

PART 1 INTRODUCTION

DIVISION 1 CONTEXT

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CHAPTERS 1-4

CHAPTER 1 AREA TO WHICH THIS PLANNING SCHEME APPLIES

Our Living City - Gold Coast Planning Scheme applies to the whole of the gazetted local government area of the City of Gold Coast, including all premises and internal waterways as shown on **Context Map CM-1 - Gold Coast- City Boundaries**.

CHAPTER 2 RELATIONSHIP TO THE INTEGRATED PLANNING ACT 1997

The Planning Scheme has been prepared as an instrument under the provisions of the **Integrated Planning Act 1997 (IPA)**. This Planning Scheme has force and effect in so far as the legal powers permit under **Section 2.1.23 (1)** of the IPA. Where there is an inconsistency between this Planning Scheme and the IPA, the Act shall prevail to the extent of that inconsistency.

Where shown as assessable development in the tables of development assessment, this Planning Scheme regulates the following aspects of development as defined by the IPA:

- a) Building Work;
- b) Operational Work;
- c) Reconfiguring A Lot; and
- d) Material Change Of Use.

CHAPTER 3 PURPOSE OF THE INTEGRATED PLANNING ACT 1997

The primary purpose of the IPA is described in **Part 2** of the Act, as follows:

1.2.1 The purpose of this Act is to seek to achieve ecological sustainability by:

- coordinating and integrating planning at the local, regional and state levels;
- managing the process by which development occurs; and
- managing the effects of development on the environment (including managing the use of premises).

CHAPTER 4 HOW THIS PLANNING SCHEME ADVANCES THE ACT'S PURPOSE

The Act requires that if a function or power is conferred on an entity, the entity must exercise the power in a way that advances the Act's purpose. **Section 1.2.3 (1)** of the IPA further identifies the ways by which the Act's purpose should be advanced.

These include:

- ensuring accountable, coordinated and efficient decision making processes that take account of short and long term environmental effects of development, including effects beyond the local level;
- ensuring the sustainable use of resources;
- avoiding or otherwise lessening any adverse environmental effects of development;
- supplying infrastructure in a coordinated, efficient and orderly manner;
- applying standards of amenity, conservation, energy, health and safety for the public benefit; and
- providing opportunities for community involvement in decision making.

The following statements illustrate how this Planning Scheme addresses the Act's purpose:

1.0 COORDINATION AND INTEGRATION

This Planning Scheme seeks to coordinate and integrate planning dimensions at state, regional and local levels in the following manner:

1.1 State Dimensions

- a) by providing a means for the implementation of state planning policies in respect of the conservation of good quality agricultural land and the planning and management of development in the vicinity of airports;
- b) by incorporating appropriate matters of state interest in the city-wide planning strategies, the overall land use themes, local area planning instruments and development assessment codes;
- c) by using best practice and specialist advice provided by state agencies throughout the development assessment processes in order to facilitate coordinated decision making through the Integrated Development Assessment System (IDAS) process; and
- d) by continuing to seek expert advice from relevant state agencies throughout the continuing review of the Planning Scheme to ensure that Council's strategic policy formulation achieves the best environmental outcomes for development activity.

1.2 Regional Dimensions

- a) by advancing the priority actions and undertaking the relevant lead agency responsibilities for local government contained in the South East Queensland **Regional Framework for Growth Management (RFGM)** through policy and strategy development (including the formulation of Desired Environmental Outcomes);
- b) by protecting, enhancing or efficiently utilising natural and man-made resources that are identified as having regional significance; and
- c) through working in collaboration with adjoining local governments and the regional planning advisory bodies to achieve the best outcomes in utilising or protecting regionally significant resources.

1.3 Local Dimensions

- a) by carrying forward, where appropriate, local planning strategies and development provisions of the former Gold Coast City and Albert Shire Planning Schemes;
- b) by using the ecological, economic and social studies referred to in the Ecological Sustainability Statement to achieve ecological sustainability;
- c) by using the outcomes of the above studies to formulate the Desired Environmental Outcomes (DEOs), Planning Strategies, distribution of Land Use Themes, Domain and Local Area Plan (LAP) provisions and other development assessment codes;
- d) by ensuring that the use and management of the City's renewable and non-renewable resources is consistent with ecological sustainability;
- e) by ensuring that utility, transport and community infrastructure is provided in a timely and efficient manner to meet the needs of existing and emerging communities;
- f) by managing growth in a manner that uses best practice in achieving ecological sustainability;
- g) by incorporating the aspirations articulated by the Gold Coast City community through the plan preparation process, including the preparation of all ecological, economic and social strategies; and
- h) by committing to regular reviews of the Planning Scheme to further refine the achievement of ecological sustainability and to further deliver the aspirations of the Gold Coast City community.

Additional information on how state, regional and local dimensions are coordinated and integrated is contained in **Part 1, Division 2, Towards Ecological Sustainability**.

2.0 MANAGING THE PROCESS BY WHICH DEVELOPMENT OCCURS

This Planning Scheme seeks to effectively manage the development process in the following manner:

- a) by providing a range of suitable and desirable development options in the tables of development assessment for the domains and LAPs that is consistent with the intent for the development of the various parts of the city;
- b) by facilitating reasonable opportunities for exempt, self assessable and code assessable development, having regard to the likely impacts of such development;
- c) by ensuring that where development activities are likely to have a significant impact on the environment or where they otherwise warrant specific community input, those activities are retained as impact assessable development; and
- d) through the formulation of development assessment codes that provide clear guidance to applicants and that reflect best practice development solutions.

2.1 Managing the Impacts of Development on the Environment (Including Managing the Use of Premises)

This Planning Scheme seeks to manage the impacts of development on the environment in the following manner:

- a) by providing place codes, specific development codes, constraint codes and other criteria for development assessment that reflect ecological sustainability, as advanced through the strategic policies underpinning the formulation of the Planning Scheme;
- b) by ensuring that the Planning Scheme's provisions complement the suite of local laws, regulations and other administrative mechanisms used by Council and other authorities;
- c) by facilitating, through the IDAS process, expert advice from state agencies and other suitably qualified persons to assist in decision making;
- d) by providing appropriate performance criteria and acceptable solutions for self assessable and code assessable development;
- e) by ensuring that potentially harmful activities are retained as impact assessable development in the various domains and LAPs; and
- f) by refusing applications that cannot satisfactorily demonstrate the mitigation of harmful effects on the environment.