

TOWN PLANNING (IMPACT) ASSESSMENT REPORT

Approved Lot 6 (RL/3/2025) – 14 Granite
Drive, Park Ridge 4125 & 328 Park Ridge
Road, Park Ridge 4125

Material Change of Use for a Warehouse

July 26

development
directive



QUALITY ASSURANCE

Town Planning (Impact) Assessment Report
Development Directive Project Number: 27504

- Development Permit for a Material Change of Use for Warehouse;

Approved Lot 6 (RL/3/2025) – 14 Granite Drive, Park Ridge 4125 & 328 Park Ridge Road, Park Ridge 4125

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EXECUTIVE SUMMARY

This report has been prepared by The Development Directive Pty Ltd on behalf of Andreatta Properties Pty Ltd & Green Road Properties Pty Ltd (the Applicant) and relates to the land at 14 Granite Drive, Park Ridge 4125 (Lot 6 on SP347515) & 328 Park Ridge Road, Park Ridge 4125 (Lot 100 on SP332577) ("the site"). This development application seeks a Development Approval for a Development Permit for a Material Change of Use for Warehouses (referred to as the proposed development) on the site.

As detailed in this report, Impact Assessment is triggered for the proposed development, only as a result of the proposed building height relative to the existing ground level. The existing ground level is subject to a lawful change in accordance with RL/3/2025 which will be implemented through related operational works applications.

Once the change in ground level has been established the proposed building height will be 12.5m from ground level.

Table 1 provides summary details of the site and the applicable planning framework that is relevant to the assessment of the application.

Table 2 provides summary details of the proposal and application details.

Table 3 provides details of the applicant and contact details for all correspondence.

Table 1: Site Details and Planning Framework

Site address	Approved Lot 6 (RL/3/2025) – 14 Granite Drive, Park Ridge 4125 & 328 Park Ridge Road, Park Ridge 4125 (the site)
Real property description	- Lot 6 SP 347515 - Lot 100 SP 332577
Site area	2.232ha
Landowner	Andreatta Properties Pty Ltd & Green Road Properties Pty Ltd (the landowner)
Existing easements	- ESP347515 - F SP347515 - G SP347515 - K SP347515
Local government area	Logan City Council
Planning scheme in force	Logan Planning Scheme 2015 (Version 9.2)
Zone	Medium Impact Industry
Overlays	• OM-03.00 Bushfire hazard trigger- Bushfire hazard - Medium Potential (Potential Impact Buffer)
Temporary local planning instrument (TLPI)	TLPI No. 1/2024
Variation Approval	The approved Variation Approval (MCUI/1/2025) varies the effect of the planning scheme and establish the Medium impact industry zone over the entirety of the site, allowing development of medium impact industry uses to be code assessable at the site.
Regional Plan Land use designation	Urban Footprint
DAMS mapping layers	• Regulated vegetation management map (Category A and B extract) • Water resource planning area boundaries • SEQ major enterprise and industrial area (MEIA) • SEQ Regional Plan land use categories - Urban Footprint

Table 2: Development Application Details

Development Description	The proposed development is for a Warehouse
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	A detailed description of the proposal is provided at section 3 of this report.	
Defined Land Use	Warehouse	
Category of Development	Material Change of Use	
Category of Assessment	Impact assessment	
Building height	12.51m	
Building setbacks	North	0m
	South	6.5m
	East	0m
	West	1m
Gross Floor Area (GFA)	Building 1	6,126m ²
	Building 2	5,520m ²
	Total	11,646m ²
Landscaped Area	4.8% of the site area	
Car Parking	102 car parking spaces 3 PWD spaces	

Table 3: Applicant Details

Applicant	The Development Directive Pty Ltd	
Address	884 Logan Road Holland Park West QLD 4121	
Contact person	Alexandra Rooney	
Contact details	p. 0414 627 759 e. Alex@developmentdirective.com.au	
Our reference	27504	

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LIST OF APPENDICES

Appendix	Name	Prepared By
Appendix 1	DA Form 1	The Development Directive
Appendix 2	Landowner's Consent	The Development Directive
Appendix 3	Current Title Search	Titles Queensland
Appendix 4	Site Plan and Proposed Architectural Drawings	Taylor Ellis
Appendix 5	Civil Engineering Report	Arcadis
Appendix 6	Traffic Engineering Report	Modus
Appendix 7	Landscape Architecture Plans	Andrew Gold Landscape Architecture
Appendix 8	Planning Scheme Code Responses	The Development Directive

LIST OF FIGURES

Figure No.	Name	Prepared By / Source
Figure 1	Locality Map	Nearmap
Figure 2	Approved Zoning Map	Orions Spatial Survey
Figure 3	Render	Taylor Ellis Architects
Figure 4	Error! Reference source not found. Plan	Taylor Ellis Architects
Figure 5	Southern Elevation	Taylor Ellis Architects
Figure 6	Settlement Pattern Strategic Framework Map	LCC Planning Scheme
Figure 7	Planning Scheme (zoning) Context Map	LCC Planning Scheme
Figure 8	Overlay Map	LCC Planning Scheme
Figure 9	Approved Sewer Retention Plan	Arcadis

1 SITE & SURROUNDS

1.1 SITE LOCATION

The subject site is located at Approved Lot 6 (RL/3/2025) – 14 Granite Drive, Park Ridge 4125 & 328 Park Ridge Road, Park Ridge 4125 and is more formally described as Lot 6 SP 347515 and Lot 100 SP 332577 (**the site**).

Approved Lot 6 is also known as Stage 2 of the Transit Industrial Estate; an industrial development that is a regionally significant site in the context of the SEQ Major Enterprise and Industrial Area. The Crestmead Logistics Estate is located immediately to the north of the site.

A Locality Map is provided at Figure 1.



Source: Nearmap

Figure 1: Locality Map

Approved Lot 6 has an area of 2.23 ha and is accessible via Granite Drive. The site is located within the Medium Impact Industry Zone, as is the balance of the Transit Industrial Estate, due to the provisions of the Variation approval ref MCUI/1/2025.

Although the existing titles are burdened by Easements G And K SP347515, this application for Material change of use is made on the basis that the approved subdivision (ref RL/3/2025) is implemented, following the cancellation of the existing lots (and their associated easements).

The site was previously utilised in part for residential and rural residential purposes and has been subject to a number of development approvals which are relevant to this subject development application. Previous and historic approvals are discussed in detail in Section 1.4 of this report.

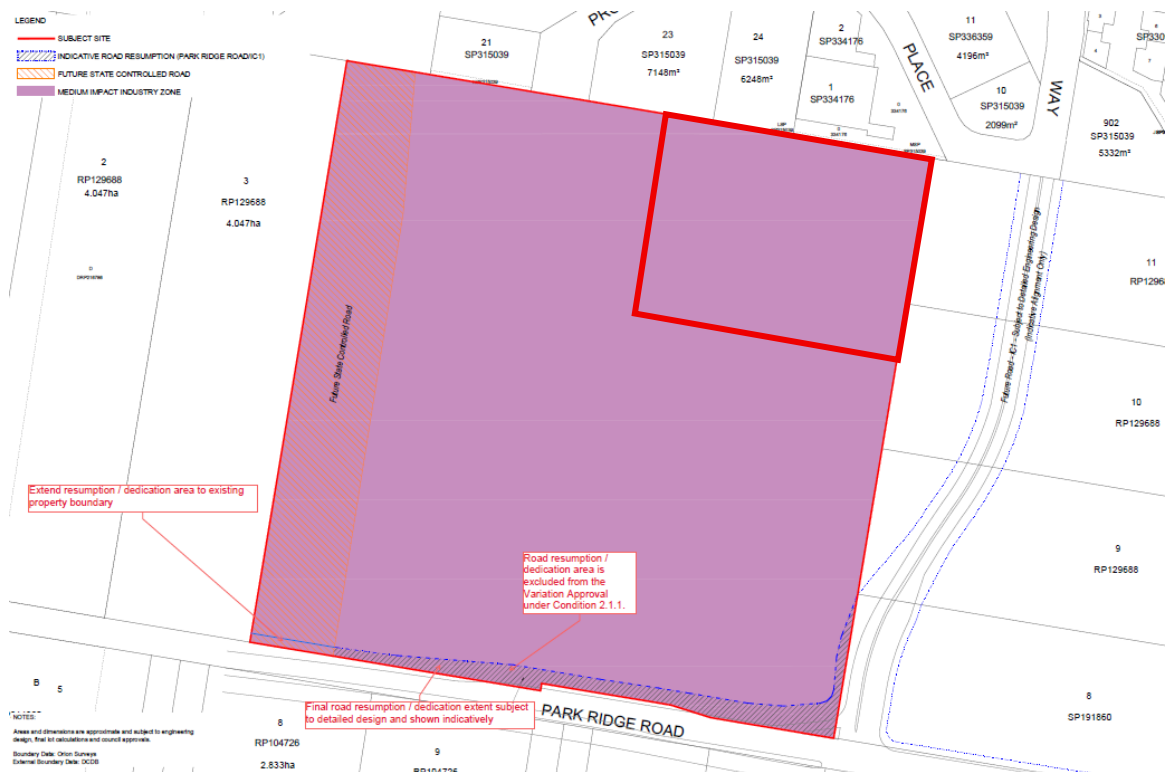


Figure 2: Approved Zoning Plan



Figure 3: Approved ROL Plan – RL/3/2025

1.2 APPROVAL HISTORY

Historical development approvals granted over the site are listed in 4 below.

Table 4: Approval History

Council Reference	Description	Approval Date
RL/111/2022	Reconfiguring a Lot (17 Lots into 13 Lots)	Approved by Council on 27 March 2023
RL/111/2022/1	Reconfiguration of a Lot (17 lots into 12 lots and new road) and operational works (vegetation clearing)	Approved by Council on 17 May 2023
RL/111/2022/1/A	Minor change to development approval RL/111/2022/1	Approved by Council on 19 October 2023
RL/111/2022/1/B	Minor change to development approval RL/111/2022/1/A	Approved by Council on 10 January 2024
RL/111/2022/1/C	Minor change to development approval RL/111/2022/1/B	Approved by Council on 9 October 2024
MCUC/107/2024	Material change of use for a Warehouse	Approved by Council on 20 January 2025
MCUC/108/2024	Material change of use for a Warehouse	Approved by Council on 10 February 2025
MCUI/1/2025	Variation Request	Approved by Council on 15 August 2025
RL/3/2025	Reconfiguring a Lot (4 lots into 17 lots)	Approved by Council on 22 January 2026

2 PROPOSED DEVELOPMENT

2.1 THE PROPOSAL

The proposed development is for a Material Change of Use for Warehouses (referred to as the proposed development). The site is identified in Stage 2 of the existing approved application RL/3/2025.

The proposed development has been designed around a central access driveway that connects the site to Granite Drive. Buildings are proposed on either side of the access driveway, along the east and west of the site. Each warehouse building is internally divided to create individual warehouse tenancies. The building to the east of the site caters for four warehouse tenancies and the building on the west of the site caters for three tenancies (7 tenancies total). Each warehouse is granted access from the central driveway and is separated by fencing and offers ancillary office and car parking areas to support the warehouse use.

Architectural plans have been prepared by Taylor Ellis Architecture for the proposed warehouse development. These plans are provided in Appendix 4. Overall, the proposed development represents an excellent outcome that responds well to the context of the site and contributes to the further establishment of the high-quality industrial precinct. This can be seen in Figures 4 and 5, which show the front façade of the proposed warehouse as viewed from the street frontage and an Overall Site Plan.



Figure 4: Building Perspective

Importantly, Taylor Ellis architects were involved in all approved buildings within Stage 1 of the Transit Industrial Estate, and as such, the proposed development adopts a consistent approach with adjacent approvals in terms of architecture, scale and materiality.

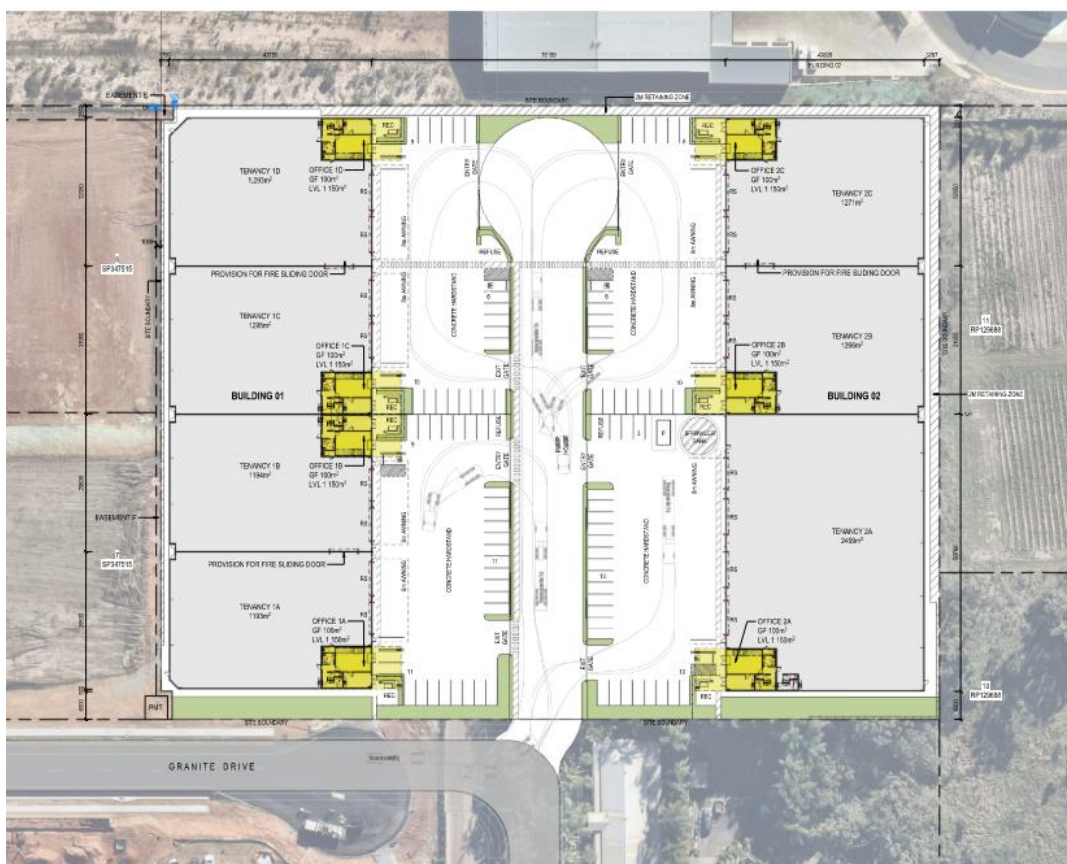


Figure 5: Overall Site Plan

Prepared by Taylor Ellis

2.2 DEVELOPMENT PARTICULARS

Table 5 below summarises the particulars of the proposed development and is discussed in further detail in the following sections of this report.

Table 5: Development Particulars

Development Description	The proposed development is for a Warehouse use. Development Permit for a Material Change of Use For a Warehouse; For further details, refer to section 3 of this report.	
Defined Land Use	Warehouse	
Category of Development	Material Change of Use	
Category of Assessment	Code assessment	
Building height	12.51m above natural ground	
Building setbacks	North	0 m
	South	6.5 m
	East	0 m
	West	1 m
Gross Floor Area (GFA)	Building 1	6,126 m ²
	Building 2	5,520 m ²
	Total	11,646 m ²
Site cover	11,646 m ²	
Landscaped Area	5.10 % of the site area	
Car Parking	110 car parking spaces 2 PWD spaces	

3 TECHNICAL MATTERS

3.1 TECHNICAL REPORT

The application material includes technical reports listed in Table 6 below.

Table 6: Technical Reports

Appendix	Name	Prepared By
Appendix 5	Civil Engineering Report	Arcadis
Appendix 6	Traffic Engineering Report	Modus
Appendix 7	Landscape Concept Plans	Andrew Gold Landscape Architects

3.2 KEY TECHNICAL ITEMS

Bushfire Hazard Overlay

The site is identified as having medium potential bushfire hazard. Previous application RL/111/2022 enabled clearing on the site to occur and as a result this bushfire hazard mapping is no longer representative of the risk to the site. As such, a bushfire hazard report will not be provided with this application.

3.3 INFRASTRUCTURE, SERVICES AND ASSETS

The MCU will rely upon connections to infrastructure and services which are to be provided in accordance with the Development Approval for Reconfiguration of a Lot (Ref: RL/3/2025) and subsequent Operational works applications for Stage 2 (which are intended to be submitted concurrently with this application).

Asset	Response
Water	Water is proposed to be connected to the reticulation system as per drawing MRI-AAP-DD-02-DRG-CV-0621.
Sewer	The sewer connection on site is proposed to be carried out in accordance with the sewer reticulation layout plan, drawing MRI-AAP-DD-02-DRG-CV-0521.
Stormwater Quality	Stormwater from each development stage is proposed to follow a specially designed stormwater quality treatment train prior to discharge from the site, which will ensure compliance with the water quality objectives. The proposed treatment system includes the following: • Bio-pod tree pits to manage the road network. • Private bio-retention system for each lot as part of future applications.
Stormwater Quantity	The subject site complies with the overarching stormwater quantity strategy outlined in Arcadis' overall Stormwater Management Plan (GA0002-30131743-AAR-SMP - RL/111/2022/1). No on-site detention is required to facilitate the development as developed flows are catered for in the planning of the downstream regional detention basin north of the site.
Electricity, Data and Telecommunications	The site will be provided with electricity, data and telecommunication services.
Earthworks and Retaining	Earthworks on the site are proposed to be carried out as per drawing MRI-AAP-DD-02-DRG-CV-0101. Retaining at the site is proposed to be carried out as per drawing MRI-AAP-DD-02-DRG-CV-0141.

4 TOWN PLANNING ASSESSMENT

4.1 RULES FOR ASSESSMENT

Section 60(3) of the Planning Act sets out the decision rules for an assessment manager undertaking an impact assessment and provides:

To the extent the application involves development that requires impact assessment, and subject to section 62, the assessment manager, after carrying out the assessment, must decide—

- a) to approve all or part of the application; or*
- b) to approve all or part of the application, but impose development conditions on the approval; or*
- c) to refuse the application.*

Subject to section 62 of the Planning Act (which does not apply here), the above provision confers a power on an assessment manager to exercise a broad planning discretion. The discretion must be exercised in one of three ways, which are identified in subsections (3)(a), (b) and (c). ¹

This statutory regime represents a movement away from the old “two-part test” under *the Sustainable Planning Act 2009*, which involved identifying conflict and then sufficient grounds to overcome that conflict. Instead, the planning discretion requires the assessment manager to, after carrying out its (impact) assessment, reach a balanced decision in the public interest, where two competing considerations are at play: (1) the need for the rigid application of the planning documents (assessment benchmarks) on the one hand; as against (2) the adoption of a flexible approach to the application of the planning documents (assessment benchmark) to, inter alia, exercise the discretion that advances the purposes of the Act. ²

Accordingly, the existence of a non-compliance with such a document will be a relevant ‘fact and circumstance’ in the exercise of the planning discretion under section 60(3) of the Planning Act. Whether that fact and circumstance warrants refusal of an application, or is determinative one way or another, is a separate and distinct question. It will be a matter for the assessment manager to consider the circumstances which informs the exercise of the planning discretion under section 60(3). It should not be assumed that non-compliance with an assessment benchmark automatically warrants refusal. This must be established, just as the non-compliance must itself be established. ³

4.2 RELEVANT PLANNING INSTRUMENTS

The assessment of this development application must be carried out against the laws and policies in place at the time of lodgement of this development application, which relevantly include:

- Planning Act 2016 (**Planning Act**) current at 27 April 2026
- Planning Regulation 2017 (**Planning Regulation**) current at 8 May 2026
- State Planning Policy 2017 (July) (**SPP**) which took effect on 3 July 2017
- South East Queensland Regional Plan – ShapingSEQ 2023 (**SEQR**) which took effect on 15 December 2023
- Logan Planning Scheme 2015 (Version 9.2) (**Planning Scheme**) which took effect on 1 July 2025

¹ Ashvan Investments Unit Trust v Brisbane City Council & Ors [2019] QPEC 16, [43].

² Ibid, [54], confirmed in Abelada v Brisbane City Council [2020] QCA 257, [54].

³ Ashvan Investments Unit Trust v Brisbane City Council & Ors, [53], confirmed in Abelada v Brisbane City Council [2020] QCA 257, [54].

4.3 ASSESSMENT MANAGER

Pursuant to Schedule 8 of the Planning Regulation, the Local Government – being the Logan City Council, will be the assessment manager for this development application.

4.4 CATEGORISATION OF DEVELOPMENT ASSESSMENT

There are various planning instruments that categorise the level of assessment for development applications. Table 7 outlines the categorising instruments and what level of assessment the proposed development is categorised as.

Table 4: Categorisation of Development Assessment – Material Change of Use

Categorising Instrument	Assessment Trigger	Level of Assessment
Logan Planning Scheme 2015	- OM-03.00 Bushfire hazard trigger- Bushfire hazard - Medium Potential - Potential Impact Buffer	Not Applicable
	Filling and Excavation Code	Code Assessment
	Infrastructure Code	Code Assessment
	Landscaping Code	Code Assessment
	Management of emissions and hazardous activities code	Code Assessment
	Servicing, access and parking code	Code Assessment
	Medium Impact Industry zone	Impact Assessment
Temporary Local Planning Instrument	TLPI No. 1/2024	Not Applicable

Based on the table(s) above, the applicable level of assessment for the proposed development is impact assessment.

4.5 PUBLIC NOTIFICATION

Pursuant to section 53 of the Planning Act, the proposed development is subject to impact assessment and requires 15 business days of public notification. Public notification will be carried out in accordance with *Part 4: Public Notification* of the DA Rules.

5 STATE PLANNING FRAMEWORK

State Planning Framework	Response
Planning Act 2016	The Planning Act establishes the framework for Queensland's planning system and governs the development assessment process for a development application. Section 44 of the Planning Act outlines the category of development for a development application. In this instance, the application contains 'assessable development'. In accordance with Table 8 above, the category of assessment for the proposed development has been determined to be impact assessment and has been assessed against the matters relating to Impact Assessment, in accordance with Section 45(5) of the Planning Act, which states that: <i>'Impact assessment is an assessment that —</i> <i>(a) must be carried out—</i> <i>i. against the assessment benchmarks in a categorising instrument for the development; and</i> <i>ii. having regard to any matters prescribed by regulation for this subparagraph; and</i> <i>(b) may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.</i> <i>Examples of another relevant matter—</i> <i>• a planning need</i> <i>• the current relevance of the assessment benchmarks in the light of changed circumstances</i> <i>• whether assessment benchmarks or other prescribed matters were based on material errors</i> Subsections (7) and (8) of Section 45(5) of the Planning Act apply if an assessment manager is assessing a development application against or having regard to— <i>(a) a statutory instrument; or</i> <i>(b) another document applied, adopted or incorporated (with or without changes) in a statutory instrument.</i> Subsection (7) states <i>that the assessment manager must assess the development application against or having regard to the statutory instrument, or other document, as in effect when the development application was properly made.</i> Subsection (8) states <i>that the assessment manager may give the weight the assessment manager considers is appropriate, in the circumstances, to—</i> <i>(a) if the statutory instrument or other document is amended or replaced after the development application is properly made but before it is decided by the assessment manager—the amended or replacement instrument or document; or</i> <i>(b) another statutory instrument—</i> <i>i. that comes into effect after the development application is properly made but before it is decided by the assessment manager; and</i>

		ii. <i>that the assessment manager would have been required to assess, or could have assessed, the development application against, or having regard to, if the instrument had been in effect when the application was properly made.</i>
Referral Jurisdiction	Agency	Section 55(2) of the Planning Act states that: <i>“For any other referral agency, a regulation may prescribe the matters the referral agency—</i> <i>(a) may, must or must only assess a development application against; and</i> <i>(b) may, must, or must only have regard to for the assessment.”</i> Part 4, Section 22(1) of the Planning Regulation states that: <i>“Schedules 9 and 10 prescribe—</i> <i>(a) for section 54(2)(a) of the Act, the referral agency for the development applications stated in the schedules; and</i> <i>(b) for section 55(2) of the Act, the matters the referral agency—</i> <i>i. may or must assess the development application against; and</i> <i>ii. may or must assess the development application having regard to.”</i> An assessment of Schedule 10 the Planning Regulation has identified that the application does not require referral to the State Assessment and Referral Agency (SARA) and consequently the State Development Assessment Provisions (SDAP) do not apply.
State Benchmarks	Assessment	The matters that the assessment manager must assess the application against are the assessment benchmarks within the instruments stated in section 26 of the Planning Regulation. The instruments identified are as follows: • the assessment benchmarks for the development as stated in Schedules 9 and 10 (SDAP Codes) • the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme • the State Planning Policy, Part E, to the extent Part E is not identified in the planning scheme as being appropriately integrated in the planning scheme • for designated premises – the designation for the premises • any temporary State planning policy applying to the premises • if the development is not in a local government area – any local planning instrument for a local government area that may be materially affected by the development • if the local government is an infrastructure provider – the local government’s infrastructure plan (LGIP). Each of the state assessment benchmarks is addressed below, except for the local government infrastructure plan (LGIP), which is addressed in section Insert section number in this report below.
State Planning Policy		The current State Planning Policy 2017 (SPP) commenced in July 2017 and is a State planning instrument made under Chapter 2, Part 2, Section 10 of the Planning Act. As prescribed in section

	26(2)(a)(ii) of the Planning Regulation, the SPP represents an assessment benchmark and the assessment manager must have regard to, to the extent that the SPP is not adequately reflected in the planning scheme. It is identified under Part 2 of the planning scheme that it does adequately integrate the interests of the SPP.
South East Queensland Regional Plan	The South East Queensland Regional Plan 2023 – ShapingSEQ (SEQRP) is the regional plan for the SEQ region. It was given effect on 15 December 2023 and supersedes the South East Queensland Regional Plan 2017 – Shaping SEQ which took effect on 11 August 2017 and the South East Queensland Regional Plan 2009–2031 prior to that. The primary purpose of SEQRP is to provide a sustainable growth management strategy for the region that articulates the strategic direction and certainty to accommodate a significant increase in population in SEQ to 2041. As prescribed in Section 26(2)(a)(i) of the Planning Regulation, the SEQRP represents an assessment benchmark that the assessment manager must have regard to if it is not identified as being appropriately reflected in the planning scheme. Part 2 of the planning scheme identifies that the SEQRP2017 has been appropriately reflected in the current version of the planning scheme. The SEQRP2023 (ShapingSEQ 2023) was released on 15 December 2023. ShapingSEQ 2023 identifies new areas of land within the Urban Footprint, to assist in achieving the targeted 38,000 new homes required each year until 2046. ShapingSEQ 2023 also includes a focus on industrial land planning and identifies special use sites which require protection. Whilst the planning scheme has not yet been updated to reflect ShapingSEQ 2023, the proposed development is considered to accord with the intent of the SEQRP2023, as it proposes industrial use within the Urban Footprint

Table 8: Matters Requiring Referral under the Planning Regulation

Schedule Reference	Matter of Interest	Applicability	Relevant Code	SDAP
Part 1	Airport land	Not Applicable	Not Applicable	
Part 2	Brothels	Not Applicable	Not Applicable	
Part 3	Clearing native vegetation	Not Applicable	Not Applicable	
Part 4	Contaminated land	Not Applicable	Not Applicable	
Part 5	Environmentally relevant activities	Not Applicable	Not Applicable	
Part 6	Fisheries	Not Applicable	Not Applicable	
Part 7	Hazardous chemical activities	Not Applicable	Not Applicable	
Part 8	Heritage places	Not Applicable	Not Applicable	
Part 9	Infrastructure related referrals	Not Applicable	Not Applicable	
Part 10	Koala habitat in SEQ region	Not Applicable	Not Applicable	
Part 11	Noise sensitive place on noise attenuated land	Not Applicable	Not Applicable	
Part 12	Operational work for reconfiguring a lot	Not Applicable	Not Applicable	
Part 13	Ports	Not Applicable	Not Applicable	

Part 14	Reconfiguring a lot under Land Title Act	Not Applicable	Not Applicable
Part 15	SEQ development area	Not Applicable	Not Applicable
Part 16	SEQ regional landscape and rural production area	Not Applicable	Not Applicable
Part 16A	Southport Spit	Not Applicable	Not Applicable
Part 17	Tidal works or work in a coastal management district	Not Applicable	Not Applicable
Part 18	Urban design	Not Applicable	Not Applicable
Part 19	Water-related design	Not Applicable	Not Applicable
Part 20	Wetland protection area	Not Applicable	Not Applicable
Part 21	Wind farms	Not Applicable	Not Applicable

5.1 ASSESSMENT AGAINST LOCAL PLANNING INSTRUMENT

Part 1.5 of the planning scheme describes the hierarchy of assessment benchmarks where there is inconsistency between the provisions in the planning scheme. As such, the following rules apply to development assessment:

- Strategic Framework prevails over all other components to the extent of the inconsistency for impact assessment
- Relevant codes as specified in Schedules 6 and 10 of the Planning Regulation prevail over all other components, to the extent of the inconsistency
- Overlays prevail over all other components, to the extent of the inconsistency
- Neighbourhood plan codes prevail over zone codes, use codes and other development codes, to the extent of the inconsistency
- Zone codes prevail over use codes and other development codes, to the extent of the inconsistency
- Part 10 of the Planning Scheme can override any of the above.

The assessment of the proposed development has been undertaken in accordance with the hierarchy of the planning scheme.

In assessing the proposed development, the assessment manager may consider an assessment benchmark only to the extent it is relevant to the development. Pursuant to section 5.3.3 of the planning scheme, where the proposed development complies with the purpose, overall outcomes and the performance outcomes or acceptable outcomes of the relevant code it is deemed to comply with the code (e.g. the assessment benchmark). Where the proposed development complies with relevant assessment benchmark, the Council must approve the development and may impose relevant and not unreasonable conditions.

Because the category of assessment for this application is code assessment, this report assesses the proposed development in relation to each assessment benchmark and in accordance with the hierarchy of the planning scheme. A detailed assessment against relevant codes is provided in Appendix 6 of this report. Where the proposed development seeks to achieve compliance with the relevant purpose/s, overall outcomes and the performance outcomes (**a performance outcome**), this report will provide a further explanation and justification against the performance criteria as relevant.

A summary of the proposal's level of compliance with the relevant assessment benchmarks of the planning scheme is outlined in Table 12.

Pursuant to section 5.3.2(5) of the planning scheme, where development is proposed on premises partly affected by an overlay, the category of development or assessment for the overlay only relates to the part of the premises affected by the overlay.

The provisions of the planning scheme that are relevant to the proposed development are identified and addressed in the following sections of this report.

5.2 PROPOSED USE

The proposed development is for a Warehouse which is defined at Schedule 1 of the Planning Scheme as described in Table 9. The proposed development is consistent with the definition of a Warehouse.

Table 95: Proposed Use

Use	Planning Scheme Definition
Warehouse	Warehouse means 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 paragraph (a).

5.3 STRATEGIC FRAMEWORK

The strategic framework of the planning scheme sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs in the planning scheme area for the life of the planning scheme.

The site is located within an Employment Area, under the Strategic Framework Settlement Pattern Map, refer to Figure 5. The strategic framework identifies specific outcomes and land use strategies particular to the development of industrial land located in Logan's Employment Areas.

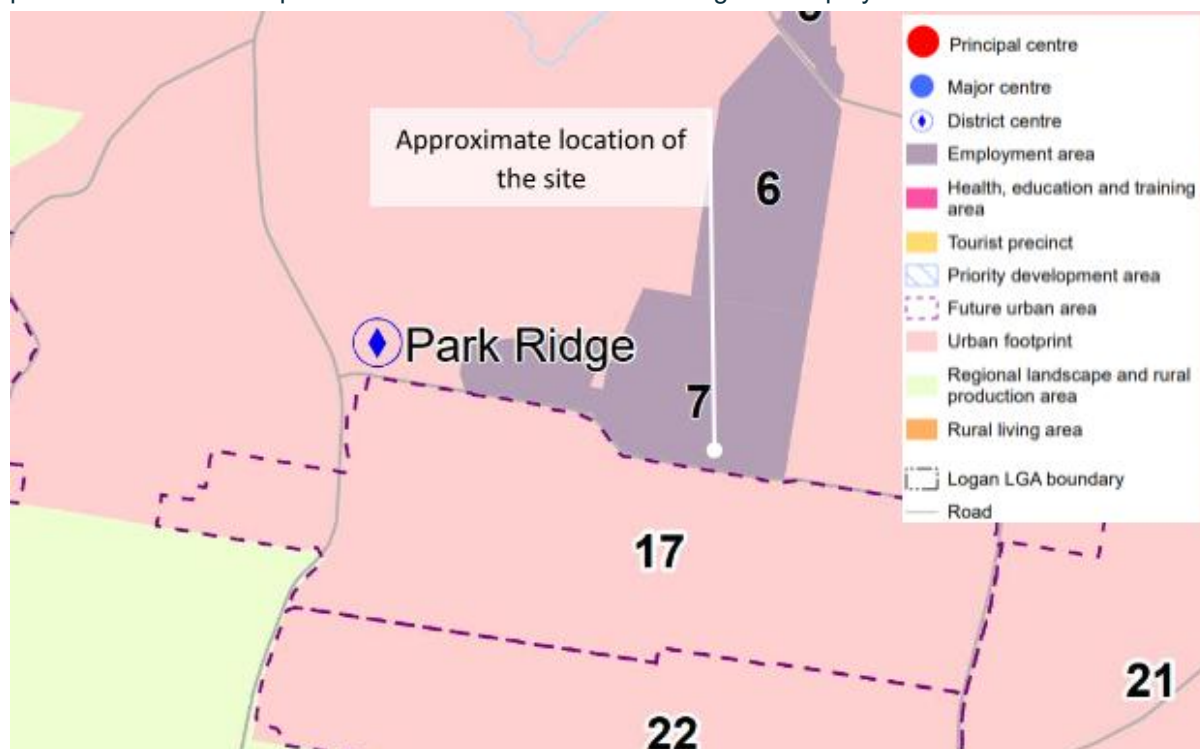


Figure 6: Settlement Pattern Strategic Framework Map

The proposed development involves industrial development within an Employment Area and is strongly encouraged by the relevant themes of the strategic framework. In particular, the development aligns with the intent of the Employment and Settlement Pattern themes, which identify the urban form and structure that underpins development in Logan.

The strategic framework themes and elements which are relevant to the proposed development are identified below in Table 10.

Table 10: Relevant Sections of the Strategic Framework

Theme	Element
Employment	• Employment diversity • Employment areas
Design, place making and amenity	• Design and place making • Amenity

5.3.1 EMPLOYMENT

The Employment Theme of the strategic framework is applicable to the site on the basis of its designation on the Strategic Framework Map SFM-01.00, as shown in Figure 6.

Table 11 provides an assessment of the proposed development against the relevant strategic outcomes of the employment theme.

Table 11: Response to Strategic Outcomes of Employment Theme

Specific Outcomes	Assessment
3.6.1 Strategic Outcomes	
1. Logan has a strong, resilient and diversified economy based on Logan's locational advantages to provide high levels of employment growth to achieve 65 percent employment self-containment by 2031. <i>Editor's note - Employment self-containment is a measure of the proportion of available jobs in Logan compared to the available workforce in Logan.</i>	The proposed development provides for intensification of employment land. This both assists in providing employment growth and capitalises on Logan's locational advantages for industry.
2. The employment area, identified on SFM-01.00 Strategic framework map, facilitates business and industry in locations that provide employment close to where people live.	The proposed development facilitates business and industry investment, and is a suitable distance from residential areas, balancing access and amenity considerations.
3. Natural economic resources are protected and managed sustainably so they provide an ongoing social, environmental and economic benefit to the region.	The proposal does not create an impact on any natural economic resources.
3.6.2 Element - Employment diversity	
1. A wide range of employment based uses are provided throughout Logan to promote employment growth and economic activity. <i>Editor's note - Employment based uses are uses that generate employment on an ongoing operational basis.</i>	The development facilitates a broader range of employment uses being brought forward on the site.
2. A significant proportion of new jobs are for non-population based employment uses such as offices, professional services, research and technology uses and export oriented industries.	Not applicable to the proposed development.

Specific Outcomes	Assessment
<i>Editor's note - Non-population based employment is employment that is not based on population growth. These are uses that do not necessarily need to be located in Logan, but choose to because of the advantages Logan offers. In contrast, population based employment includes convenience retail and local services that primarily serve local residents.</i>	
3. Industry activities are: a. located to take advantage of the road network; b. located and operated to reduce the adverse impacts of industry on sensitive land uses; c. protected from encroachment by development that would compromise its safe and effective function.	The proposed development is ideally located in an MEIA and adjacent to existing and developing Industrial land, with convenient connections to the strategic road network. Due to the location of the site, its characteristics, and proximity to sensitive interfaces, it able to accommodate industrial land uses without unduly prejudicing sensitive land use.

3.6.3 Element - Employment areas

Editor's note - Greater Flagstone and Yarrabilba are to provide industry and business employment areas in accordance with the gazetted development schemes referred to in section 3.3.4.

1. An employment area shown on SFM-01.00 Strategic framework map: a. is not alienated, fragmented or encroached by development that may adversely affect the operation of an employment based use; b. accommodates employment based uses that because of their size or nature cannot reasonably be located in a centre; <i>Editor's note - Centre uses should be located in centres unless the requirements of section 5.8 are met.</i> c. is consolidated by promoting the agglomeration of employment uses; d. provides high quality places for people to work; e. may include appropriate small-scale supporting uses compatible with the zone.	The proposed development delivers on this strategic outcome by; • Consolidating and co-location industrial activities with existing and emerging developments. • Accommodating large format employment uses which are not appropriate in centres. • Facilitating high-quality development, the detail of which will be secured by subsequent MCU and ROL approvals
3. Employment areas identified on SFM-01.00 Strategic Framework map have Low impact industry uses where in the Low impact industry zone and Low impact industry uses and Medium impact industry uses where in the Medium impact industry zone.	The proposed development seeks to facilitate development in accordance with the medium impact industry zone.

5.3.1 DESIGN, PLACE MAKING AND AMENITY

While the preliminary approval is strategic in nature, with detailed outcomes reserved for future MCU or ROL applications, Table 12 provides an assessment of the development's response to the strategic and specific outcomes of the Design, place making and amenity theme.

Table 12: Response to Strategic Outcomes of Employment Theme

Specific Outcomes	Assessment
3.11.1 STRATEGIC OUTCOMES	
1. Logan has a high quality, well designed built environment that provides places for people that are attractive, functional, safe and accessible.	The proposed development represents a logical continuation of industry uses within an emerging industrial area. It is well connected, and will provide for a quality, legible and accessible built environment.
2. The built and natural environment provides people with a high level of amenity, where the qualities of the environment enhance the physical and social wellbeing of people	The proposed built form provides a high level of amenity and is consistent with the built environment, surrounding the site.
3.11.2 Element – Design and place making	
1. Development creates a high quality, attractive and functional built environment that: a. provides highly desirable, attractive places that people want to be in; b. is responsive and sympathetic to the local topography and is consistent with and reinforces the intended character; c. is of an appropriate height, bulk, scale and mass and has an appropriate relationship with the road and surrounding area; d. defines and addresses roads through the height, bulk, scale, frontages and entrances of buildings; e. incorporates detailed design measures that create an attractive visual aesthetic; f. has landmark buildings of high architectural merit in nominated locations identified in a local plan or zone; g. creates or enhances views and vistas; h. enables pedestrians to move conveniently and safely along roads and public open space; i. provides places that can be accessed by people of all ages and abilities; j. strengthens the relationship between the built form, landscape and streetscape; k. integrates with public open space and the movement network; l. allows easy way finding for pedestrians;	The proposed development positively contributes to the built environment and provides building design elements that result in an attractive and functional development design. The proposed development is well designed to incorporate a building height, bulk, scale and mass that aligns with the context of the surrounding area. The proposed development is designed to provide a positive interface with the street and allows for appropriate accessibility and wayfinding for pedestrians. Overall, the proposed development enhances the industrial character of the area and provides a positive built form outcome.

Specific Outcomes	Assessment
m. is adaptive to changes in use, lifestyle and demography; n. engenders civic pride.	
2. Development is designed to support community safety by: a. providing casual and mechanical surveillance; b. providing legible environments; c. clearly delineating the boundaries between private and public open space; d. limiting the opportunities for graffiti and vandalism; e. reducing risk associated with potentially vulnerable places.	The proposed development represents a continuation of adjacent industrial land. From this perspective, the land use outcomes will improve legibility. The proposed building is designed to meet Crime Prevention Through Environmental Design (CPTED) principals and positively contributes to community safety.

3.11.3 Element – Amenity

Editor's note - Different parts of Logan have different types of amenity. The type of amenity to be expected in a highly urban environment is very different to that in a suburban environment or that in a rural environment.

1. The level of amenity to be expected varies throughout Logan where: a. in highly urbanised locations, such as in and around centres, the amenity is commensurate with a highly urbanised environment that involves activity at all hours, high levels of pedestrian movement and noise from urban activities such as restaurants and entertainment uses; b. in suburban locations, such as in a Low density residential zone, the level of amenity is commensurate with a suburban environment and noise is primarily associated with domestic living environments; c. in rural residential locations, such as in a Rural residential zone, the level of amenity is commensurate with a rural residential environment where: i. there are very low density living environments with some low level noise, odour and visual amenity impacts; ii. in areas suitable for rural production, such as in the Cottage rural precinct, there are noise, odour and visual amenity impacts	The level of amenity is consistent with what is expected within an industrial zone. The proposed development accommodates industrial uses and provides an appropriate level of amenity, including but not limited to, a modern built form, interactive street interface and pedestrian friendly manoeuvrability through the site. The development site is located within an emerging industrial precinct and is located away from sensitive uses.
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Specific Outcomes	Assessment
associated with rural production; d. in rural locations, such as in a Rural zone, the level of amenity is commensurate with a rural environment where noise, odours and visual amenity associated with cropping, stock, and land management predominate.	
2. People are protected from environmental harm or environmental nuisance caused by air, light, odour, vibration or acoustic emissions.	
3. Residential amenity is provided by creating residential environments that: a. protect the privacy of residential living by preventing unacceptable overlooking; b. provide adequate access to sunlight and daylight; c. are not adversely affected by overshadowing; d. provide adequate private and shared outdoor amenity space for residents.	Although located in an employment area, the proposed development has given consideration to residential amenity in terms of noise impacts. Given the site's characteristics and interfaces, there is no prospect of impacts to residential land in terms of access to daylight / sunlight or overshadowing.
4. Residential amenity is protected by: a. ensuring uses that generate emissions are designed and located to avoid environmental harm or environmental nuisance to established or planned land in a residential zone category; b. ensuring Residential activities are not located in areas where they will be subject to environmental harm or environmental nuisance from existing or planned uses that generate emissions; c. designing an Accommodation activity in a zone, other than in a residential zone category, in a way that adequately protects the amenity of residents.	The proposed development has appropriately considered residential amenity in terms of noise and odour and no impacts are anticipated.

Based on the assessment provided above, it is concluded that the proposed development accords strongly with the relevant provisions of the Strategic Framework. No areas of conflict have been identified.

5.4 ZONING

The subject site is located within the Medium Impact Industry zone, as illustrated in Figure 7, below. The development site is within an emerging industrial precinct and is surrounded by uses within the Medium impact industry and Mixed use zones.

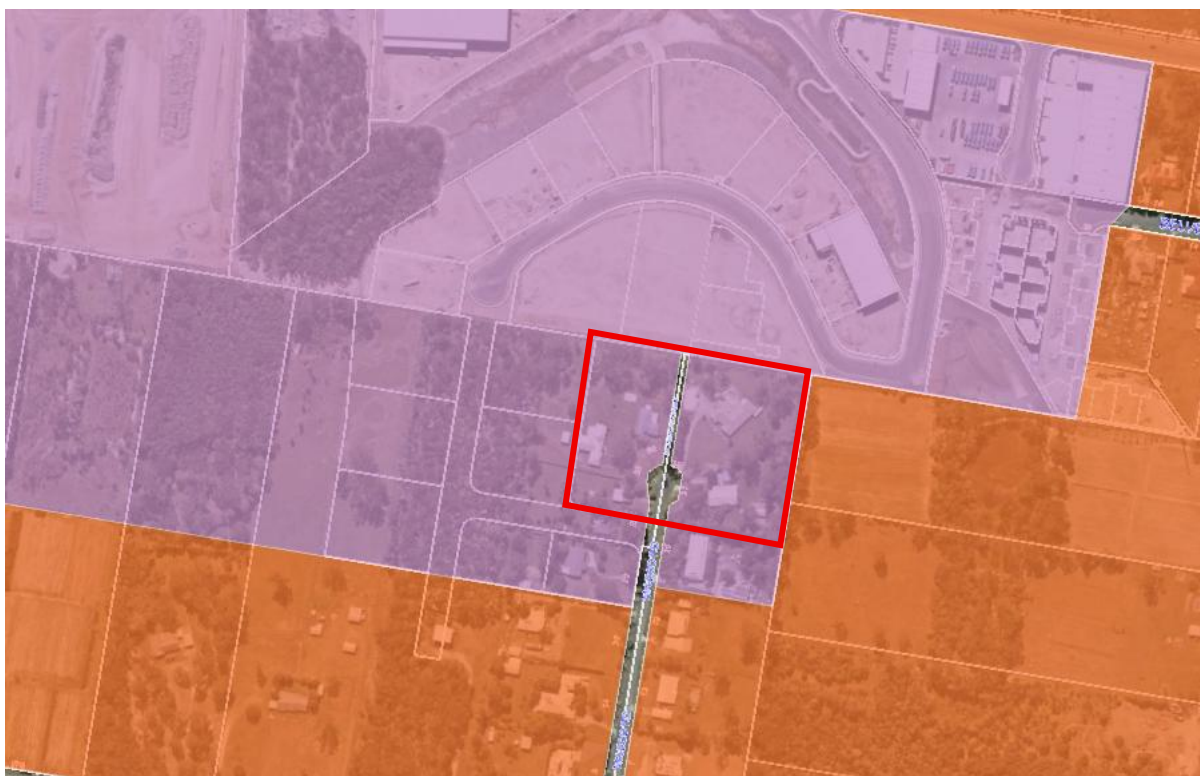


Figure 7: Planning Scheme (Zoning) Context Map

5.5 OVERLAYS

There is only one overlay which applies to the site which is the Bushfire Hazard Overlay Code. An except of the code is provided in Figure8.



Figure 8: Overlay Map

5.6 CODES

Pursuant to section 5.3.2(5) of the planning scheme, where development is proposed on premises partly affected by an overlay, the category of development or assessment for the overlay only relates to the part of the premises affected by the overlay.

Table 13: Assessment Benchmarks

Code	Applicability	Comment	Compliance
Overlay codes			
Bushfire Hazard Overlay Code	Applicable	An assessment of the Bushfire Hazard Overlay Code has been prepared by Development Directive. Refer Appendix 7.	Complies with Acceptable Outcomes
Zone code			
Medium Impact Industry	Applicable	An assessment of the Medium Impact Industry Zone Code has been prepared by Development Directive. Refer Appendix 7.	Complies with Performance Outcomes
Development codes			
Filling and Excavation Code	Not Applicable	An assessment of the Filling and Excavation Code has been prepared by Development Directive. Refer Appendix 7.	Not Applicable
Infrastructure Code	Applicable	An assessment of the Infrastructure Code has been prepared by Development Directive. Refer Appendix 7.	Complies with Performance Outcomes
Landscape Code	Applicable	An assessment of the Landscape Code has been prepared by Development Directive. Refer Appendix 7.	Complies with Acceptable Outcomes
Management of Emissions and Hazardous Activities Code	Applicable	An assessment of the Management of Emissions and Hazardous Activities Code has been prepared by Development Directive. Refer Appendix 7.	Not Applicable
Servicing, Access and Parking Code	Applicable	An assessment of the Servicing, Access and Parking Code has been prepared by Development Directive. Refer Appendix 7.	Complies with Performance Outcomes

Compliance with acceptable outcomes is noted in Table 12 above. Where the proposed development seeks to achieve compliance with the relevant purpose/s, overall outcomes and the performance outcomes, further explanation and justification is provided in section 6.4 of this report.

5.7 KEY PLANNING MATTERS

The proposal does not strictly comply with certain Acceptable Outcomes of the following codes and therefore assessment against the corresponding Performance Outcome, Overall Outcome and Code Purpose is provided below.

5.7.1 BUILDING HEIGHT

The proposed development seeks a building height of 12.5m on a site that is not within 15 meters of land in a residential zone or rural residential zone. The proposed building height does not achieve Acceptable Outcome (AO) AO3 from the Medium Impact Industry Zone code which states:

'AO3

A building has a maximum building height of:

- a. 12 metres, or

- b. 8.5 metres where within 15 metres of the land in a residential zone category or Rural residential zone.'

Notwithstanding the non-compliance with the AO, the proposal achieves compliance against the Performance Outcome (PO) which states:

'PO3

A building has a building height that:

- is consistent with the intended character for the zone;
- has regard to the functional requirements of the use;
- is responsive to the topography of the site;
- is compatible with the height of surrounding buildings;
- avoids overshadowing and protects visual amenity and privacy of premises in a residential zone category and Rural residential zone.'

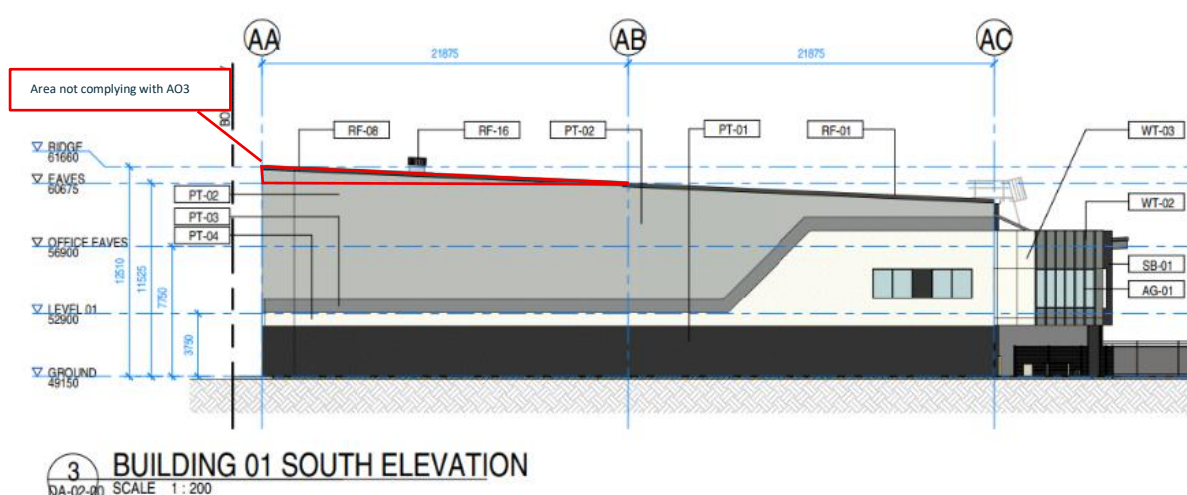


Figure 5 – South Elevation

Source: Taylor Ellis Architects

As illustrated in Figure 5 the proposed development seeks to implement a building height of 12.5m to a small portion of the proposed built form. The proposed height minorly exceeds what is acceptable under the AO with the majority of the warehouse within the accepted building height.

The proposed additional height is a result of seeking to meet market demand for warehouses which are operationally suitable for stacking goods, together with potential installation of gantry cranes. Warehouses of this nature are also required to be sprinkled, which drives the need to create taller internal spans. The proposed building height is a minute increase to the building height prescribed in the AO and therefore, will not be noticeable within the context of the surrounding area. Additionally, the proposed development aligns with the surrounding buildings that have been constructed or approved and does not result in any amenity impacts given the absence of sensitive interfaces with the site. The proposed increase in building height, is minor, is required for maximal optimisation of the site, and will not result in any adverse effects on the surrounding streetscape or character.

6 RELEVANT MATTERS

The development assessment of the proposed development may be carried out against, or have regard to, any other *relevant matter*, other than a person's personal circumstances, financial or otherwise.⁴ The Planning Act provides a non-exhaustive list of examples of a 'relevant matter' which include:

- A planning need
- The current relevance of the assessment benchmark in the light of changed circumstances
- Whether assessment benchmarks or other prescribed matters were based on material errors.

In *Ashvan Investments Unit Trust v Brisbane City Council & Ors*⁵, Williamson QC DCJ provided a further explanation of a relevant matter at [80] – [82]:

[80] A relevant matter is not defined in the PA. It is described in s.45(5)(b) by what it is not. It does not include a person's personal circumstances, financial or otherwise. Given it is not defined, it is a phrase that should be given its ordinary meaning, read subject to the words of limitation in the provision itself. The ordinary meaning of the phrase captures a 'matter' that has a bearing upon, or is connected with the assessment of the application, save for those matters that involve a person's personal circumstances. Subject to what I have said in paragraphs [81] and [82], it should, in my view, be treated as capturing an expansive range of considerations. Further, it is not to be treated as a synonym for 'grounds' as defined in SPA or earlier statutory predecessors. It may include matters that militate for, and against, approval.

[81] Section 45(5)(b) of the PA is subject to an implied limitation. It is any implied limitation that may be found in the subject matter, scope and purpose of the PA. This is to ensure that a matter relied upon, or to which regard is to be given, has a bearing upon or connection with the assessment and decision making process in a way that is within the contemplation of the PA, being the statute that confers the discretion to be exercised.

[82] The specific identification of 'relevant matters' in any given case will be informed by two features of the PA, namely the examples that follow s.45(5)(b), and the subject matter, scope and purpose of the PA. The examples that follow s.45(5)(b) assist, in part, in identifying what is a relevant matter for the purpose of the PA. The examples include the existence of a planning need, and issues going to the relevance of particular planning controls, or their underlying soundness in planning terms. Historically, these are matters that were considered to be 'grounds' that may justify an approval despite conflict with an adopted statutory planning control. They are examples only. The list is not exhaustive. They do not limit, but may extend, the meaning of 'relevant matters'

(emphasis added)

There are a number of relevant matters which are relevant to the assessment of this application, and to which the assessment of the proposed development should be carried out against. These relevant matters include:

- Approved ground levels
- The development accords with the intent of relevant local and state government planning instruments and policies; and

6.1.1 APPROVED GROUND LEVELS

As per *Table 5.5.9.1 - Medium impact industry zone* any development in the Medium Impact Industry zone that does not meet the following criteria is Impact assessable.

"If not accepted development (not subject to requirements) and new building work results in a building height (other than if Park or Sales office) exceeding 12 metres."

⁴ Planning Act 2016, s 45(5)(b).

⁵ [2019] QPEC 16.

Building height is defined as:

“Building height, of a building, means -

- a. the vertical distance, measured in metres, between the ground level of the building and the highest point on the roof of the building, other than a point that is part of an aerial, chimney, flagpole or load-bearing antenna; or*
- b. the number of storeys in the building above ground level.”*

Ground level is defined as:

“Ground level means -

- a. the level of the natural ground; or*
- b. if the level of the natural ground has changed, the level as lawfully changed.”*

In this instance, the proposed material change of use relies upon a ground level which is approved, but has not yet been established. The development approval for Reconfiguration of a lot comprising Stages 2 and 3 of Transit Industrial Estate (RL/3/2025) includes a concept site leveling plan. This incorporates a surface level between 47.5 RL to 49 RL.

The current surface level of the site is between 44.5 RL to 49 RL. The surface levels on the site both existing and approved are provided in Figure 9.



Figure 9: Approved Sewer Reticulation Plan

Because of the above, when Table 5.5.9.1 is applied today, the development incorporates a *Building height* which is approximately between 12.5 meters and 15.51 meters above the existing *ground level*.

However when taking into account the existing development approval, as a relevant matter, this application for a Material change of use results in an effective difference in building height of 12.51m, which is representative of the proposed building itself. Although the proposed maximum building height minorly exceeds what is acceptable for Code Assessment, it is notable that the majority of the warehouse is within the Code Assessable building height requirement.

When contemplating the impacts of the portion of the proposed building over 12m (which is 0.5m), once the development is implemented it is noted that this relates to the peak of the roof skillion which will interface with other industrial development and does not create undue impacts on amenity or create a visually prominent building bulk.

7 DECIDING THIS APPLICATION

Section 60(3) of the Planning Act sets out the decision rules for an assessment manager undertaking an impact assessment and provides:

To the extent the application involves development that requires impact assessment, and subject to section 62, the assessment manager, after carrying out the assessment, must decide—

to approve all or part of the application; or

to approve all or part of the application, but impose development conditions on the approval; or

to refuse the application.

Subject to s.62 of the Planning Act (which does not apply here), the above provision confers a power on an assessment manager to exercise a broad planning discretion. The discretion must be exercised in one of three ways, which are identified in subsections (3)(a), (b) and (c).⁶

This statutory regime represents a movement away from the old “two-part test” under the SPA 2009, which involved identifying conflict and then sufficient grounds to overcome that conflict. Instead, the planning discretion requires the assessment manager to, after carrying out its (impact) assessment, reach a balanced decision in the public interest, where two competing considerations are at play: (1) the need for the rigid application of the planning documents (assessment benchmarks) on the one hand; as against (2) the adoption of a flexible approach to the application of the planning documents (assessment benchmark) to, inter alia, exercise the discretion that advances the purposes of the Act.⁷

Accordingly, the existence of a non-compliance with such a document will be a relevant ‘fact and circumstance’ in the exercise of the planning discretion under s.60(3) of the Planning Act. Whether that fact and circumstance warrants refusal of an application, or is determinative one way or another, is a separate and distinct question. It will be a matter for the assessment manager in the circumstances informs the exercise of the planning discretion under s60(3). It should not be assumed that non-compliance with an assessment benchmark automatically warrants refusal. This must be established, just as the non-compliance must itself be established.⁸

8 CONCLUSION

This Town Planning Assessment Report has been undertaken to describe the proposed development and examine its compliance with the relevant assessment benchmarks.

The proposed development seeks a development approval (development permit) for a Warehouse. The application is consistent with the applicable assessment benchmarks and with development in the locale. In particular, this report has demonstrated that the proposed development complies with all relevant assessment benchmarks or can be conditioned to comply with all relevant assessment benchmarks. On this basis, the Council must approve the development application, subject to relevant and not unreasonable conditions.

⁶ *Ashvan Investments Unit Trust v Brisbane City Council & Ors* [2019] QPEC 16, [43].

⁷ *Ibid*, [54], confirmed in *Abelada v Brisbane City Council* [2020] QCA 257, [54].

⁸ *Ashvan Investments Unit Trust v Brisbane City Council & Ors*, [53], confirmed in *Abelada v Brisbane City Council* [2020] QCA 257, [54].

