

OUR REF: 6337

2 December 2024

Alexander Bolas
PO Box 471
BULIMBA QLD 4171

Via email: alex@engage-group.com.au

Dear Sir,

RE: LETTER OF ADVICE – CONFIRMATION OF ACCEPTED DEVELOPMENT – PROPOSED WAREHOUSE
AT: 6 HOMESTEAD DRIVE AND 6 AND 10 EASTRIDGE STREET, YATALA (LOTS 111, 112 AND 113 ON SP316137)

We write on behalf of Engage Group (the Applicant) who is seeking confirmation of Accepted Development in relation to a proposal for Warehouse at the above mentioned subject site.

We enclose the following:

- Current Preliminary Approval, **Attachment A**;
- Proposal Plans, **Attachment B**; and
- Code assessment, **Attachment C**.

The subject site is located within an existing industrial estate in Stapylton which operates under the Place Code, most recently approved under MIN/2023/64 (Place Code). A copy of the current approved Place Code, including approved Land Use Plan, is provided within **Attachment A**.

It is our position that the proposed use is accepted development subject to conditions. To demonstrate this determination, we provide the following commentary on the subject site; proposed development; and Place Code compliance.

SUBJECT SITE

An approval was granted by Council on 6 May 2013 for a Preliminary Approval for a Material Change of Use (Impact Assessment) to override the Planning Scheme for industrial development in accordance with the now referred to, **M38 Industrial Place Code** (Development Code). The Preliminary Approval approved variations to the *Gold Coast Planning Scheme 2003* version 1.2, that amended the Yatala Enterprise Area Place Code and Type of Assessment and Tables of Development of the Yatala Enterprise Area Local Area Plan, and approved a Staging and Precinct Plan. The subject site is located within Precinct B (**Figure 1**):

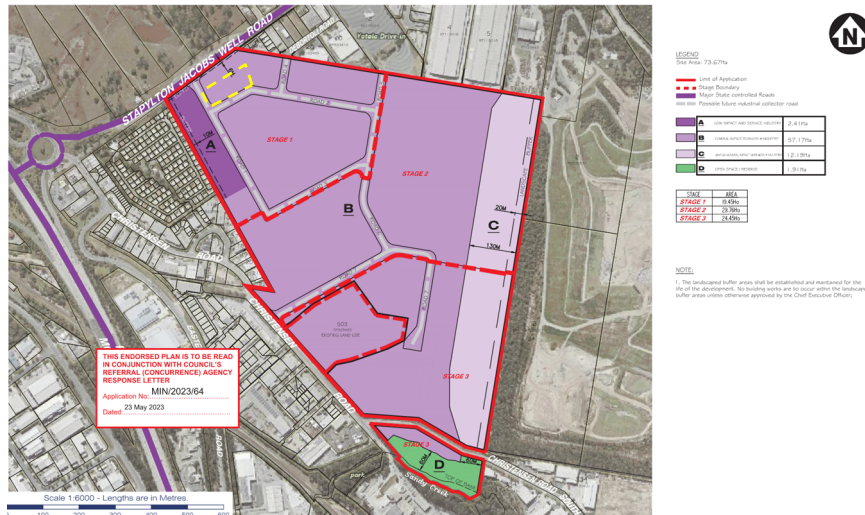


Figure 1: Preliminary Approval Precinct Plan (GDP File, 2024)

The Development Code is approved via this Preliminary Approval and incorporates specific tables of development, definitions, relevant codes, specific requirements and land use classification / precincts relevant to the subject site. This development is lodged in accordance with the provision of this Development Code, with the entirety of the subject site located within Precinct B of the Development Code.

The subject site has a total area of 6,476m² and features retaining walls along the northern and western boundaries. All essential service connections have been provided to the site, including connection to the regional stormwater quality and quantity treatment system.

PROPOSED USE

The proposed development seeks to establish multiple warehouse tenancies with partial mezzanine areas, as shown within **Figure 2** below and provided within **Attachment B**.

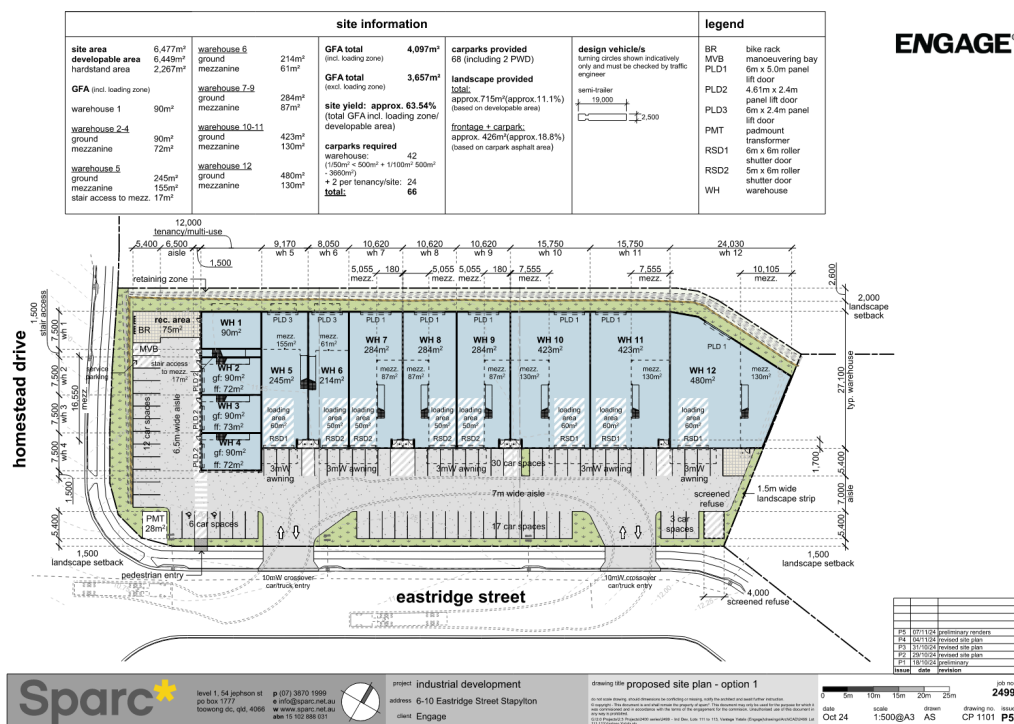


Figure 2: Proposed development (GDP file, 2024)

Under the approved Place Code, land use definitions are those of the *Gold Coast Planning Scheme 2003*, unless otherwise defined within the Place Code. The proposed development seeks to establish a Warehouse use, which is not specifically defined under the Place Code, however, is within the *Gold Coast Planning Scheme 2003*:

Warehouse

A building or enclosed land used to store and display goods, merchandise and materials and to sell these only by wholesale. This term does not include a Shop, Showroom, Salvage Yard or Toxic or Dangerous Goods Store.

Under Section 4.1 of the Place Code, Warehouse is considered Self Assessable (accepted development) where all relevant acceptable outcomes of Place Code and any other relevant Planning Scheme codes are met. Section 5.1.2 of the Development Code identifies potentially relevant codes for Self Assessable development. **Table 1** below lists the potentially applicable codes and their relevance to the proposed development on the subject site.

Table 1 - Relevant Local Planning Codes	
Place Code	
M38 Industrial Place Code	Applicable - The Yatala Logistics Hub Development Code is listed as a relevant code for assessment within the preliminary approval. Therefore, this code has been addressed below.
Specific Development Codes	
Advertising Devices	Not Applicable – Advertising devices are not proposed as part of this application.
Animal Husbandry	Not Applicable – Animal husbandry is not proposed as part of this application.
Caretaker's Residence	Not Applicable – A caretaker's residence is not proposed as part of this application.
Office	Not Applicable – An office is not proposed as part of this application.
Private Recreation	Not Applicable – Private recreation is not proposed as part of this application.
Retail and Related Establishments	Not Applicable – Retail and related establishments are not proposed as part of this application.
Temporary Use	Not Applicable – Temporary uses are not proposed as part of this application.
Vegetation Management	Not Applicable - Vegetation clearing is not proposed as part of this application.
Constraint Codes	
Bushfire Management Areas	Not Applicable – The subject site is managed under an approved Bushfire Management Plan and any future building will be constructed in accordance with Australian Standards.
Canals and Waterways	Not Applicable – The subject site is located completely outside of any mapped waterway.

Table 1 - Relevant Local Planning Codes	
Car Parking, Access and Transport Integration	Applicable – The Car parking, Access and Transport Integration Code is listed as a relevant code for assessment within the preliminary approval. Therefore, this code has been addressed below.
Flood Affected Areas	Not Applicable – Flood risk has been previously assessed and mitigated by the parent approval on the subject site and does not require further assessment.
Nature Conservation	Not Applicable – The proposed development is located within a historically cleared area and will not require any further clearing.
Steep Slopes or Unstable Soils	Not Applicable - The proposed development is located within a historically earth worked area and will not require any further stabilisation.

Based on the above, a detailed assessment of the relevant Place Code benchmarks has been provided within **Attachment C**. Importantly, and as demonstrated within this detailed assessment, the proposed development meets all relevant Acceptable Outcomes of the applicable codes and is therefore considered to be accepted development under the approved Place Code. This determination is subject to the following conditions being met:

1. Building height is not to exceed 15 metres.
2. The bin storage area must provide screening a minimum 200 millimetres above the proposed bins.
3. A Traffic Impact Report is prepared and implemented in accordance with Section 7.4 of Planning Scheme Policy 11 – Land Development Guidelines prior to commencement of use.

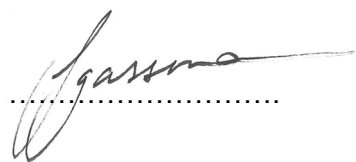
CONCLUSION

In conclusion, we are confident that the proposed development is considered accepted development under the approved Place Code.

If you have any further queries, please do not hesitate to contact the undersigned.

Yours faithfully,

GASSMAN DEVELOPMENT PERSPECTIVES



FRASER GASSMAN
SENIOR TOWN PLANNER

Enclosed: *Attachment A: Approved Preliminary Approval*
 Attachment B: Proposal Plans
 Attachment C: Code assessment