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PLANNING ASSESSMENT REPORT

217 Sherbrooke Road, Willawong 4110

Development Application under the *Planning Act 2016* for a Development Permit for a Material Change of Use – Extension to Food and Drink Outlet and new Shop on land at 217 Sherbrooke Road, Willawong 4110 (Lot 2 on SP 296082) for Bowhill Enterprises Pty Ltd

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BEN LEWIS – SENIOR TOWN PLANNER – OCTOBER 2026

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1.0 EXECUTIVE SUMMARY

Bartley Burns has been engaged by Bowhill Enterprises Pty Ltd to prepare a Development Application for a Development Permit for a Material Change of Use – Extension to Food and Drink Outlet and new Shop in respect of land at 217 Sherbrook Road, Willawong 4110.

This Planning Assessment Report, along with appended technical reports and proposal plans provide details of the development proposal and how the proposal will comply with the relevant assessment benchmarks.

The proposal is considered to satisfy these assessment benchmarks and will be compatible in scale with other development in the immediate area. As a result, the proposal warrants approval and the issuing of the relevant approval documents.

BELOW: Elevations of the proposed extended and reconfigured Food and Drink Outlets and new Shop



SOURCE: Verve Design Group

2.0 BASIC INFORMATION

Real Property Description	Lot 2 on Survey Plan 296082
Address	217 Sherbrook Road, Willawong 4110
Site Area	3,235m²
Registered Owner	BOWHILL ENTERPRISES PTY LTD
Zone	Industry (General Industry B)
Precinct	IN2
Overlays	Airport Environs (OLS / PANS / BBS / LI) Bicycle Network Biodiversity Areas Community Purposes Network Overlay Critical Infrastructure and Movement Network Flood Potential and Actual Acid Sulfate Soils Road Hierarchy Streetscape Hierarchy Transport Air Quality Overlay Transport Noise Corridor Overlay
Neighbourhood Plan	Lower Oxley Creek North Neighbourhood Plan (no precinct)
Approval Type	Development Permit for a Material Change of Use – Extension to Food and Drink Outlet and new Shop



Figure 1: Site Location Source: Nearmap

3.0 PROPOSAL

The applicant proposes to extend the existing approved development extent over Lot 2 on SP 296082 on land at 217 Sherbrook Road, Willawong 4110 for Extension to Food and Drink Outlet, and to introduce a Shop use.

Food and drink outlet *means the use of premises for—*

a. preparing and selling food and drink for consumption on or off the premises; or
b. providing liquor for consumption on or off the premises, if the use is ancillary to the use in paragraph (a).

Shop *means the use of premises for—*

a. displaying, selling or hiring goods; or
b. providing personal services or betting to the public.

The existing approved extent of development was approved under a Material Change of Use Development Application issued on 1 February 2024 under Development Approval reference *A006326449*.

This development approval is proposed to be altered in terms of physical layout and included use types.

The original approval covered additional allotments however this proposal only seeks to amend the layout and use types occurring on Lot 2.

The original broader site development was undertaken as a joint venture with multiple lots and ownerships involved.

This application seeks only to amend one lot, under the control of one owner. As such this application is being undertaken as an extension to an existing approval, rather than a Change Application, given that the owner no longer has control over the original parcel.

This is considered reasonable given the largely developed form of the adjacent development to the west (that formed part of the original combined development approval)

The proposal seeks to combine the two free standing buildings into a single building, along with altering the size and shape of the three Food and Drink Outlet tenancies, plus add a Shop tenancy.

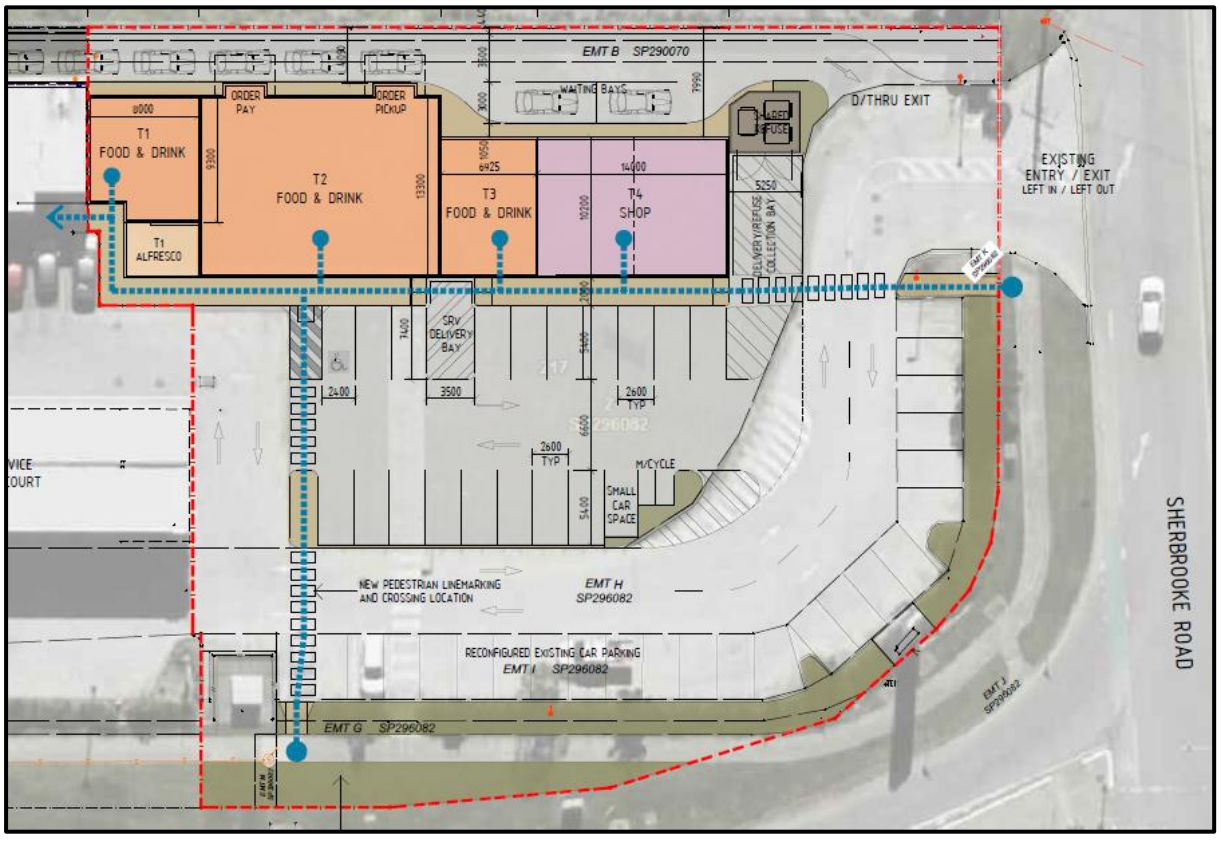
The vehicular layout of the site is also sought to be refined and simplified through the removal of one drive through facility that previously meandered through the site between the two buildings and included merging with the second drive through lane, allowing for replanning and consolidation of the car parking footprint for the facility.

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ABOVE: Existing Approval layout

BELOW: Proposed layout



4.0 CHARACTERISTICS OF THE SITE

The site is located at 217 Sherbrook Road, Willawong 4110, otherwise described as Lot 2 on Survey Plan 296082.

The site is a regular shaped lot of significant size being 3,235m² in area, with a corner road frontage of approximately 100 metres (King Avenue / Sherbrooke Road) and a depth of approximately 58 metres.

Overall, the site has no significant fall in any direction, being essentially flat. The site is currently vacant and cleared with the previous Development Approval starting to be realised with the main vehicular access link through completed and line marked.

The site will be connected to all necessary water, sewerage, stormwater, electricity and telecommunication infrastructure as required under the previous development approval.

In terms of constraints, the site is identified as containing Biodiversity Areas along with Flooding however neither constraint is of any significance for the proposal with the site effectively treated as unencumbered under the previous development application, with only Koala Habitat Area sub-category and Flood (Brisbane River category 5) identified as impacting the site.

The site is also impacted by Local Noise Category overlays to the King Avenue frontage, and extending past the entire depth of the lot, along with the Transport Air Quality Corridor Overlay present to the King Avenue frontage of the site only.

Meanwhile, in terms of zoning, the site is included within the Industry (General Industry B) Zone under *City Plan 2014*.

And finally in terms of neighbourhood planning, the site is included within the Lower Oxley Creek North Neighbourhood Plan area under *City Plan 2014*.

NOTE: *As the site is not included in a specific sub precinct under this Neighbourhood Plan, the inclusion of the site within the extent of the Neighbourhood Plan Area only adds minimal additional assessment benchmarks to the proposal.*

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5.0 STATE PLANNING INSTRUMENTS

5.1 STATE PLANNING POLICY

The proposal will not conflict with any of the policies in the *State Planning Policy*.

5.2 SHAPINGSEQ

The site is included within the 'Urban Footprint' under the *South East Queensland Regional Plan 2023 (ShapingSEQ)* with the intent of this area is to:

"The Urban Footprint identifies land within which the region's urban development needs to 2041 can be accommodated in a way consistent with the goals, elements and strategies of ShapingSEQ*. The area incorporates the full range of urban uses including housing, industry, business, infrastructure, community facilities and other integral components of well-planned urban environments, such as local areas for sport and recreation and urban open space. The priority for developing land in the Urban Footprint is to accommodate urban growth."*

The proposal will, therefore, not conflict with the intent of the Urban Footprint as envisaged under *ShapingSEQ*.

5.3 PLANNING REGULATION 2017

5.3.1 Referral Agencies

The proposal is not identified in the *Planning Regulation 2017* as requiring a referral to SARA

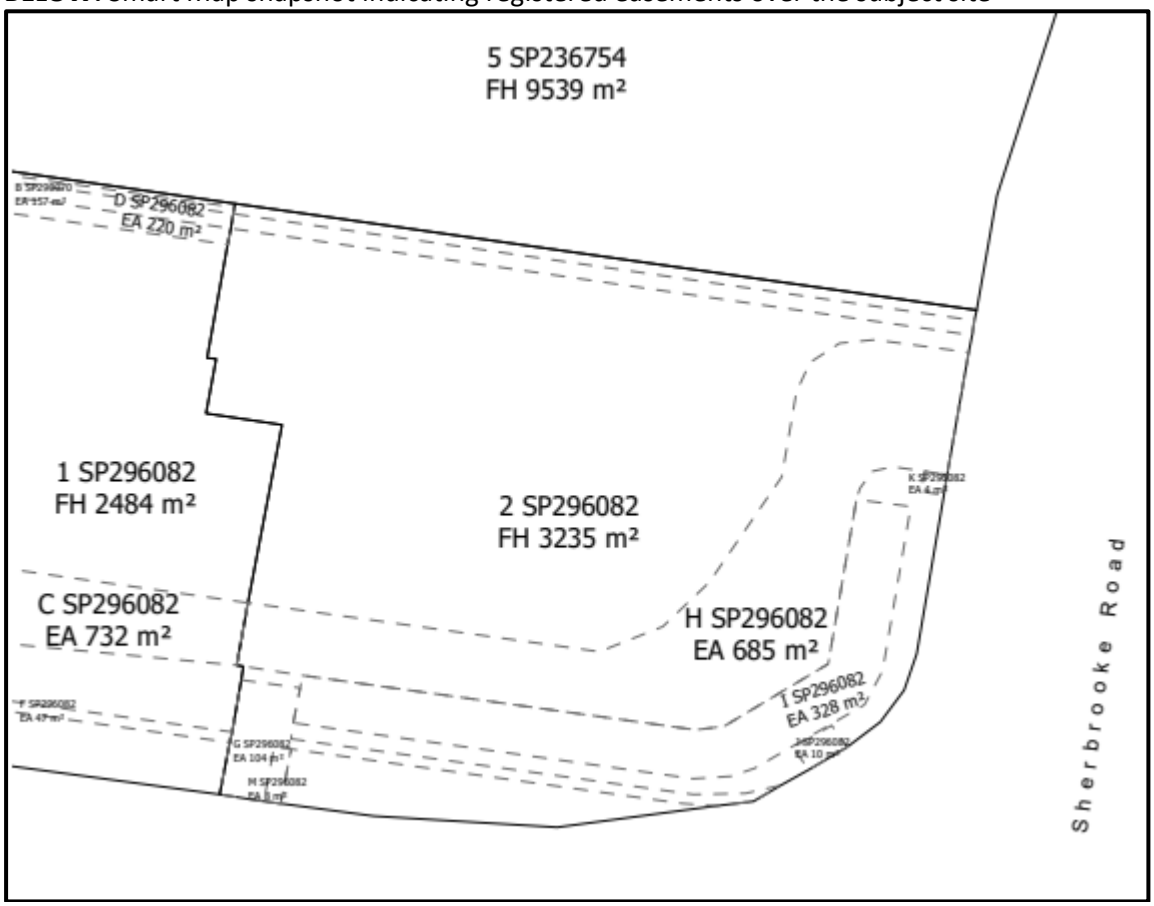


NOTE: Referral is required to Energex due to the presence of Energex Easements (along with access easements over driveway and drive through areas)

No changes to the approved form of development will occur within sections of the site containing Easements. Accordingly it is considered that Energex will likely reiterate their previous comments:

All easement conditions must be maintained. No works are permitted within the Energex easement without the prior written consent of Energex,

BELOW: Smart Map snapshot indicating registered easements over the subject site



5.3.2 Koala Conservation

The subject site is included in the Koala Priority Area under the Planning Regulations 2017.

Accordingly, Koala Habitat Planning controls do not apply.

5.3.3 Native Vegetation Clearing

The subject site is vacant and cleared. Accordingly, the proposal will utilise existing cleared areas on site.

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6.0 LOCAL PLANNING INSTRUMENTS

6.1 CITY PLAN 2014

6.1.1 Strategic Framework

The proposal will not unreasonably conflict with the Strategic Framework of *City Plan 2014*.

6.1.2 Category of Assessment

The site is located within the **Industry Zone** with Table 5.5.16 triggering ***Impact Assessment*** for the Food and Drink Outlet and Shop uses as the proposal represents *"Food and Drink Outlet exceeding 250sqm".*

NOTE: The Shop component of the proposal remains Code Assessable as the shop GFA proposed is 143sqm, with an allowance of up to 250sqm as Code Assessable.

Assessment Benchmarks: *Industry Code, Industry Zone Code, Prescribed Secondary Codes*

A MCU trigger exists for the **Lower Oxley Creek north neighbourhood plan** under Table 5.9.75.A

No change to the Level of Assessment results from the location of the subject site within the **Lower Oxley Creek North Neighbourhood Plan** area, however the **Lower Oxley Creek north neighbourhood plan code is** identified as a relevant *Assessment Benchmark.*

The Level of Assessment is maintained as Impact Assessable with various Overlays impacting the site.

A MCU trigger exists for the **Biodiversity areas Overlay** under Table 5.10.4:

Assessment Benchmarks: *Biodiversity areas overlay code—purpose, overall outcomes and all outcomes in section C*

A MCU trigger exists for the **Flood Overlay** under Table 5.10.11:

Assessment Benchmarks: *Flood overlay code—purpose, overall outcomes and outcomes in section B & C*

A MCU trigger exists for the **Waterway Corridors Overlay** under Table 5.10.25:

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Assessment Benchmarks: *Waterway corridors overlay code—purpose, overall outcomes and outcomes in sections A and C*

6.1.3 Relevant Codes

Under Part 5 of *City Plan 2014*, the proposal is identified as being 'Impact Assessable' development with the applicable assessment benchmarks for this application deemed to be located within the following codes:

- *Lower Oxley Creek North Neighbourhood Plan Code*
- *Industrial Zone Code*
- *Industry Code*
- *Biodiversity Areas Overlay Code*
- *Flood Hazard Overlay Code*

Secondary Codes considered relevant to the proposed use of the site for Medium Impact Industry, Warehouse and Trasport Depot are identified below:

- *Infrastructure Design Code*
- *Landscape Works Code*
- *Stormwater Code*
- *Transport, Access, Parking and Servicing Code*

These codes are addressed below.

7.0 CONCLUSION

The proposal is generally consistent with surrounding development use types and represents substantial compliance with the assessment benchmarks of the applicable codes.

The proposal will not cause any significant impact on the surrounding area, instead providing for a functional development which will satisfy owner needs, protect the surrounding streetscape and service the broader community.

In this regard, the proposal demonstrates an acceptable development outcome and, therefore, warrants approval subject to reasonable and relevant conditions.

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8.0 APPENDIX A

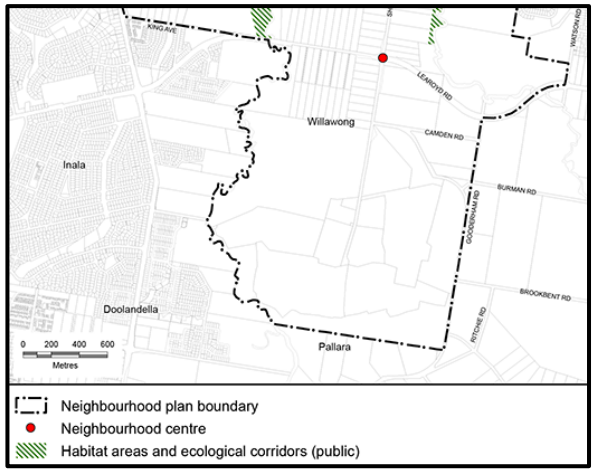
8.1 CITY PLAN 2014 ASSESSMENT BENCHMARKS

8.1.1 Lower Oxley Creek North Neighbourhood Plan Code

Performance Outcomes and Acceptable Outcomes

Performance Outcomes	Acceptable Outcomes	Compliance
PO1 Development: a. does not expose people to unacceptable levels of risk to health, safety and wellbeing from sub-surface landfill emissions, including landfill gas, contaminated groundwater or leachate; b. is designed and constructed to minimise and mitigate risks to health, safety and wellbeing from sub-surface landfill emissions, including landfill gas, contaminated groundwater or leachate. Note—Compliance with this performance outcome can be demonstrated by the submission of the following reports prepared by qualified experts and certified by a Registered Professional Engineer of Queensland: Hazard Analysis Assessment Report and Geotechnical Assessment Report. Editor's note—Third party advice may be sought from Queensland Government agencies regarding Queensland Government registers and the assessment of any hazard analysis report.	**AO1** No acceptable outcome is prescribed.	The suitability of the proposed uses upon the subject site have previously been considered and approved. This proposal seeks only to alter the form and layout of the site along with reinstating a previously approved use type (shop) that was removed under the latest issued Minor Change for the original approval. The development will be constructed to minimise and mitigate risks to health, safety and wellbeing from sub-surface landfill emissions, including landfill gas, contaminated groundwater or leachate.

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Access to Burman Road and Gooderham Road		
PO2 Development gains access from roads that form part of the future transport network. Note—The future transport network is identified in the Road hierarchy overlay map (OM-018.2).	**AO2** Development does not provide access to sections of Burman Road and Gooderham Road identified in Figure a as not forming part of the future transport network.	**N/A** – access is not proposed to Burman or Gooderham Roads
If in the Habitat areas and ecological corridors (public) on Figure b		
PO3 Development must protect and enhance biodiversity and landscape values as mapped in Figure b and provide public access along the public corridor that is safe from hazards and achieves Council's asset standards.	**AO3** Habitat areas and ecological corridors (public) identified in Figure b are: a. transferred to the Council for public ownership; b. rehabilitated and stabilised in accordance with an approved rehabilitation plan. Note— A rehabilitation plan will demonstrate achievement of this outcome. Rehabilitation is to be: • completed within 1 year of the operational works approval being granted; • maintained for a minimum of 3 years, removing rubbish and weeds, replacing damaged and dead vegetation and managing erosion.	The subject site is not identified within the Habitat area and ecological corridors (public) identified lands under Figure b. The intersection of King Avenue and Sherbrooke Road is however identified as a Neighbourhood Centre. 

Where Centre activities in an area identified as a neighbourhood centre in Figure b		
PO4 Development is only for one single, consolidated neighbourhood centre at the junction of Sherbrooke Road and King Avenue/Learoyd Road, and is arranged and designed in accordance with a structure plan that: a. provides active frontages to streets and the co-located park; b. provides safe and efficient access and parking located to the rear of centre activities; c. addresses internal circulation of heavy vehicles within the site and the impacts of heavy vehicle ingress and egress on the surrounding road network; d. includes a significant corner site.	**AO4.1** Development provides a single, consolidated neighbourhood centre, located on one of the corners at the junction of Sherbrooke Road and King Avenue/Learoyd Road identified in Figure b. **AO4.2** Development is in accordance with the design principles in Figure c. Note— A structure plan prepared in accordance with the Structure planning planning scheme policy can assist in demonstrating achievement of this acceptable outcome.	**Complies** – The proposal is for an extension to an approved consolidated Neighbourhood Centre located on the corner of King Avenue and Sherbrooke Road, consistent with this requirement.
PO5 Development includes the mix of centre activities necessary to create a fully functioning centre, while ensuring the mix of uses is balanced so as to: a. provide commercial services and shops in small-scale tenancies that support local businesses and employees; b. not adversely impact on the continued operation of surrounding industrial uses; c. ensure a scale and intensity that reflects the intended function and character of the neighbourhood centre.	**AO5.1** The neighbourhood centre has a maximum combined gross floor area of 6,000m2, does not include any sensitive uses and does not exceed: for a food and drink outlet and shopping centre - 2,500m2; for an office - 3,500m2. **AO5.2** Development within the neighbourhood centre for a shop (supermarket) has a maximum tenancy size of 800m2 gross floor area.	**Complies** – Refer above. The proposal does not result in the neighbourhood centre with a food and drink outlet and shopping centre exceeding 2,500m2, or an office development exceeding 3,500m2.

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PO6 The single consolidated centre is co-located with a local informal use park that: a. is of sufficient size to support the recreational needs of the future workforce in the neighbourhood plan area; b. is integrated with the centre and hardstand areas to provide a cohesive and legible development outcome; c. is designed and located to ensure direct surveillance from the centre and public street; d. includes a range of embellishments to meet the needs of the future workforce in the neighbourhood plan area.	**AO6** The neighbourhood centre co-locates a local informal use park on the site that: a. is in accordance with the design principles in Figure c; b. is a minimum size of 5,000m^2; c. has a minimum street frontage of 50m to either Sherbrooke Road or King Avenue/Learoyd Road; d. is suitably located to provide convenient user parking, including adequate parking for trucks along the adjacent kerb space; e. is embellished with picnic shelters, taps/bubblers, bins, seating and lighting.	**N/A** – Refer above

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8.1.2 Industry Zone Code

Performance Outcomes and Acceptable Outcomes

Industry Zone Code

1. The purpose of the industry zone is to provide for:
    a. a variety of industry activities; and
    b. other uses and activities that:
        i. support industry activities; and
        ii. do not compromise the future use of premises for industry activities.

Note—Land in the Industry zone is contained in either the General industry A zone precinct, General industry B zone precinct or General industry C zone precinct.

2. The purpose of the zone will be achieved through overall outcomes for:
    a. zone role;
    b. development location and uses;
    c. development form;
    d. the following zone precincts:
        i. General industry A zone precinct;
        ii. General industry B zone precinct;
        iii. General industry C zone precinct.

3. Zone role overall outcomes are:
    a. Development in the zone supports the implementation of the policy direction set in the Strategic framework, in particular:
        i. Theme 1: Brisbane's globally competitive economy, Element 1.2 – Brisbane's industrial economy and Element 1.3 – Brisbane's population-serving economy;
        ii. Theme 5: Brisbane's CityShape, Element 5.2 – Brisbane's Major Industry Areas and Element 5.9—Brisbane's Strategic Inner City Industrial Areas.

4. Development location and uses overall outcomes are:

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a. Development facilitates and maintains the long-term viability of industrial uses by encouraging a broad range of industry that is compatible with adjacent residential areas.
b. Development provides for industrial uses appropriate to the zone precinct.
c. Development avoids or minimises noise and air emissions to meet noise and air quality criteria at sensitive zones.
d. Development for an industrial use meets the requirements for separation from sensitive uses to minimise the likelihood of environmental harm or environmental nuisance.
e. Development protects the viability of existing and future industry by excluding incompatible development.
f. Development for a stand-alone office is not accommodated.
g. Development that is an ancillary part of an industrial use on the same site, such as an administrative area that directly supports the industrial use, may be accommodated.
h. Development for a food and drink outlet or shop:
    i. is of a small-scale that supports industry uses or serves local industrial workers;
    ii. is not located in proximity to an established non-industrial use of a similar nature;
    iii. does not create an unplanned centre through a clustering of non-industrial uses;
    iv. does not compromise the industrial function of an industrial area.

Note—In interpreting 6.2.5.2.(4)(h)(iii), the term 'unplanned centre' means a group, whether on the same site or adjoining premises, of more than one of each of the following uses:

- food and drink outlet; or
- shop; or
- indoor sport and recreation.

i. Development for an industrial use is located, designed and managed to maintain safety to people, avoid significant adverse effects on the natural environment and minimise impacts on non-industrial land.
j. Development in a flood-prone area is limited to uses that are compatible with minimising potential off-site impacts during and after a flood event.

5. Development form overall outcomes are:
    a. Development is of a built form, mass and setback that contribute to a high standard of amenity.
    b. Development responds to land constraints, mitigates any adverse impacts on environmental values and addresses other specific characteristics, as identified by overlays affecting the site or in codes applicable to the development.

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6. General industry A zone precinct overall outcomes are:
    a. Development provides for low impact industry, service industry and warehouse uses throughout the General industry A zone precinct.
    b. Development includes a broad range of industry that is compatible with adjacent residential areas.
    c. Development for a medium impact industry use:
        i. is located at an appropriate distance from sensitive uses;
        ii. avoids or minimises noise and air emissions to meet noise and air quality criteria at sensitive zones and zone precincts.
    d. Development for an educational establishment for trade or industry related training, where not involving overnight accommodation on premises, may be accommodated.

7. General industry B zone precinct overall outcomes are:
    a. Development provides for low impact industry and medium impact industry throughout the General industry B zone precinct.
    b. Development for a high impact industry use:
        i. is located at an appropriate distance from sensitive uses;
        ii. avoids or minimises noise and air emissions to meet noise and air-quality criteria at sensitive zones.
    c. Development avoids or minimises noise and air emissions to meet noise and air-quality criteria at the minimum separation distances to sensitive zones.
    d. Development protects adjacent residential and community use areas from intrusion of heavy vehicular traffic.

8. General industry C zone precinct overall outcomes are:
    a. Development provides for a range of high impact industry uses and compatible medium impact industry uses.
    b. Development for a warehouse:
        i. is limited to large format logistics and distribution centres;
        ii. requires separation from sensitive uses provided by the precinct due to potential amenity impacts from the scale and intensity of operation;
        iii. is not located in the Major Industry Area—Northern industrial area shown in Figure a.
    c. Development for an industrial use:
        i. is appropriately separated from sensitive land uses to minimise the likelihood of environmental harm, environmental nuisance or unacceptable community safety risks;
        ii. avoids or minimises noise and air emissions to meet noise and air-quality criteria at sensitive zones.

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d. Development protects the viability of existing and future industry from the intrusion of incompatible uses, including sensitive uses, low impact industry, service industry and warehouse uses other than large format logistics and distribution centres.

e. Development protects residential and community use area from heavy vehicular traffic.

Note—Development for a warehouse is not supported in the General industry C zone precinct in the Major Industry Area—Northern industrial area shown in Figure a to preserve opportunities to meet demand for medium impact industry and high impact industry

RESPONSE

The proposal, whilst not entirely consistent with the Zone intent, is considered to be entirely consistent with the identified use of the site under the Neighbourhood Plan as it is identified as a Neighbourhood Centre within this Neighbourhood Plan.

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8.1.3 Industry Code

Performance Outcomes and Acceptable Outcomes

Performance Outcomes	Acceptable Outcomes	Compliance
Section A—If for accepted development subject to compliance with identified requirements (acceptable outcomes only) or assessable development		
PO1 Development: (a) avoids or minimises air emissions; (b) complies with the following criteria in a sensitive zone, and at a sensitive use in a rural zone: (i) air quality (planning) criteria in Table 9.3.12.3.B; (ii) the odour criteria in Table 9.3.12.3.C; (iii) the health risk assessment criteria in Table 9.3.12.3.D. Note—An air quality impact report prepared in accordance with the Air quality planning scheme policy can assist in demonstrating achievement of this performance outcome.	**AO1.1** Development for a low impact industry or a research and technology industry or a warehouse located in the Low impact industry zone or General industry A zone precinct of the Industry zone, or for a research and technology industry or low impact industry in the Mixed industry and business zone precinct or major education and research facility zone precinct of the Specialised centre zone: (a) does not involve activities that generate air emissions from the site; (b) does not involve unsealed roads, driveways and vehicle manoeuvring areas.	The proposal will not include or require the use of unsealed roads, and is located well away from any sensitive zone.
	AO1.2 Development for a medium impact industry A does not involve unsealed roads and: (a) does not involve activities that generate air emissions from the site; or (b) is located at least 150m from a sensitive zone.	The proposal will not include or require the use of unsealed roads, and is located in excess of 150m from any sensitive zone.
	AO1.3 Development for a medium impact industry B does not involve unsealed roads and:	The proposal will not include or require the use of unsealed roads, and is located in excess of 250m from any sensitive zone.

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	(a) does not involve activities that generate air emissions from the site; or (b) is located at least 250m from a sensitive zone.	
	AO1.4 Development for a high impact industry where not a concrete batching plant, does not involve an activity which generates air emissions from the site.	The proposal does not relate to a high impact industry use.
	AO1.5 Development for a concrete batching plant: (a) complies with the air quality and dust section of the Concrete batching plants planning scheme policy; (b) is located a minimum of 250m from a sensitive zone or sensitive use.	The proposal does not relate to a concrete batching plant.
	AO1.6 Development for a renewable energy facility does not involve an activity which generates air emissions beyond the site.	The proposal does not relate to a renewable energy facility.
	AO1.7 No acceptable outcome is prescribed for development for a special industry.	The proposal does not relate to a special industry use.
	AO1.8 No acceptable outcome is prescribed for development in any other zones not listed above.	The proposal is located in a Zone listed above.

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PO2 Development complies with the noise (planning) criteria in Table 9.3.12.3.E, low frequency noise criteria in Table 9.3.12.3.F and night-time noise criteria in Table 9.3.12.3.G. Note—A noise impact assessment report prepared in accordance with the Noise impact assessment planning scheme policy can assist in demonstrating achievement of this performance outcome.	**AO2.1** Development for a low impact industry or medium impact industry A or medium impact industry B or a research and technology industry or a warehouse located in the Low impact industry zone or General industry A zone precinct of the Industry zone or for research and technology industry or low impact industry located in the Mixed industry and business zone precinct of the Specialised centre zone or major education and research facility zone precinct of the Specialised centre zone: (a) operates: (i) between 7am and 7pm Monday to Saturday excluding public holidays; or (ii) so it is not clearly audible from a residential zone, or a sensitive use in a centre zone; (b) is conducted wholly indoors except where located a minimum of 250m from a sensitive zone; (c) does not receive deliveries between 7pm and 7am.	The proposal will include delivery hours as outlined in the previous approval for the site.
	AO2.2 Development for a car wash where in a zone in the Centre zones category only operates between 7am to 6pm, including deliveries.	This proposal does not relate to a car wash.
	AO2.3 Development for a car wash in the Low impact industry zone or General industry A zone precinct of the Industry zone: (a) operates between 7am and 7pm Monday to Saturday excluding public holidays; or	This proposal does not relate to a car wash.

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	(b) is not clearly audible from a residential zone or sensitive use in a centre zone.	
	AO2.4 Development for medium impact industry in the General industry B zone precinct of the Industry zone: (a) does not involve outdoor activities between 7pm and 7am; or (b) is not clearly audible from a use in a residential zone, or a sensitive use in a centre zone; or (c) is in a location at least 500m from a sensitive zone.	The site is not proposed to be used for Medium Impact Industry.
	AO2.5 Development for a high impact industry does not involve an activity that generates noise emissions from the site.	The proposal does not relate to a high impact industry use.
	AO2.6 Development for a concrete batching plant is located a minimum of 500m from a sensitive zone.	The proposal does not relate to a concrete batching plant.
	AO2.7 No acceptable outcome is prescribed for development for a special industry.	The proposal does not relate to a special industry use.
	AO2.8	The proposal does not relate to a renewable energy facility.

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	Development for a renewable energy facility does not generate noise which is clearly audible and creates a disturbance at a sensitive zone.	
	AO2.9 No acceptable outcome is prescribed for development in any other zones not listed above.	The proposal will comply with the relevant requirements in Table 9.3.12.3.E, Table 9.3.12.3.F and Table 9.3.12.3.G.
PO3 Development minimises the risk to public safety, property and the environment from technological hazards such as fire, explosion and toxic release and achieves the hazard and risk criteria in Table 9.3.12.3.I. Note—A preliminary hazard analysis report prepared in accordance with the Industrial hazard and risk assessment planning scheme policy can assist in demonstrating achievement of this performance outcome.	**AO3** Development does not include the storage of dangerous goods and combustible liquids above the volumes/quantities identified in Table 9.3.12.3.H.	The proposal will not include or require the storage of dangerous goods or combustible liquids above the identified thresholds.
PO4 Development on land used for urban purposes is serviced adequately with: (a) water supply which meets the stated standard of service for intended use and fire-fighting purposes; (b) waste disposal.	**AO4** Development provides all lots with: (a) reticulated water supply; (b) reticulated sewerage or an appropriate on-site sewerage service where the development does not provide access to reticulated sewer for all lots.	The site is already serviced by reticulated water and sewerage.
PO5 Development in the City core and City frame area indicated in Figure a of the Transport, access, parking and servicing code provides car parking spaces at a rate which discourages private car use and	**AO5** Development in the City core and City frame area indicated in Figure a of the Transport, access, parking and servicing code provides car parking spaces at the maximum parking rates in compliance with the	The site is not located within the City Core or City Frame.

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encourages walking, cycling and the use of public transport.	standards in the Transport, access, parking and servicing planning scheme policy.	
PO6 Development outside of the City core and City frame area indicated in Figure a of the Transport, access, parking and servicing code provides for the number of on-site parking spaces required to accommodate design peak parking demands without overflow parking to an adjoining premises or adjoining streets.	**AO6** Development outside of the City core and City frame area indicated in Figure a of the Transport, access, parking and servicing code provides a number of on-site car parking spaces: (a) in compliance with the standards in the Transport, access, parking and servicing planning scheme policy; or (b) which does not result in on-street parking if no parking standard is identified in the Transport, access, parking and servicing planning scheme policy.	Refer to attached Traffic Report prepared by Colliers for details on the number of onsite car parking spaces, on site maneuvering and servicing.
PO7 Development provides for outdoor lighting which does not have an adverse impact on any person, activity or fauna because of light emissions, either directly or by reflection.	**AO7.1** Development provides for outdoor lighting with technical parameters, design, installation, operation and maintenance which is in compliance with the requirements of AS 4282-1997 Control of the obtrusive effects of outdoor lighting.	The proposal will ensure that any installed outdoor lighting will comply with technical parameters, design, installation, operation and maintenance in compliance with the requirements of AS 4282-1997 Control of the obtrusive effects of outdoor lighting.
	AO7.2 Development ensures that floodlighting is restricted to the type that gives no upward component of light where mounted horizontally, such as a full cut off luminar.	The proposal will comply with these criteria.
Additional performance outcomes and acceptable outcomes where involving an extension to an existing premises or a new premises		
PO8	**AO8.1**	

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Development is designed and constructed to prevent the emission of contaminants to surface water or groundwater. Note—For guidance on assessing potential impacts and performance requirements, refer to the Infrastructure design planning scheme policy.	Development ensures that liquid or solid wastes, other than stormwater, are not discharged to land or waters.	The proposal will not discharge liquid or solid wastes to surrounding land or waters.
	AO8.2 Development where not for a concrete batching plant or involving storing or dispensing of petroleum ensures that the storage of contaminating substances or areas where potentially contaminating activities are conducted, are: (a) roofed or covered to prevent the ingress of rainfall and run-off, and that roof water is piped away from an area of potential spills or contamination; (b) paved with an impervious surface and bunded so that any spills are retained on site for removal.	The proposal will not include or require the storage of contaminating substances, nor will it include or require areas where potentially contaminating activities could occur.
	AO8.3 Development for a concrete batching plant complies with the surface and groundwater protection section of the Concrete batching plant planning scheme policy.	The proposal does not relate to a concrete batching plant.
	AO8.4 Development involving storing or dispensing of petroleum manages discharges to the stormwater system in compliance with the surface and groundwater protection section of the Storage and dispensing of petroleum products planning scheme policy.	The proposal will not include or require the storage of petroleum.
PO9	**AO9** Development:	

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Development is designed and constructed to prevent ground contamination.	(a) ensures that there is no underground fuel storage on the site; or (b) where involving storing and dispensing of petroleum complies with the surface and groundwater protection section of the Storage and dispensing of petroleum products planning scheme policy.	The proposal will not include or require the storage of underground fuel or petroleum.
PO10 Development for a building: (a) is of a scale and design which contributes positively to the visual character of the area, especially as seen from the street; (b) is easily accessible and legible; (c) is located between the street frontage and the building; (d) designs and locates vehicle unloading and outdoor storage areas to be unobtrusive from the street; (e) provides for infrastructure and service requirements of future users including: (i) trade waste connections to sewer; (ii) storage tanks; (iii) refuse and recycling storage areas; (iv) waste pre-treatment devices; (v) other ancillary equipment; (vi) car parking and manoeuvring areas.	**AO10.1** Development has a maximum site cover which is: (a) 75% in the Industry investigation zone, Low impact industry zone and Industry zone; (b) 25% in the Special industry zone and Extractive industry zone.	The proposal will maintain a site cover significantly less than 75%.
	AO10.2 Development has a maximum building height of 15m.	The proposal will maintain a maximum building height less than 15 metres.
	AO10.3 Development ensures that no part of any building or structure is closer than 6m to any street frontage.	The proposal will maintain street frontage setback of greater than six metres.
	AO10.4 Development ensures that: (a) the main pedestrian entry to the building is: (i) easily identifiable; (ii) clearly visible; (iii) directly accessible from the street;	The proposal will include a main pedestrian entrance that presents as easily identifiable, clearly visible, and directly accessible from the street.

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	(b) the ground storey offices, display windows and entrance foyers are orientated towards the street frontage. Refer to Figure a.	
	AO10.5 Development provides street numbers and building and tenancy names which are displayed at the ground storey and are clearly identifiable from the street.	The proposal will comply.
PO11 Development provides landscaping: (a) areas in locations where planting will ameliorate the view of the development from major public vantage points; (b) to the site frontage which makes a positive contribution to the streetscape and incorporates bold landscape elements that complement the scale and bulk of the industrial form.	**AO11.1** Development provides landscaping which: (a) covers a minimum of 3% of the site; (b) includes a landscaped strip along the site frontage with a minimum width of 2m; (c) includes a landscape strip along any frontage or boundary with a motorway or arterial road of 3m.	The proposal can comply.
	AO11.2 Development provides tree planting to site frontages which will achieve a canopy spread over 50% of the site frontage within 5 years of planting. Note—Existing significant vegetation that already contributes to these requirements is to be retained.	The proposal seeks only to extend the built form and does not impact upon existing approved and installed landscaping.
	AO11.3 Development provides shade trees in a car parking area at a ratio of 1 tree for each 6 car parking spaces.	The proposal seeks only to extend the built form and does not impact upon existing approved and installed landscaping.

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	AO11.4 Development provides large trees and spreading ground covers in all landscape areas within the site.	The proposal seeks only to extend the built form and does not impact upon existing approved and installed landscaping.
	AO11.5 Development provides, in an area where screening or buffering is required, large screening shrubs of an appropriate density and size to complement the scale and bulk of the subject building.	The proposal seeks only to extend the built form and does not impact upon existing approved and installed landscaping.
PO12 Development creates a socially, visually and physically amenable work environment.	**AO12** Development provides an on-site recreation area for staff which: (a) includes seating, tables and rubbish bins; (b) is adequately protected from the weather; (c) is safely accessible to all staff; (d) is separate and private from public areas; (e) is located away from a noisy or odorous activity. Refer to Figure b.	As the proposal is not for an Industrial Development, onsite recreation areas are not deemed required.
PO13 Development creates a safe environment by incorporating the key elements of crime prevention through environmental design.	**AO13** Development incorporates the key elements of crime prevention through environmental design in its layout, building or structure design and landscaping by: (a) facilitating casual surveillance opportunities and including good sightlines to publicly accessible areas such as car parks, pathways, public toilets and communal areas; (b) defining different uses and public and private ownerships through design and restricting access	The proposal provides key CPTED principles in order to ensure a safe and secure development.

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	from non-residential uses into private residential dwellings; (c) promoting safety and minimising opportunities for graffiti and vandalism through exterior building design and orientation of buildings and use of active frontages; (d) ensuring publicly accessible areas such as car parks, pathways, public toilets and communal areas are well lit; (e) including way-finding cues; (f) minimising predictable routes and entrapment locations near public spaces such as car parks, public toilets and communal areas. Note—For guidance in achieving the key elements of crime prevention through environmental design, refer to the Crime prevention through environmental design planning scheme policy.	
PO14 Development minimises opportunities for graffiti and vandalism through access control, canvas reduction and easy maintenance selection.	**AO14** Development incorporates graffiti and vandalism prevention techniques in its layout, building or structure design and landscaping, by: (a) denying access to potential canvas through access control techniques; (b) reducing potential canvases through canvas reduction techniques; (c) ensuring graffiti can be readily and quickly removed through easy maintenance selection techniques. Note—For guidance on graffiti and vandalism prevention techniques refer to the Graffiti prevention planning scheme policy.	The proposal provides key CPTED principles in order to ensure a safe and secure development.

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PO15 Development is serviced adequately with: (a) refuse disposal; (b) telecommunications; (c) energy supply.	**AO15.1** Development is provided with and connected to electricity and telecommunications.	The site will be connected to electricity and telecommunication infrastructure.
	AO15.2 Development does not impede existing refuse removal provisions and provides for a dedicated area or system to ensure adequate access to and removal of refuse. Note—Refer to the Refuse planning scheme policy for further guidance.	The proposal will comply with required on-site refuse collection requirements.
PO16 Development is situated on a site which is provided with a constructed road access, frontage treatment and access crossings to an appropriate urban standard.	**AO16** Development is provided with the following works which are constructed to the applicable design standard for comparable new subdivision requirements: (a) concrete kerb and channel; (b) paved roadway; (c) a constructed walkway or repair of any damage to any walkway caused by construction or operational activities; (d) drainage works; (e) services conduits.	The proposal will accommodate these items as deemed required.
PO17 Development is provided with adequate vehicle access to service the uses proposed for the site, including a safe and easily accessible vehicle movement layout.	**AO17** Development provides for all vehicles, including servicing and waste disposal vehicles, to enter and exit the site in forward gear, and comply with the car parking design and site access guidelines in the	The proposal includes a loop through driveway access to allow for all vehicles entering and exiting the site to do so in forward gear.

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	Transport, access, parking and servicing planning scheme policy.	
Section B—If assessable development		
Additional performance outcomes and acceptable outcomes if involving new premises or an extension to existing premises within 150m of a sensitive zone		
PO18 Development for a building: (a) is reasonably compatible in appearance and scale with nearby residential buildings; (b) ensures that the reflectivity of roofing materials or solar panel systems does not impact on the amenity of adjoining premises.	**AO18.1** Development has a maximum building height of 9.5m within 20m of a sensitive zone.	The proposal is not located within 20 metres of a sensitive Zone.
	AO18.2 Development has buildings which are constructed with brick, painted concrete or masonry and does not incorporate highly reflective materials.	The proposal will comply.
Additional performance outcomes and acceptable outcomes if involving new premises or an extension to existing premises where the site is on the opposite side of the road to a sensitive zone		
PO19 Development has a site layout which presents attractively with landscaping and building to a sensitive zone.	**AO19** Development ensures that: (a) the only activity located between the frontage landscape strip and the building is car parking for visitors and staff; (b) the building is located towards the front boundary behind the frontage landscape strip; (c) all other on-site activity, outdoor storage of vehicles, goods or material, open storage and servicing is located at the rear of the building and is not visible from the road. Refer to Figure c.	The proposal is not located opposite a sensitive Zone.

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Additional performance outcomes and acceptable outcomes if involving new premises or an extension to existing premises where the site has a common side or rear boundary with a site where in a zone in the Residential zones category		
PO20 Development provides: (a) appropriate screening and buffering to neighbouring residential areas so that the amenity of these areas is maintained or improved; (b) landscaping of the site to present attractively to a residential area, with fencing and landscaping used to screen site activities from view.	**AO20.1** Development provides parking and outdoor storage areas which are screened from a zone in the Residential zones category and residential dwellings.	The site is not located adjacent to a site in a residential zone.
	AO20.2 Development on a site where a zone in the Residential zones category adjoins the rear of the site ensures that the rear wall of the new industrial building is constructed from side boundary to side boundary. Refer to Figure d.	The site is not located adjacent to a site in a residential zone.
	AO20.3 Development ensures that: (a) where a building wall with no openings is orientated to a zone in the Residential zones category, a densely planted landscaped buffer at least 3m wide is provided; or (b) where a building wall with openings is orientated to a zone in the Residential zones category, a densely planted landscaped and screened buffer area at least 6m wide is provided.	The site is not located adjacent to a site in a residential zone.
	AO20.4 Development provides landscape buffers consisting of tall trees and shrubs, including a mix of fast-growing pioneer species and mature stock of slower growing permanent species, which will form a	The site is not located adjacent to a site in a residential zone.

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	complete visual screen of a minimum of 4m in height within 3 years of planting.	
Additional performance outcomes and acceptable outcomes if a food and drink outlet or a shop		
PO21 Development: (a) is in a highly accessible location; (b) does not contribute to strip development along arterial roads; (c) must not introduce non-local traffic into local roads.	**AO21** Development is to be on a site that: (a) is located on either a district road or a suburban road; (b) does not have a boundary to an arterial road.	The proposal does relate to food and drink outlets and a shop. These elements are identified, expected and targeted for the subject site under the Lower Oxley Creek North Neighbourhood Plan. Refer *Figure b–Neighbourhood centre and Habitat areas and ecological corridors (public)* within the Lower Oxley Cree North Neighbourhood Plan area.
PO22 Development does not: (a) create a de facto centre through a clustering of small non-industrial uses; (b) cause an incremental extension to the edge of an existing centre through sequential development of multiple small non-industrial uses; (c) locate in a catchment which is already serviced by an existing centre.	**AO22** Development is not located on a site: (a) adjoining a zone in the Centre zones category; (b) within 400m walking distance from the perimeter of a zone in the Centre zones category; (c) in close proximity to an existing or approved shop or food and drink outlet; (d) adjoining a site in the Commercial character building overlay.	Refer response to PO21 above.
PO23 Development is low key in scale, nature and employment and of an appropriate size to serve the needs of the local workforce.	**AO23** Development has a maximum gross floor area of 250m2.	Refer response to PO21 above.

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8.1.4 Biodiversity Areas Overlay Code

Performance Outcomes and Acceptable Outcomes

The subject site is currently clear and devoid of vegetation (apart from grass cover). The subject site is currently delivering development Approval reference A006326449 which is proposed to be extended, with the reintroduction of a Shop use type to accompany the Food and Drink Outlet use types approved for the subject site.

All previous Biodiversity assessment and approval requirements are respected in the revised scheme.

8.1.5 Flood Hazard Overlay Code

Performance Outcomes and Acceptable Outcomes

The subject site is currently delivering development Approval reference A006326449 which is proposed to be extended, with the reintroduction of a Shop use type to accompany the Food and Drink Outlet use types approved for the subject site.

All previous Flood Hazard Overlay assessment and approval requirements are respected in the revised scheme.

8.1.6 Infrastructure Design Code

Performance Outcomes and Acceptable Outcomes

As the proposal will not include or require any infrastructure upgrades or changes from previous approved works under Development Approval reference A006326449, a full assessment against the Infrastructure Code is not considered to be required in this instance.

All previous Infrastructure Design assessment and approval requirements are respected in the revised scheme.

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8.1.7 Landscape Works Code

Performance Outcomes and Acceptable Outcomes

The proposal will not include any significant landscape works as the layout of the proposal extended development substantially reflects the previously approval. External perimeter landscaping is not proposed to be altered in any way.

A full assessment against the Landscape Works Code or the production of a landscape concept plan is therefore not considered required in this instance.

8.1.8 Stormwater Code

Performance Outcomes and Acceptable Outcomes

The proposal will not extend the impervious area on the subject site, and as such the proposal does not require a stormwater management plan, nor assessment against the Stormwater Code.

All previous Stormwater Code assessment and approval requirements are respected in the revised scheme.

8.1.9 Transport, Access, Parking and Servicing Code

Performance Outcomes and Acceptable Outcomes

The proposal is supported by a Traffic Report and an Operational Waste Management Plan prepared by Colliers. These two reports include a detailed assessment against all access, parking, manoeuvring and servicing requirements applicable to the proposal.

Refer to attached reports prepared by Colliers for full details.

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