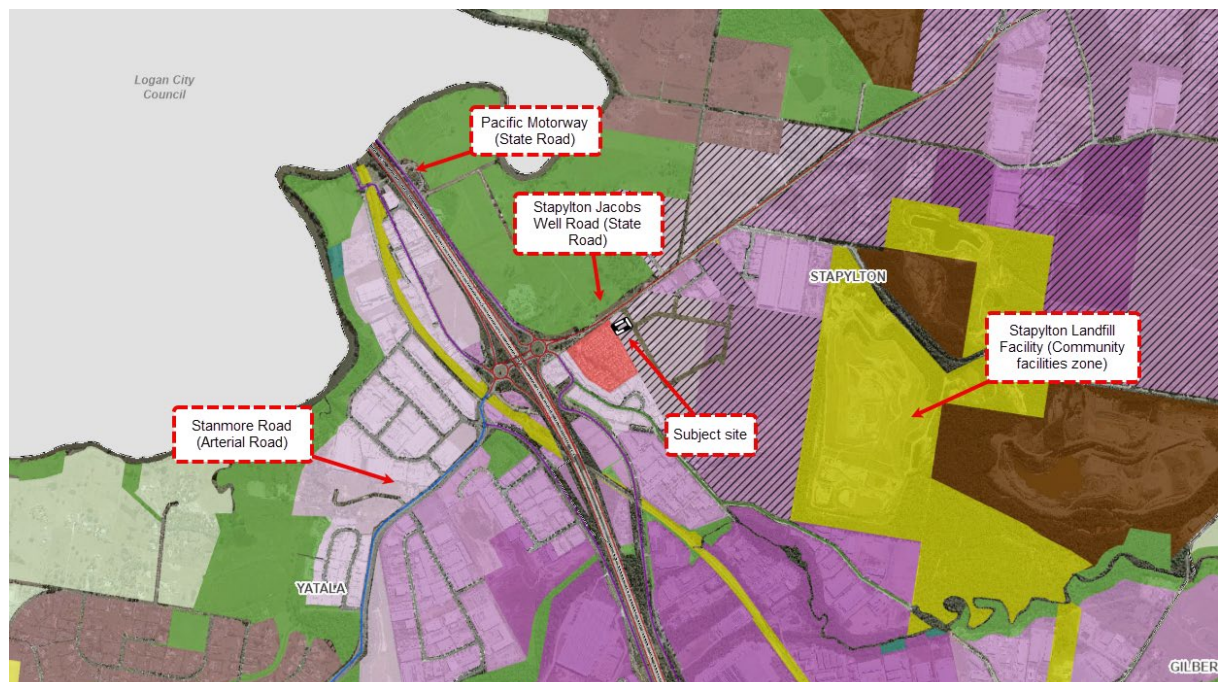


Figure 12: Subject site and local context (City of Gold Coast).

The subject site is located to the north of the City of Gold Coast close to the boundary of City of Gold Coast and Logan City Council. The subject site is located within proximity to major connector roads including:

- The Pacific Motorway (M1) (State road) which provides north-south connection;
- The Eastern Service Road (Sub-arterial road) and Henry Hester Drive (Sub-arterial road) which both act as bypass/service roads for the M1;
- Stanmore Road (Arterial road) which provides east-west connection, west of the M1; and
- Stapylton Jacobs Well Road (State road) which provides east-west connection, east of the M1.

The site is surrounded by industry zones ranging from Low – High impact. There are also areas which are identified within ‘future precincts’ depicted with the black hashing.

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 City Plan appropriately reflects all aspects of the State Planning Policy apart from aspects relating to natural hazards, risk and resilience (coastal hazards). The proposal does not trigger assessment against any assessment benchmarks relating to natural hazards, risk and resilience (coastal hazards).
South East Queensland Regional Plan	The proposal is consistent with the goals, elements and strategies; and the Southern Sub-regional directions of the South East Queensland Regional Plan 2017 (ShapingSEQ).
Planning Regulation 2017	The proposal triggers assessment against the State development assessment provisions being Schedule 10, Part 9, division 4 Subdivision 2, Table 4, Item 1 - Material change of use of premises near a State transport corridor or that is a future State transport corridor. The application was referred to State Assessment Referral Agency (SARA) who was identified in Schedule 10 to act as a Concurrence Agency. This is discussed in section 7.2 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.
Variation approval	The proposal does trigger assessment against a variation approval. This is discussed in section 4.2.1 within this planning report.
The Gold Coast Planning Scheme 2003 – Our Living City	Where not subject to the variation approval the proposal is subject to The Gold Coast Planning Scheme 2003 – Our Living City of the City of Gold Coast. This is discussed in section 4.2.2 below. <u>Local Government Infrastructure Plan</u> There is no new trunk infrastructure required as part of this development.

4.2.1 Assessment against a variation approval

The following is an assessment of the application against the assessment benchmarks in the M38 Industrial Estate Place Code. This Place code approves variations to the Gold Coast Planning Scheme 2003, version 1.2. It effects the place code, type of assessment and tables of development of the Yatala Enterprise Area Local Area Plan.

In situations where the Performance Criteria and/or Acceptable Solutions contained in Codes within this M38 Industrial Estate Place Code conflict with the Performance Criteria and/or Acceptable Solutions of a Council Code, the Performance Criteria and/or Acceptable Solution of the Code within the relevant M38 Industrial Estate Place Code shall prevail.

In situations where this Code is silent on matters, the development shall be subject to the provisions contained within the 'Our Living City – Gold Coast Planning Scheme' and its associated policies.

The following assessment benchmarks have been identified within the M38 Place code:

Zone code	Development codes	Constraint codes
29 Yatala Enterprise Area LAP Place Code M38 Industrial Estate Place Code	21 Landscape Work 24 Office 29 Rural Industry 39 Works for Infrastructure	4 Car Parking, Access and Transport Integration 8 Flood Affected Areas 10 Nature Conservation 13 Road Traffic Noise Management 14 Sediment and Erosion Control

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 criterion does not have a stated corresponding acceptable solution. This is outlined in the table below:

Code	Acceptable Solution / Performance Criterion	Subject matter
M38 Industrial Estate Place Code	Acceptable Solution AS8.1.2	Vehicle access
	Acceptable Solution AS43	Site Access
4 Car Parking, Access and Transport Integration	Acceptable Solution AS14.1	Design service vehicle requirements

4.2.2 Assessment against the 29 Yatala Enterprise Area LAP Place Code

The site is located within the 29 Yatala Enterprise Area LAP Place Code. Where the M38 Industrial Estate Place Code is silent on matters, the development shall be subject to the provisions contained within the 'Our Living City – Gold Coast Planning Scheme' and its associated policies. The development is subject to meeting the Purpose of the 29 Yatala Enterprise area LAP Place Code.

"The purpose of this Local Area Plan (LAP) is to provide for the detailed planning and development of the Yatala Enterprise Area (YEA). The YEA is a highly valuable resource for the City. There is an opportunity to create a dedicated area that could be a market leader in terms of innovative industrial development that would facilitate growth in long term employment in the 21st century. Therefore, the purpose of this LAP is to promote the orderly economic development of the YEA as a major industrial employment district for both the Gold Coast City and the South East Queensland region. The LAP provides locational and assessment criteria for the establishment of industrial activities in the defined Yatala/Stapylton area (refer Yatala Enterprise Area LAP Map 29.1 - Boundary)."

The proposed development does not trigger assessment for any of the relevant benchmarks within this code. The proposal is for a Low impact industry and Warehouse and subject to meeting the outcomes of the zone code, is an envisaged development for the zone.

4.2.3 Assessment against the M38 Industrial Estate Place Code

Vehicle access - M38 Industrial Estate Place Code

The Acceptable solution and corresponding Performance criteria is provided below:

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 one time; d) On-site parking and loading/unloading activities within sites;	AS8.1.2 The number of car parking spaces provided onsite is generally in accordance with Table to Acceptable Solutions AS8.1.2.

e) The availability of conveniently located on-street parking; f) Any possible future expansion, redevelopment or change of use.	
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Officer's comment

Acceptable solution AS8.1.2 of the M38 Industrial estate place code takes its car parking rate from Constrain code 4 – Car parking, access and transport integration (version 1.1). Therefore, car parking is prescribed at the following rate:

- 2 spaces per tenancy plus one (1) space per 50m² of GFA up to 500m² plus one (1) space per 100m² of GFA over 500m².

This equates to a total rate of 52 off street car parks spaces for the proposed development. The applicant has proposed a total of 52 off street car parking spaces within a unique arrangement which includes tandem car parking in front of roller doors. The below table demonstrates the off street car parking delineation:

Off street car parks	Total
36 + 16 tandem	52

The below figure demonstrates the car parking arrangement and identifies the tandem spaces in red:

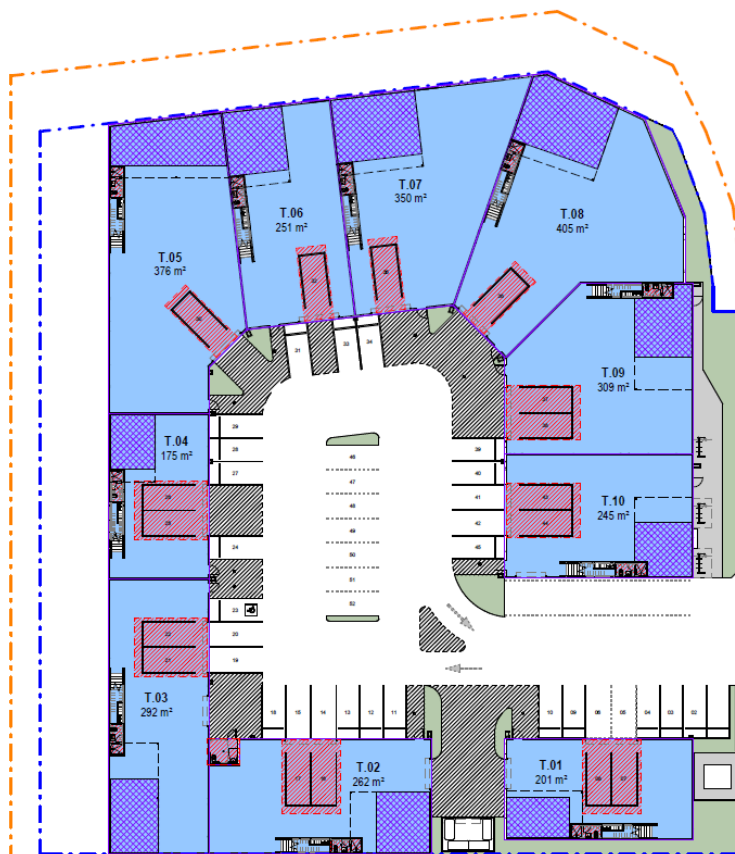
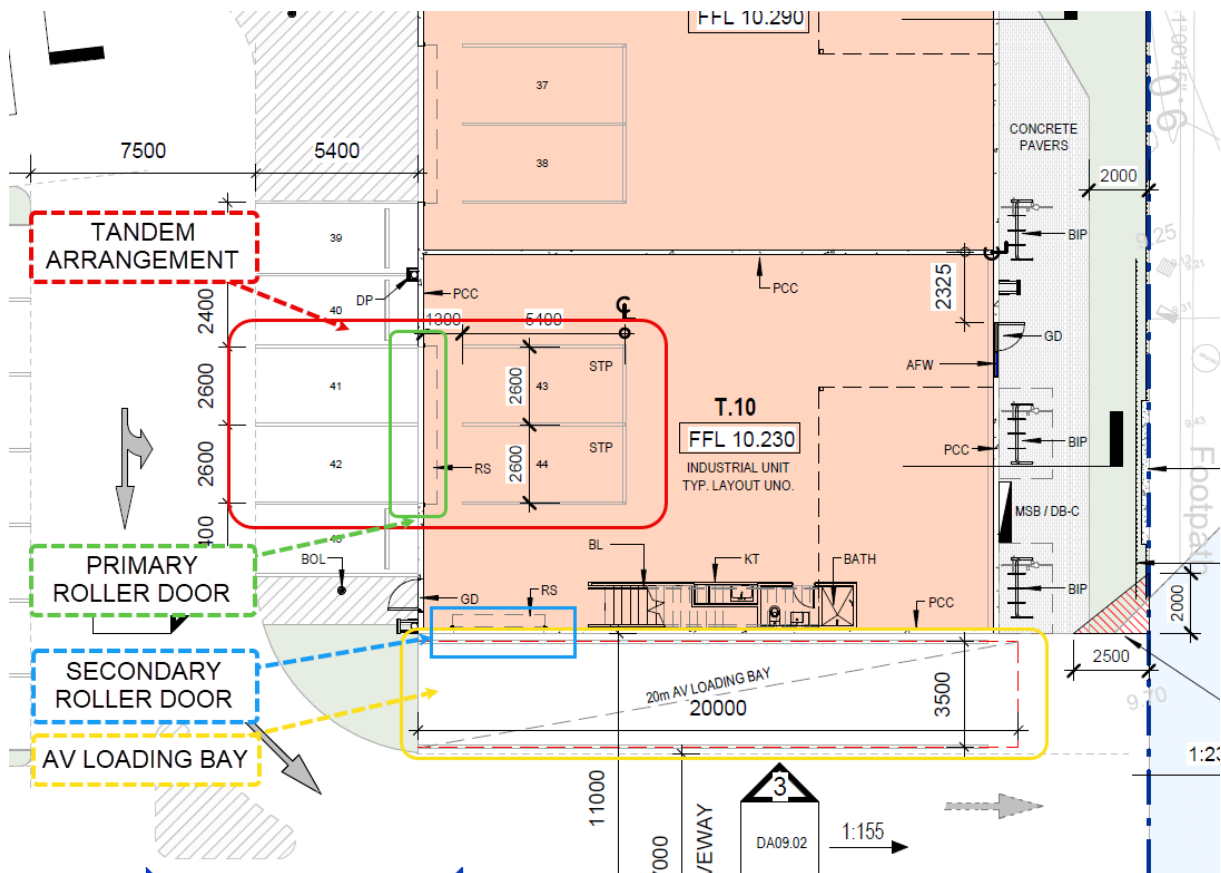


Figure 13: Proposed tandem car parking arrangement (BN Group).

Officers note that there are some arrangements within the proposed plans which demonstrate car parks located in front of the primary roller doors. In these instances (units 1-3 and unit 10) a secondary access roller door has also been provided. An example of this arrangement with secondary access is shown below:



The Acceptable solution and corresponding Performance criteria is provided below:

Performance criteria	Acceptable solution
PC43 Site access is designed and constructed to provide for the safe ingress/egress of vehicles to the site.	AS43 Vehicular access to the site is designed and constructed in accordance with Council, Department of Main Roads and AUSTROAD standards, and/or the following minimum requirements: a) comprises a single vehicular driveway (entrance/exit), wherever possible; b) is not closer than ten metres to an intersecting street on the same side of the street; c) provides a minimum sight distance of 110 metre.

Officer's comment

AS43 of the M38 Industrial estate place code requires that vehicular access to the site is designed and constructed in accordance with AUSTROAD standards and the following requirements:

- a. comprises a single vehicular driveway(entrance/exit), wherever possible;*
- b. is not closer than ten metres to an intersecting street on the same side of the street;*
- c. provides a minimum sight distance of 110 metres;*
- d. shares adjoining property access driveways, wherever possible;*
- e. always enters the street at right angles;*
- f. where the site has frontage to two roads, access is taken off the secondary/minor road, if possible;*
- g. where separate entry and exit driveways are used, the first driveway reached from the kerbside land is clearly delineated and signposted.*

The proposed vehicle crossing is located within 10 metres of the Stapylton Jacobswell Road intersection which is a State controlled road. Consideration is therefore given to Performance criteria PC43 which states:

'site access is designed and constructed to provide for the safe ingress/egress of vehicles to the site'

The applicant is proposing that an AV perform a reversing manoeuvre into the site. The swept paths provided show that the manoeuvre will impact both lanes on Homestead Drive. However, officers consider that there is ample queuing distance along Stapylton Jacobs Well Road to accommodate vehicles which are impacted by the manoeuvre.

Based on the above assessment officers consider the development can achieve Performance criteria PO43 of the M38 Industrial estate place code

4.2.3.1 Assessment against the constraint codes

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

Design service vehicle requirements - 4 Car parking, access and transport integration

The Acceptable solution and corresponding Performance criteria is provided below:

Performance criteria	Acceptable solution
PC14 Development must provide for the required 'design service vehicle' to service the development.	AS14.1 Provision is made for service vehicles, in accordance with the Table to Acceptable Solution AS14.1, for sites greater than 4,000m ² in area.

Officer's comment

The proposed development accommodates for HRV and AV loading bays in accordance with service vehicle demand. However, as previously noted, this application relies upon the provision of secondary access ways to support a car parking arrangement within the access way of the primary roller doors. The location of the HRV and AV loading bays, provides a conflict with this outcome, and will block these secondary access ways when the loading bays are in use. Therefore, to ensure that these secondary roller doors are available for use, officers have recommended the inclusion of a condition of approval requiring the secondary access ways to always remain clear of obstruction, other than when the loading bays are being used, for the purpose of loading and unloading.

It is considered that the inclusion of this condition, will ensure that the development achieves its service vehicle requirements without impacting upon other aspects of the development.

5 INFRASTRUCTURE CHARGES

The final estimated infrastructure charge is \$204,283.76.

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 2023					
	Qty			Rate	Gross Charge Amount
Impervious area	5,183.75	Square Metres	@	\$ 12.10	\$ 62,844.38
Other industry	3,457	sq m Gross Floor Area	@	\$ 60.52	\$ 209,217.64
					\$ 272,062.02
Net Charge Summary					
Gross Charge Amount		Applied Credit Amount		Net Charge Amount	
\$ 272,062.02		\$ 67,778.26		\$ 204,283.76	
Applied credit details		Standard Lot x 2.			

6 REFERRALS

6.1 Internal referrals

This application has been assessed by internal referral officers who have provided comments and reasonable and relevant conditions. If not previously included, internal referral comments and an overview of the recommended conditions are provided in the table below:

Internal referral area	Conditions/Comments (if not included within report)
Office of the City Architect	Following assessment of the development the following conditions are recommended: • Screening of visually offensive components
Health and Regulatory Services	Following assessment of the development the following conditions are recommended: • Approved Plans • Hours of operation • Screening of visually offensive components • Certification of works - Health and Regulatory Services
Landscape Assessment	Following assessment of the development the following conditions are recommended: • Landscaping works • Frontage landscaping gradient (specific condition) • Advice notes • Further development permits / compliance permits • Operational works - landscape works (Private works)
Operational Works	Following assessment of the development the following conditions are recommended: • Rectification of Council's infrastructure • Existing infrastructure, structures and services • Driveways and vehicle crossings • Construction of vehicle crossing • Advice Notes • Further development permits / compliance permits • Operational works - vehicle access works • Connections to, alteration or realignment of Council infrastructure
Plumbing and Drainage	Following assessment of the development the following conditions are recommended: • Plumbing and drainage works
Subdivision Engineering	Following assessment of the development the following conditions are recommended:

	• Electrical reticulation • Telecommunications network • Certification of works - Subdivision Engineering
Transport Assessment	Following assessment of the development the following conditions are recommended: • Off-street vehicle and car parking facilities • Off street bicycle parking and end of trip facilities • Loading and unloading (excluding waste collection vehicles) • Security gate requirements • Removal of kerb ramps • Removal of redundant pavement marking • Entering sight distance • Advice Notes ○ Further development permits / compliance permits ▪ Operational works – infrastructure
Water and Waste	Following assessment of the development the following conditions are recommended: • Requirement to register easements –Water Supply • Restrictions regarding Council easements and sewer and water supply infrastructure • Screening of visually offensive components • Rectification of Council's infrastructure • Sewer connection • Water connection • Sub-metering • Fire loading • Certification of works - Water and Waste • Advice Notes ○ Council water and sewer mains to be protected during site works ○ Connections and disconnections ○ Water meter sizing ○ Further development permits / compliance permits

	▪ Operational works - infrastructure ▪ Connections / disconnections: Application to work on the City's Infrastructure ▪ Temporary Road Closure and Works Zone Permit Application ○ Connections to, alteration or realignment of Council infrastructure ○ Operational Works meeting prior to lodgement ○ Design, Constructability and Minor change applications
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6.2 External referrals

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

6.2.1 Concurrence agency(s)

- **State Assessment Referral Agency (SARA)**
 - SARA Reference: 2402-38940 SRA
 - Trigger: Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material change of use of premises near a state transport corridor (Planning Regulation 2017)
 - Outcome: Referral agency response – no requirements

7 PUBLIC NOTIFICATION

No part of the application required public notification.

8 CONCLUSION

Council is in receipt of an application for a Development permit for a Material change of use to establish Low impact industry and Warehouse at 1 – 5 Homestead Drive, Stapylton.

After a detailed assessment, it has been determined the proposal meets the purpose of the Low impact industry zone and applicable overlay and development codes. It has also been determined the proposal meets the requirements of the M38 Place code.

It is recommended the application be approved, subject to conditions for the following reasons:

- The development is for a land use which is envisaged within the zoning;
- The development presents a built form which generally achieves the expected level of amenity for the surrounding area;
- The development provides for it transport and car parking demand on site;
- The development presents a good architectural form to Stapylton Jacobs Well Road; and
- The development presents a balanced landscaping outcome.

9 NOTIFICATIONS

This application does not apply new property notifications on the site.

10 RECOMMENDATION

It is recommended that Council resolves as follows:

That under Delegated Authority, the Manager Planning Assessment approves (with conditions) the issue of a Development permit for a Material change of use for Low impact industry and Warehouse, in accordance with the Attachment entitled: Decision notice (approval) – with conditions.

Author:

Nicola Auret

Planner

April 2024

Authorised by:

Roger Sharpe

Manager Planning Assessment