

DEALING WITH EACH CHANGE

Assessment and positions on each change sought have been provided in **Error! Reference source not found.**

Table 2: Assessment of Proposed Changes

Condition	Change Sought	Justification
Condition 23 - Security Lighting - On Site	Remove Condition 23.	Condition 23 requires the provision of security lighting associated with the future development of the site. The approved Warehouse (Outdoor Storage) use does not include built form or operational characteristics that necessitate the installation of security lighting infrastructure. The condition contemplates a more intensive form of industrial development than that approved and is therefore no longer relevant to the approved use of the site.
Condition 25 - Limitation of Use	Remove Condition 25.	<p>Condition 25 limits the approved Warehouse (Outdoor Storage) use to a maximum period of ten (10) years. The approved use has been lawfully established and is currently operating in accordance with Development Approval A005911029.</p> <p>The stated purpose of the condition is to preserve the intent of the Myrtle town Precinct of the Pinkenba-Eagle Farm Neighbourhood Plan. In this regard, the neighbourhood plan expressly contemplates interim storage yard uses where such development does not prejudice or hinder the future establishment of higher-order industrial development within the precinct.</p> <p>The approved Warehouse (Outdoor Storage) use is consistent with this intent and does not sterilise the site, prejudice future redevelopment opportunities, or compromise the site's ability to accommodate higher-order industrial uses in the future. A review of comparable approvals within the Myrtle town Precinct demonstrates that Council has approved a range of Warehouse, Transport Depot, Parking Station and Medium Impact Industry uses without imposing equivalent temporal limitations.</p> <p>Accordingly, Condition 25 is not necessary to preserve the intent of the precinct and no longer serves a relevant planning purpose having regard to the established and ongoing use of the site.</p>
Condition 31 – Rehabilitation	Remove Condition 31.	Condition 31 requires rehabilitation works in accordance with the approved Concept Rehabilitation Plan. The site has been developed and is currently operating as an approved Warehouse (Outdoor Storage) use. The rehabilitation outcomes contemplated by the condition relate to development scenarios and site treatments that are no longer relevant to the approved and established use of the site. Removal of the condition will not result in any adverse environmental or amenity impacts.

<p>Condition 32 – Streetscape Works – Industrial Street</p>	<p>Remove Condition 32.</p>	<p>Condition 32 requires streetscape works including footpaths, turfing and street tree planting. The condition appears to contemplate a future industrial development outcome involving buildings and urban frontage treatments. Such works are not required for the operation of the approved Warehouse (Outdoor Storage) use and their removal will not adversely impact the functionality of the road network or surrounding development.</p>
<p>Condition 33 – Landscape / Concept Landscape Plan</p>	<p>Remove Condition 33</p>	<p>The approved landscape concept plan was prepared in support of a broader development outcome, including the conceptual High Impact Industry component that was subsequently withdrawn from the application. The approved Warehouse (Outdoor Storage) use does not require implementation of the concept landscape treatment shown on these plans. The condition is therefore no longer relevant to the approved development.</p>
<p>Condition 46 – Retaining Walls</p>	<p>Remove Condition 46.</p>	<p>Condition 46 relates to retaining wall works associated with the approved bulk earthworks. The earthworks component of the approval has been completed and compliance achieved through subsequent compliance assessment processes. The condition is therefore no longer necessary having regard to the completed state of the operational works approved under A005911029.</p>
<p>Condition 52 – On-Site Domestic Wastewater Treatment System</p>	<p>Remove Condition 52.</p>	<p>Condition 52 requires the provision of an on-site domestic wastewater treatment system. The approved Warehouse (Outdoor Storage) use does not involve buildings, staff facilities or other development requiring the installation of such infrastructure. The condition appears to contemplate future industrial development that is not approved and is therefore unnecessary for the ongoing operation of the approved use.</p>
<p>Condition 54 – Work for Stormwater Network (Non-Trunk).</p>	<p>Amend condition 54 to reflect the stormwater infrastructure as constructed.</p>	<p>Condition 54 requires the construction of stormwater infrastructure, including four (4) culverts beneath Bancroft Road. Subsequent detailed design and construction works have resulted in the installation of three (3) culverts, which have been constructed and are operational as part of the approved stormwater drainage network. As per the application material for A005911029, this approach appears to have been discussed and accepted by Council (see Attachment X) and has been constructed in accordance with the 'As-Constructed Plans' (see Attachment X). The proposed amendment seeks to align the wording of the condition with the infrastructure that has been lawfully constructed on site. Specifically, the change requested is as follows:</p> <ul style="list-style-type: none"> • (b) Construct non-trunk stormwater culverts (minimum 4 x 1200w x 300h – with engineering calculations) to convey the subject site's stormwater discharge flows

		<p>under Bancroft Road, at the intersection of Marine Road.</p> <ul style="list-style-type: none"> (b) Construct non-trunk stormwater culverts (3 x 1200w x 300h) to convey the subject site's stormwater discharge flows under Bancroft Road at the intersection of Marine Road. <p>The amendment does not alter the approved land use, increase development yield or intensity, or result in any additional impacts. Rather, it ensures the development approval accurately reflects the approved and constructed stormwater infrastructure servicing the site.</p>
Condition 56 – Street Lighting	Remove Condition 56.	Condition 56 requires the installation of street lighting infrastructure. The condition appears to be directed towards a future industrial development scenario involving buildings and associated infrastructure. The approved Warehouse (Outdoor Storage) use does not necessitate these works and the condition is therefore no longer relevant to the approved development.
Condition 60 – Internal Fire Main	Remove Condition 60.	Condition 60 requires the provision of an internal fire main. This infrastructure would ordinarily be associated with future industrial buildings and built form development. No buildings form part of the approved Warehouse (Outdoor Storage) use and no such infrastructure is required for the lawful operation of the site. Accordingly, the condition is not relevant to the approved development and should be removed.