

# **PART 6 LOCAL AREA PLANS**

## **DIVISION 2 LOCAL AREA PLANS**

### **CHAPTER 19 PALM BEACH**

## **PART 6, DIVISION 2 CHAPTER 19**

## **LOCAL AREA PLANS PALM BEACH**

### **1.0 INTENT**

The purpose of this Local Area Plan (LAP) is to provide detailed planning and management of the Palm Beach central area so that it will continue to develop as an important service, employment and tourist centre for the southern part of the Gold Coast City. This LAP seeks to ensure the continued development of Palm Beach to provide a comprehensive range of convenience goods and services and to ensure that the centre achieves a high functional standard and an improved visual amenity. The LAP will also guide development within Palm Beach in order to encourage the consolidated redevelopment and upgrading of the commercial centre.

### **2.0 APPLICATION**

- 2.1 This LAP applies to all development subject to the Planning Scheme and located within the LAP area, as indicated in **Palm Beach LAP Map 19.1 - Boundary**.
- 2.2 The Table of Development indicated in **Clause 6.0** identifies the level of assessment for development occurring within this LAP area.
- 2.3 The codes that may be relevant to the assessment of development in this LAP area are listed in **Clause 7.0**.
- 2.4 It should be noted that self assessable development is consistent with the intent and Desired Environmental Outcomes (**DEOs**) of this LAP, and therefore need only comply with the acceptable solutions of the **Palm Beach LAP Place Code** contained in **Clause 8.0** and any other acceptable solutions identified in the relevant codes explicitly referred to in Subclause 7.1.

### **3.0 DESIRED ENVIRONMENTAL OUTCOMES**

- 3.1 The achievement of an integrated, mixed use activity centre at Palm Beach, comprising shopping, residential accommodation, eating, entertainment, community and ancillary services for residents and tourists, consistent with its status as a Sub Regional Activity Centre (refer to **DEO.Econ.3**).
- 3.2 The enhancement of the Palm Beach central area with a modern built form, enhanced by subtropical design and landscaping, that provides a range of entertainment opportunities for the people living, working and visiting the area (refer to **DEO.Soc.1**).

### **4.0 LOCAL AREA FEATURES**

The Palm Beach centre is located on the Gold Coast City Highway between Tallebudgera and Currumbin Creeks. Palm Beach has been identified as a Sub Regional Activity Centre in the Gold Coast City system of activity centres. It shares this status with Elanora, which has a stand alone shopping centre only two kilometres to the west of Palm Beach.

Like other traditional centres on the Gold Coast City, the Palm Beach centre is experiencing some urban renewal and streetscape improvements. The urban form of the Palm Beach centre is linear, straddling the Gold Coast City Highway. The main retail area is located on the western side of the highway. There is sufficient existing development and future development potential within the existing area to accommodate the functions of a Sub Regional Activity Centre.

There is a significant residential population in and adjacent to the LAP area. Residential accommodation is provided for both residents and tourists.

The area of Palm Beach devoted to central area activities is confined to five blocks, from Fourth to Eighth Avenues. The form of the existing centre is elongated, emphasising its exposure to the Gold Coast City Highway and its accessibility to the foreshore and the beach. The depth of the centre is far shorter, at three blocks.

The Palm Beach central area contains a substantial mix of commercial uses, entertainment activity and personal services. The retail and commercial core is integrated with tourist residential development. There is substantial residential development inside the LAP area, surrounding the retail core. In addition to tourist and residential accommodation, other tourist related activities exist. Non-residential activities extend both north and south out of the defined centre. It is intended that the Pam Beach commercial centre's activities be consolidated within the LAP area.

Palm Beach offers a range of facilities that are accessible from the Gold Coast City Highway and Palm Beach Avenue. Good pedestrian access, around the central area and to the beach, is encouraged by the existing grid pattern of the streets. Mid block connections are limited.

A positive climate of redevelopment and the recent streetscape improvement works undertaken by Council enhance the role and function of Palm Beach central area as a convenient, safe and attractive place to visit. The existing infrastructure supports both the economic activity and environmental needs of the area. This will allow it to fulfil its role as a Sub Regional Activity Centre and to expand its existing identity as a mixed use strip activity centre.

The Palm Beach activity centre provides convenient access to the beach that runs from Tallebudgera Creek to Currumbin Creek. The beach is an important natural asset for the LAP area. Like other major activity centres on the Gold Coast City, Palm Beach takes the form of a linear strip adjacent to the coastline.

The Palm Beach commercial area has a mixed built form that has been recently enhanced by attractive redevelopment and streetscape improvements. A new cafe culture identity is emerging, providing an attraction and service for residents as well as visitors.

The surrounding residential area is very characteristic of the traditional Gold Coast City. There are also examples of medium and high rise development that reflect more recent development trends. This variety of housing stock is valued and is to be enhanced in future redevelopment activity.

**5.0 LAND USE PRECINCTS**

The Palm Beach LAP has been divided into four precincts, all of which have particular characteristics that distinguish them from adjoining precincts:

- Precinct 1: Central
- Precinct 2: Cypress Terrace
- Precinct 3: Palm Beach Avenue
- Precinct 4: Jefferson Lane.

The Central Precinct will continue to be the focal point of Palm Beach. It will form the core of the Palm Beach Sub Regional Activity Centre. Precincts 2, 3 and 4 will provide a range of uses that will complement and support the major commercial elements contained in this precinct.

The precincts and their areas are depicted on **Palm Beach LAP Map 19.2 - Precincts**. Sites in the LAP area are not all developed to their maximum potential. Accordingly, there is no need to develop additional land in Palm Beach, outside the LAP, for retail, office or associated commercial activities.

Special provisions relating to the future character and range of preferred land uses for each precinct have been incorporated within the LAP. It is intended to enhance the opportunities for development in these precincts and to minimise the constraints on the further development of Palm Beach.

## **5.1 Precinct 1: Central Precinct**

### **5.1.1 Preferred Character**

This is intended to be the focus of most activity and will have the most significant commercial buildings. **Precinct 1** is intended to have the highest volumes of both residents and tourists in Palm Beach. The precinct will also have the highest concentration of retail, commercial, office and tourist and entertainment related facilities. The height of buildings will not have an adverse effect on the amenity of low rise areas to the west and south of the precinct, and building height will be compatible with buildings to the north and east of the precinct.

Fragmentation of the centre will be actively discouraged by the continued consolidation of the centre through redevelopment and upgrading. The vertical mixing of uses is encouraged, with the establishment of tourist and residential accommodation above the ground floor level along with retail and other active uses. Offices, community, recreation and entertainment uses are also envisaged above the ground floor level.

A high standard of visual amenity is to be maintained in this precinct, as it forms the core of Palm Beach. This will be achieved by ensuring that new developments have a high standard of urban design and that suitable areas of visible ground level landscaping are provided. Street level activity is to be incorporated into all new development.

The precinct will have safe pedestrian links to facilitate the high level of permeability associated with a pedestrian oriented central area. Landscape work, including furniture, lighting, paving and plants, will highlight the importance of this precinct.

There will be pedestrian plaza areas near the intersection of Fifth Avenue and the Gold Coast City Highway and at the intersection of Sixth Avenue and the Gold Coast City Highway.

The consolidation of this precinct is encouraged. Amalgamation of sites for large developments with integrated car parking is promoted.

### **5.1.2 Intended Land Uses**

The precinct is to continue to be developed for a mixture of shops and offices, as well as tourist and entertainment uses. Intensification of the existing development is proposed. Development incentives are to be used to secure incorporation of suitable public facilities into developments.

Cafes, restaurants and activities that contribute to the vibrancy of the centre are encouraged.

Where residential development is proposed, it is to be located above the ground floor. This will ensure a continuity of shop fronts within this precinct. Residential development may also support longer trading hours.

The reuse of old residential buildings for non-residential purposes will be actively discouraged. This would preclude the development of an integrated parking system. It would also give the centre an uncoordinated appearance.

New development must support the maintenance and creation of pedestrian plazas in Fifth and in Sixth Avenues, near their intersections with the Gold Coast City Highway.

### **5.1.3 Access, Linkage and Vehicle Provisions**

Provision for vehicle parking and pedestrian access is important in this precinct. The elongation of this precinct along the highway makes it imperative that action be taken to provide a system of rear vehicular access laneways.

In existing or proposed pedestrian plazas, roads will remain open to vehicular traffic. The plazas will have a system of footpath widening and associated streetscape works.

The core of the pedestrian system is contained within this precinct. It is intended to encourage the extension of the existing system. A high level of pedestrian amenity is to be achieved. Pedestrian links from the central area to the pedestrian plazas, to **Precinct 2** and, ultimately, to the beach will be provided. There will also be mid-block pedestrian links between car parking areas and the central area to the Gold Coast City Highway.

## **5.2 Precinct 2: Cypress Terrace**

### **5.2.1 Preferred Character**

This precinct is the interface between the residential areas to the west and the core retail area to the east. Development will complement the commercial area, while not impacting adversely on the amenity of the residential area. The height of buildings will be compatible with residential buildings to the west of Cypress Terrace.

Through redevelopment, further consolidation of this precinct will be encouraged. Existing sites are able to provide additional floor space to meet the needs of the locality.

### **5.2.2 Intended Land Uses**

Low to medium intensity retail and commercial uses are encouraged. Residential and tourist accommodation components are also envisaged in this precinct. All non-residential uses will be compatible with residential development.

Where residential development is proposed, it is to be located above the ground floor. This will ensure a continuity of commercial frontages within this precinct.

### **5.2.3 Access, Linkage and Vehicle Provisions**

All car parking must be provided on the development site. A high standard of pedestrian linkages is to be developed in this precinct, providing good connections to the neighbouring precincts and the residential areas beyond.

### **5.3 Precinct 3: Palm Beach Avenue**

#### **5.3.1 Preferred Character**

This precinct is intended to provide for the extension of the central commercial area. New development must be designed to minimise impacts on existing residential areas. Consideration is to be given to the development potential of existing residential areas. The height of buildings will be compatible with the preferred height of residential buildings within the precinct and the surrounding areas.

Amalgamation of sites will be actively encouraged. The impacts on new neighbouring properties will be reduced by providing for large developments with integrated car parking and landscaping.

#### **5.3.2 Intended Land Uses**

It is intended that this precinct will be developed with uses that provide for the extension of the central commercial area. It will be used for the establishment of offices and those uses that are not readily accommodated within the other precincts. Showrooms are presently not catered for within the existing commercial area. Their establishment in this area will complement the retail centre.

Residential developments that complement the surrounding residential area will be actively encouraged. Attached dwelling development is the most intensive type of residential development envisaged within the precinct.

#### **5.3.3 Precinct 3: Access, Linkage and Vehicle Provisions**

Vehicular access to commercial uses from Palm Beach Avenue will not be encouraged. Improved pedestrian facilities are promoted in association with new development.

### **5.4 Precinct 4: Jefferson Lane**

#### **5.4.1 Preferred Character**

This precinct is to be developed for both commercial and residential uses. The commercial uses will complement the Sub Regional Activity Centre functions of the Palm Beach centre on the western side of the Gold Coast City Highway. The commercial uses that locate within this precinct are not directly associated with the shopping area west of the highway, due to the vehicle and pedestrian conflicts associated with the highway. Commercial buildings are not to adversely impact upon surrounding residential developments. Commercial developments will therefore be restricted in scale.

Due to the proximity of the precinct to the beach and adjoining residential areas, residential development will be encouraged. Medium density residential development will be encouraged. The residential development will be in a form that is compatible with the residential areas to the north and the south of the precinct.

The development of intensive retail uses is not envisaged in this precinct. Tourist, convenience and entertainment uses that serve the tourist residential areas to the north and south of the LAP area are encouraged.

Fragmentation of the precinct will be actively discouraged by the continued consolidation of the precinct through redevelopment and upgrading.

### 5.4.2 Intended Land Uses

The commercial uses are intended to complement the development on the western side of the Gold Coast City Highway. Commercial developments will, therefore, be restricted in scale to ensure that they do not result in adverse impacts on residential development within the precinct and in the adjoining areas.

Intensive retail uses are not envisaged in this precinct. The establishment of tourist, service and entertainment uses that serve the tourist residential areas to the north and south of the LAP area is desirable.

Residential development will also be encouraged, due to the precinct's proximity of the beach and adjoining residential areas.

### 5.4.3 Access, Linkages and Vehicle Provisions

This precinct will not be developed as a direct extension of the shopping area west of the Gold Coast City Highway, due to the vehicle and pedestrian conflicts associated with the highway.

Pedestrian linkages will be provided from the central area (Precinct 1) to the beach. There is to be a high level of pedestrian amenity. There will also be mid-block pedestrian links from the Gold Coast City Highway to Jefferson Lane and improved access to the beach.

## 6.0 PALM BEACH LOCAL AREA PLAN TABLE OF DEVELOPMENT

*Note: This table must be read in conjunction with the explanation provided in Part 6, Division 1, Chapter 2 - Using Local Area Plans.*

A: MATERIAL CHANGE OF USE			
EXEMPT	SELF ASSESSABLE	CODE ASSESSABLE	IMPACT ASSESSABLE
Precinct 1 - Central			
Family Day Care Home Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Park	Cafe Car Park Commercial Services Convenience Shop Home Occupation Home Office Laundromat Minor Tourist Facility Office Restaurant (less than 150m <sup>2</sup> GFA) Service Industry Group A Shop Take-Away Food Premises Temporary Use	Apartment when located above ground storey level Bed and Breakfast Caretaker's Residence Child Care Centre Hostel Accommodation Fast Food Premises Medical Centre Motel Place of Worship Retail Nursery Service Industry Group B Showroom Telecommunications Facilities n.e.i. Veterinary Clinic	Amusement Parlour Apartment n.e.i. Cinema Community Care Centre Educational Establishment Indoor Recreation Facility Market Nightclub Reception Room Resort Hotel Shopping Centre Development Tavern Theatre

<b>A: MATERIAL CHANGE OF USE</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
<b>Precinct 2 - Cypress Terrace</b>			
<b>Family Day Care Home</b> <b>Low-Impact</b> <b>Telecommunications</b> <b>Facility</b> <b>Minor Change in the</b> <b>scale or intensity of</b> <b>an existing lawful use</b> <b>Park</b>	<b>Cafe</b> <b>Commercial Services</b> <b>Convenience Shop</b> <b>Fast Food Premises</b> <b>Home Occupation</b> <b>Home Office</b> <b>Laundromat</b> <b>Minor Tourist Facility</b> <b>Office</b> <b>Service Industry Group A</b> <b>Shop</b> <b>Take-Away Food</b> <b>Premises</b> <b>Temporary Use</b>	<b>Apartment when</b> <b>located above</b> <b>ground storey level</b> <b>Bed and Breakfast</b> <b>Car Park</b> <b>Caretaker's Residence</b> <b>Child Care Centre</b> <b>Hostel</b> <b>Accommodation</b> <b>Medical Centre</b> <b>Motel</b> <b>Place of Worship</b> <b>Restaurant</b> <b>Retail Nursery</b> <b>Service Industry</b> <b>Group B</b> <b>Showroom</b> <b>Telecommunications</b> <b>Facilities n.e.i.</b> <b>Veterinary Clinic</b>	<b>Aged Persons</b> <b>Accommodation</b> <b>Amusement Parlour</b> <b>Apartment n.e.i.</b> <b>Community Care Centre</b> <b>Educational</b> <b>Establishment</b> <b>Indoor Recreation</b> <b>Facility</b> <b>Market</b> <b>Resort Hotel</b> <b>Service Station</b> <b>Shopping Centre</b> <b>Development</b> <b>Vehicle Hire Premises</b>
<b>Precinct 3 - Palm Beach Avenue</b>			
<b>Family Day Care Home</b> <b>Low-Impact</b> <b>Telecommunications</b> <b>Facility</b> <b>Minor Change in the</b> <b>scale or intensity of</b> <b>an existing lawful use</b> <b>Park</b> <b>Special</b> <b>Accommodation</b>	<b>Cafe</b> <b>Commercial Services</b> <b>Convenience Shop</b> <b>Fast Food Premises</b> <b>Home Occupation</b> <b>Home Office</b> <b>Laundromat</b> <b>Minor Tourist Facility</b> <b>Office</b> <b>Service Industry Group A</b> <b>Shop</b> <b>Showroom</b> <b>Take-Away Food</b> <b>Premises</b> <b>Temporary Use</b>	<b>Apartment when</b> <b>located above</b> <b>ground storey level</b> <b>Attached Dwelling and</b> <b>Medium Density</b> <b>Detached Dwelling</b> <b>when located on</b> <b>land with frontage to</b> <b>Fifth or Sixth</b> <b>Avenues or</b> <b>Philippine Parade</b> <b>Bed and Breakfast</b> <b>Telecommunications</b> <b>Facilities n.e.i.</b> <b>Car Park</b> <b>Caretaker's Residence</b> <b>Child Care Centre</b> <b>Hostel</b> <b>Accommodation</b> <b>Medical Centre</b> <b>Motel</b> <b>Place of Worship</b> <b>Restaurant</b> <b>Retail Nursery</b> <b>Service Industry</b> <b>Group B</b> <b>Veterinary Clinic</b>	<b>Aged Persons</b> <b>Accommodation</b> <b>Amusement Parlour</b> <b>Apartment n.e.i.</b> <b>Attached Dwelling and</b> <b>Medium Density</b> <b>Detached Dwelling</b> <b>n.e.i.</b> <b>Community Care Centre</b> <b>Educational</b> <b>Establishment</b> <b>Indoor Recreation</b> <b>Facility</b> <b>Shopping Centre</b> <b>Development</b>

<b>A: MATERIAL CHANGE OF USE</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
<b>Precinct 4 - Jefferson Lane</b>			
Family Day Care Home Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Open Sports Ground Park Special Accommodation	Display Home Estate Sales Office Home Occupation Home Office Detached Dwelling Private Recreation Temporary Use Tourist Shop	Attached Dwelling and Medium Density Detached Dwelling Apartment Bed and Breakfast Cafe Caretaker's Residence Child Care Centre Hostel Accommodation Medical Centre Motel Office with a floor area up to 200m <sup>2</sup> GFA Shop when the GFA does not exceed 100m <sup>2</sup> The following commercial uses only when located within a tourist accommodation complex: <ul style="list-style-type: none"> <li>• Commercial Services</li> <li>• Convenience Shop</li> <li>• Laundromat</li> <li>• Restaurant</li> <li>• Service Industry</li> </ul> Telecommunications Facilities n.e.i. Veterinary Clinic	Amusement Parlour Car Park Community Care Centre Educational Establishment Indoor Recreation Facility Minor Tourist Facility Resort Hotel Service Industry n.e.i. Service Station

<b>B: MATERIAL CHANGE OF USE OVERLAY PROVISIONS</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
<b>Material Change of Use involving Building Work that:</b>			
		exceeds two storeys due to the inclusion of a partial third storey and the GFA of the partial storey does not exceed 50% of the GFA of the storey immediately below, and the site is not in an area where a maximum building height exceeding two storeys is identified on <b>Palm Beach LAP Map 19.3 - Maximum</b>	exceeds two storeys (except for a partial third storey with less than 50% of the GFA of the storey immediately below), where the site is not in an area where a maximum building height exceeding two storeys is identified on <b>Palm Beach LAP Map 19.3 - Maximum Building Height</b> <b>OR</b>

<b>B: MATERIAL CHANGE OF USE OVERLAY PROVISIONS</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
<b>Material Change of Use involving Building Work that:</b>			
		<b>Building Height</b>	Exceeds the maximum number of storeys indicated for the site identified on <b>Palm Beach LAP Map. 19.3 - Maximum Building Height</b>
			exceeds the maximum residential density for the subject site as shown on <b>Palm Beach LAP Map 19.4 - Residential Density.</b>
		is on or adjoins a site listed on the <b>Queensland Heritage Register (Queensland Heritage Act 1992)</b> or the <b>Register of the National Estate (Australian Heritage Commission Act 1975)</b> or the <b>National Trust of Queensland list</b>	
		is within or adjoins an allotment containing places, sites, or landscapes of indigenous cultural heritage significance listed on the <b>Queensland Heritage Register - Cultural Records (Landscapes Queensland and Queensland Estate) Act 1987;</b> OR is located on land which is the subject of a native title claim; OR is located on land that is known to the owner of the land and/or the developer to be of indigenous cultural heritage value	
	is on a site identified on the Domain Maps as being affected by Future Road Requirement and complies with the Acceptable Solutions of <b>Constraint Code 4 - Car Parking, Access and</b>	is on a site identified on the Domain Maps as being affected by Future Road Requirement and alternative solutions to the Acceptable Solutions of <b>Constraint Code 4 - Car Parking, Access and</b>	

<b>B: MATERIAL CHANGE OF USE OVERLAY PROVISIONS</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
<b>Material Change of Use involving Building Work that:</b>			
	Transport Integration	Transport Integration are proposed	
			would result in a residential dwelling being located within 500 metres of a lot containing an extractive industry operation or resource (hard rock quarrying) or within 200 metres of a lot containing an extractive industry operation or resource (sand and gravel operations) as defined on <b>Overlay Map OM23 - Extractive Resources</b>

<b>C: OPERATIONAL WORK - CHANGES TO GROUND LEVEL</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
<b>Operational Work that involves extraction, excavation or fill that:</b>			
		<b>Precincts 1 or 2:</b> exceeds a volume of 20 cubic metres of fill or excavation, or is closer than two metres from the allotment boundary	
		<b>Precincts 3 or 4:</b> exceeds a volume of 50 cubic metres of fill or excavation, or is closer than two metres from the allotment boundary	
		is within or adjoins an allotment containing places, sites, or landscapes of indigenous cultural heritage significance listed on the <b>Queensland Heritage Register - Cultural Records (Landscapes Queensland and Queensland Estate) Act 1987;</b>	

<b>C: OPERATIONAL WORK - CHANGES TO GROUND LEVEL</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
<b>Operational Work that involves extraction, excavation or fill that:</b>			
		OR is located on land which is the subject of a native title claim; OR is located on land that is known to the owner of the land and/or the developer to be of indigenous cultural heritage value	

<b>D: OPERATIONAL WORK - ADVERTISING DEVICES</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
	Advertising Device that is: (a) not internally illuminated nor animated, and where the total area of signage per street frontage does not exceed the following, for each precinct: Precinct 1: 10m <sup>2</sup> Precinct 2: 10m <sup>2</sup> Precinct 3: 10m <sup>2</sup> Precinct 4: 10m <sup>2</sup> (b) not on land with frontage to an arterial road or any state-controlled road	Advertising Device n.e.i.	

<b>E: OPERATIONAL WORK - INFRASTRUCTURE AND LANDSCAPE WORK</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
Minor Landscape Work		Landscape Work n.e.i.	
Landscape Work associated with a detached dwelling or a Caretaker's Residence.		Works for Infrastructure	

F: OPERATIONAL WORK - VEGETATION CLEARING			
EXEMPT	SELF ASSESSABLE	CODE ASSESSABLE	IMPACT ASSESSABLE
<b>Vegetation Clearing that:</b>			
	results in the removal of, or damage to, vegetation that is equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level, and complies with the Acceptable Solutions of <b>Specific Development Code 36 - Vegetation Management</b>	results in the removal of, or damage to, vegetation that is equal to, or in excess of, 40 centimetres in girth (circumference) measured at 1.3 metres above average ground level, and alternate solutions to the Acceptable Solutions of <b>Specific Development Code 36 - Vegetation Management</b> are proposed	.

G: RECONFIGURING A LOT			
EXEMPT	SELF ASSESSABLE	CODE ASSESSABLE	IMPACT ASSESSABLE
<b>Reconfiguring a Lot that:</b>			
		results in no lots with an area less than 800m <sup>2</sup> OR Entails only a Community Title Subdivision (including Standard Format Plans and/or Volumetric Lots) or a Volumetric Lot within a building, or a leasehold subdivision of an existing or approved development	results in one or more lots with an area less than 800m <sup>2</sup>
			would create the potential for a residential dwelling to be located within 500 metres of a lot containing an extractive industry operation or resource (hard rock quarrying) or within 200 metres of a lot containing an extractive industry operation or resource (sand and gravel operations) as defined on <b>Overlay Map OM23 - Extractive Resources</b>

## 7.0 RELEVANT CODES

Codes relevant for development assessment in the Palm Beach LAP are listed below. The Place Code applies in all cases. A Specific Development Code will only apply if that specific development is proposed. A Constraint Code will only apply where the proposed development is directly impacted by the constraint that is the subject of that code.

### 7.1 Self Assessable Development

The following codes apply to development that is self assessable in the Palm Beach LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
Palm Beach LAP Place Code	2 Advertising Devices 10 Caretaker's Residence 13 Detached Dwellings 25 Private Recreation 24 Office 27 Retail and Related Establishments 34 Temporary Use 36 Vegetation Management 38 Working from Home	4 Car Parking, Access and Transport Integration 8 Flood Affected Areas 11 Ocean Front Land

### 7.2 Material Change of Use

The following codes apply to development that is code or impact assessable **Material Change of Use** in the Palm Beach LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
Palm Beach LAP Place Code	3 Aged Persons Accommodation 6 Attached Dwellings and Medium Detached Dwellings 7 Bed and Breakfast Tourist Accommodation 10 Caretaker's Residence 12 Child Care Centres 13 Detached Dwellings 14 Display Homes and Estate Sales Offices 15 Ecotourism Facility 16 Family Accommodation 19 High Rise Residential and Tourist Accommodation 21 Landscape Work 22 Low Rise Apartment Building 23 Low Rise Commercial Tourist Accommodation 24 Office 25 Private Recreation 27 Retail and Related Establishments 31 Service Stations 33 Telecommunications Facilities 37 Vehicle Sales 38 Working from Home 39 Works for Infrastructure	1 Gold Coast Airport and Aviation Facilities 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 11 Ocean Front Land 13 Road Traffic Noise Management 14 Sediment and Erosion Control

### 7.3 Operational Work - Changes to Ground Level

The following codes apply to development that is self or code assessable **Operational Work - Changes to Ground Level** - extracting gravel, rock, sand or soil from the place where it occurs naturally, or excavating or filling that materially affects premises or their use in the Palm Beach LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
Palm Beach LAP Place Code	11 Changes to Ground Level and Creation of New Waterbodies	4 Car Parking, Access and Transport Integration 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 11 Ocean Front Land 14 Sediment and Erosion Control

### 7.4 Operational Work - Advertising Devices, Landscape Work and Infrastructure

The following codes apply to development that is code assessable **Operational Work - Advertising Devices** (placing an Advertising Device on premises), **Landscape Work** (undertaking Landscape Work in, on, over or under premises that materially affects premises or their use) or **Infrastructure** (undertaking Works for Infrastructure) in the Palm Beach LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
Palm Beach LAP Place Code	2 Advertising Devices 21 Landscape Work 39 Works for Infrastructure	4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 11 Ocean Front Land 14 Sediment and Erosion Control

### 7.5 Operational Work - Vegetation Clearing

The following codes apply to development that is code assessable **Operational Work - Vegetation Clearing** in the Palm Beach LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
Palm Beach LAP Place Code	36 Vegetation Management	5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 11 Ocean Front Land 14 Sediment and Erosion Control

### 7.6 Reconfiguring a Lot

The following codes apply to development that is code or impact assessable **Reconfiguring a Lot** in the Palm Beach LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
Palm Beach LAP Place Code	11 Changes to Ground Level and Creation of New Waterbodies 21 Landscape Work 28 Reconfiguring a Lot 36 Vegetation Management 39 Works for Infrastructure	4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 11 Ocean Front Land

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
		13 Road Traffic Noise Management 14 Sediment and Erosion Control

## 8.0 PALM BEACH LAP PLACE CODE

### 8.1 Purpose

This Place Code seeks to ensure that the scale and density of development and, in particular, the design and appearance of commercial premises is consistent with the function of Palm Beach as a Local Activity Centre for its surrounding area.

### 8.2 Application

**8.2.1** The Palm Beach LAP Place Code applies to development indicated as self, code or impact assessable in the **Palm Beach LAP Table of Development at Clause 6.0** of this LAP.

**8.2.2** Performance Criteria PC1-PC34 apply to all code or impact assessable development in this LAP. For development identified as self assessable in **Clause 6.0**, only the Acceptable Solutions to Performance Criteria PC1-PC9 apply.

### 8.3 Development Requirements

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<b>DEVELOPMENT THAT IS SELF ASSESSABLE, CODE ASSESSABLE OR IMPACT ASSESSABLE</b>	
<b>BUILDING HEIGHT</b>	
PC1 A gradation in the townscape and urban character must be achieved. There is a transition in height of buildings from medium rise to the east over to low rise to the west.	AS1.1 The building has a maximum of two storeys OR AS1.2 The height of buildings in each precinct does not exceed the maximums shown on Palm Beach LAP Map 19.3 - Maximum Building Height.
PC2 The height of the buildings must not cause adverse impact on neighbouring sites. The development opportunities of the neighbouring sites are considered, when assessing impacts of development.	AS2 All buildings exceeding two storeys in height have their upper storeys set back from the lot boundaries, consistent with the following distances: a) a minimum of six metres from the frontage, in respect of that part of the building which exceeds two storeys in height; b) for side and rear boundary setbacks, two metres for that part of the building, which is above the second storey but which does not exceed 7.5 metres above that storey; c) for side and rear boundary setbacks, two metres, plus 0.5 metres for every three metres (or part thereof) of that part of the building which is greater than 7.5 metres above the second storey.
<b>ACCOMMODATION DENSITY</b>	
PC3 Accommodation density must be consistent with the Sub Regional Activity Centre character of Palm Beach. Accordingly, medium to high density development that can be comfortably accommodated on the development site and	AS3.1.1 The dwelling density is one dwelling per lot. OR AS3.1.2 The maximum dwelling density in any precinct does not exceed the relevant accommodation density (RD

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS						
supports mixed uses in the town centre is appropriate.	number) shown for that precinct on <b>Palm Beach LAP Map 19.4 - Maximum Residential Density.</b>						
<b>SITE COVERAGE</b>							
<p><b>PC4</b> The site coverage of development must be in accordance with the function of the precinct and its relationship with surrounding precincts.</p>	<p><b>AS4</b> The maximum site coverage for any development does not exceed the following:</p> <table border="1" data-bbox="810 454 1391 600"> <tr> <td data-bbox="810 454 965 477">Precinct 1</td> <td data-bbox="965 454 1391 477">80%.</td> </tr> <tr> <td data-bbox="810 477 965 526">Precincts 2 and 3</td> <td data-bbox="965 477 1391 526">70% of the area of the site</td> </tr> <tr> <td data-bbox="810 526 965 600">Precinct 4</td> <td data-bbox="965 526 1391 600">60% for the first two storeys does not exceed 40% for each storey above the first two storeys.</td> </tr> </table>	Precinct 1	80%.	Precincts 2 and 3	70% of the area of the site	Precinct 4	60% for the first two storeys does not exceed 40% for each storey above the first two storeys.
Precinct 1	80%.						
Precincts 2 and 3	70% of the area of the site						
Precinct 4	60% for the first two storeys does not exceed 40% for each storey above the first two storeys.						
<b>BUILDING SETBACK</b>							
<p><b>PC5</b> All mixed use or commercial buildings must provide for setbacks from the street frontage and the side and rear boundaries which contribute to an interesting street perspective and to the visual amenity of Palm Beach.</p>	<p><b>AS5.1.1</b> The setback of all buildings is compatible with the predominant setback in the street. OR <b>AS5.1.2</b> The building is located in Precinct 1 and is setback from the street frontage:</p> <ul style="list-style-type: none"> <li>a) an average width of three metres</li> <li>b) a minimum width of one metre for the first two storeys of any building</li> <li>c) a minimum of six metres for that part of the building in excess of two storeys.</li> </ul> <p>OR <b>AS5.1.3</b> The building is located in Precinct 1 and fronts Gold Coast Highway and Palm Beach Avenue and the building is setback:</p> <ul style="list-style-type: none"> <li>a) an average width of two metres</li> <li>b) a minimum width of one metre may apply to the first two storeys of any building.</li> </ul> <p>OR <b>AS5.1.4</b> The building is located in Precinct 2 and is setback from the street frontage:</p> <ul style="list-style-type: none"> <li>a) a minimum width of three metres for the first two storeys of any building</li> <li>b) a minimum of six metres for that part of the building in excess of two storeys.</li> </ul> <p>OR <b>AS5.1.5</b> The building is located in Precinct 3 and is setback:</p> <ul style="list-style-type: none"> <li>a) from Palm Beach Avenue or Cypress Terrace a minimum width of three metres;</li> <li>b) from Fifth Avenue, Philippine Parade or Sixth Avenue, a minimum width of six metres.</li> </ul> <p>OR <b>AS5.1.6</b> The building is located in Precinct 4 and is setback:</p> <ul style="list-style-type: none"> <li>a) from the Gold Coast Highway an average width of six metres and a minimum width of four metres for the first two storeys of any building;</li> <li>b) from Jefferson Lane, a minimum of six metres (the setback will apply from the new frontage, following the dedication of</li> </ul>						

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	<p>road widening along Jefferson Lane);</p> <p>c) from Palm Beach Avenue, an average width of two metres and a minimum width of one metre in respect of the first two storeys of any building;</p> <p>d) from Seventh Avenue and Fourth Avenue, a minimum of three metres for the first two storeys of any building and a minimum of six metres for that part of the building in excess of two storeys.</p>
<p>PC6 All residential buildings must provide for setbacks from the street frontage and the side and rear boundaries of the site, which are appropriate for the:</p> <p>a) efficient use of the site; b) local character of the area; c) effective separation from neighbouring properties and from frontages to roads.</p>	<p>AS6 The residential building is set back not less than three metres from the frontage of the site and 1.5 metres from the side and rear boundaries.</p>
<b>FRONTAGE CONTROLS</b>	
<p>PC7 Building setbacks, building design and frontage design must contribute to an interesting street perspective and to the visual amenity of Palm Beach.</p>	<p>AS7.1 Lengths of wall in excess of 15 metres are not provided on the same alignment.</p> <p>AS7.2 The glass area of the building (including windows and doors) exceeds 70% of the total area of the external wall.</p> <p>AS7.3 Ancillary structures of the building (including unenclosed decks, terraces and balconies fronting the street) do not extend beyond the front property boundary of the site.</p> <p>AS7.4 Where the site adjoins a residential lot or public open space, all buildings or structures are sited a minimum of two metres from any boundary of a site.</p>
<p>PC8 All commercial or mixed use buildings must be designed to achieve a continuous activity frontage for the sub-regional activity centre, with ample space for pedestrian traffic.</p>	<p>AS8 Where a mixed use building is proposed, residential uses are located above the ground floor or to the rear of the development.</p>
<b>VEHICULAR CROSSINGS</b>	
<p>PC9 Vehicular crossings associated with the development must be designed and constructed to ensure:</p> <p>a) a safe footpath environment; b) safe vehicular access to the property; c) appropriate hydraulic performance of the storm water infrastructure; d) no damage to vehicle or road infrastructure; e) minimal loss of on-street parking spaces; f) continued amenity of the neighbourhood.</p>	<p>AS9 The vehicular crossing is provided and designed in accordance with Part 10, Division 1 - Standard Drawings:</p> <ul style="list-style-type: none"> <li>• Drawing No. 59213 (Rural Access with Pipe Crossing);</li> <li>• Drawing No. 59217 (Driveway and Verges Low Density Residential);</li> <li>• Drawing No. 59218 (Driveways Industrial, Commercial and Multi-Unit Residential).</li> </ul> <p><i>Note: All vehicular crossings require an approval in accordance with Local Law No 11 - Roads and Malls.</i></p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<b>DEVELOPMENT THAT IS CODE ASSESSABLE OR IMPACT ASSESSABLE</b>	
<b>SITING</b>	
<p>PC10 All buildings must be sited to complement the Sub Regional Activity Centre character and the built form of the surrounding area, and to reduce potential conflicts between uses having regard to a site analysis, prepared in accordance with <b>Planning Scheme Policy 17 - Site Analysis</b></p>	<p>AS10 No acceptable solution provided.</p>
<p>PC11 The layout of the site must provide a clear separation between the public access areas and the areas set aside for servicing the building.</p>	<p>AS11 No acceptable solution provided.</p>
<b>BUILDING APPEARANCE</b>	
<p>PC12 All buildings must be designed and constructed to a high aesthetic standard and to complement or enhance the character of the Palm Beach Sub Regional Activity Centre.</p>	<p>AS12.1 The massing and proportions of new commercial buildings is consistent with those of adjoining commercial buildings. AS12.2 Building materials, patterns, textures and colours, used in new buildings, are complementary to those of nearby buildings. AS12.3 Footpath awnings are designed to complement and integrate with the design and the facade of the building.</p>
<p>PC13 Building design and appearance must be conducive to the safety and comfort of all building users.</p>	<p>AS13.1 Glass which forms all or part of any external wall of a building does not exceed a maximum degree of reflection of both heat and light of 20%. The glass area does not exceed 60% of the total area of the external wall. AS13.2 All commercial buildings provide awnings which are cantilevered or suspended at a minimum width of 1.5 metres over the adjoining footway within the road reserve area. AS13.3 The location of equipment that has potential to create noise is designed to minimise the penetration of noise to dwelling units on the premises and to residential premises external to the site.</p>
<p>PC14 All car park areas must be designed and constructed to service the needs of all users of the development and to complement the character of the sub-regional activity centre.</p>	<p>AS14.1 All car park areas are constructed and detailed to ensure they do not dominate the street frontage of the development. Car park areas provided at ground level are located behind dwellings or recessed behind the dwelling frontage. AS14.2 Building materials, patterns, textures and colours used in garage and carport structures are complementary to those of the principal building on the site.</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<b>ADVERTISING DEVICES</b>	
<p>PC15 All advertising devices must be designed and constructed to complement the character of the sub-regional activity centre.</p>	<p><b>Precincts 1, 2 and 4:</b> AS15.1 All signs are consistent with the provisions for the Integrated Business Domain, set out in <b>Specific Development Code 2 - Advertising Devices.</b> <b>Precinct 3:</b> AS15.2 All signs are consistent with the provisions for the Residential Choice Domain, set out in <b>Specific Development Code 2 - Advertising Devices.</b></p>
<b>LANDSCAPE WORK</b>	
<p>PC16 Extensive areas of visible ground level landscaping are must provided to a standard that promotes a pleasant, attractive and functional pedestrian environment, with a sub tropical character.</p>	<p>AS16.1 Landscape work includes features, where the vegetation component is located at street level, on top of the podium levels or on terraces, balconies and decks. Local native coastal species and/or vegetation with climbing/trailing characteristics are used. AS16.2 Footpath paving treatments and street furniture integrate with adjoining development and setback areas are integrated with public footpaths.</p>
<p><b>All Precincts:</b> PC17 All development must provide landscaping in accordance with the provisions for each precinct and any relevant urban design guidelines, in order to achieve:</p> <ul style="list-style-type: none"> <li>a) tree planting, both on private and public land, in the central area;</li> <li>b) development and implementation of detailed landscape and streetscape plans and programs to improve the environment;</li> <li>c) maximum use of endemic plant species in any landscaping work;</li> <li>d) a high standard of urban design within the LAP area;</li> <li>e) visual links between the LAP area and the beach</li> </ul>	<p><b>All Precincts:</b> AS17 Visual and design links between the central precinct, the LAP area and the beach are provided.</p>
<p><b>Precinct 1:</b> PC18 New developments must have a high standard of landscape work.</p>	<p><b>Precinct 1:</b> AS18.1 Where development fronts the Gold Coast City Highway or Palm Beach Avenue, the street frontage is landscaped or paved. The footpath is widened to an average width of two metres, with a minimum width of one metre. AS18.2 Development with a frontage to any street provides landscape work for at least 20% of the site at ground level. The landscape work includes an area adjoining the street frontage that is landscaped or paved. The footpath is widened to an average of three metres, with a minimum width of one metre. AS18.3 The landscaped area includes appropriate street furniture that is functional and attractive</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p><b>Precinct 2:</b> PC19 New development must have a high standard of landscape work.</p>	<p><b>Precinct 2:</b> AS19 At least 30% of the site is landscaped at ground level. The landscaping includes an area adjoining the street frontage which is landscaped or paved for footpath widening, to a minimum width of three metres.</p>
<p><b>Precinct 3</b> PC20 Landscaped buffers must be required, around commercial developments, to minimise adverse visual impacts associated with this type of development. New development is to have a high standard of urban design and landscape work, at ground level.</p>	<p><b>Precinct 3</b> AS20.1 In any development, at least 30% of the site is landscaped at ground level. AS20.2 Where development fronts Palm Beach Avenue or Cypress Terrace, the site where it adjoins the street frontage is landscaped to a minimum width of three metres. AS20.3 Where development fronts Fifth Avenue, Philippine Parade or Sixth Avenue, the site where it adjoins the street frontage is landscaped to a minimum width of six metres. AS20.4 A landscaped buffer strip, not less than two metres in width, is provided adjoining all side and rear boundaries.</p>
<p><b>Precinct 4:</b> PC21 New development must have a high standard of landscape work provided.</p>	<p><b>Precinct 4:</b> AS21.1 Where development fronts the Gold Coast City Highway, the site where it adjoins the street frontage is landscaped or paved. The footpath is widened to an average width of six metres, with a minimum width of four metres. AS21.2 Where development fronts Jefferson Lane, the site where it adjoins the street frontage is landscaped or paved. The footpath is widened to an average width of six metres. The width of landscaping applies from the new frontage, following dedication of road widening along Jefferson Lane. AS21.3 Where development fronts Palm Beach Avenue, the site where it adjoins the street frontage is landscaped or paved. The width of the footpath widening is an average of two metres, with a minimum width of one metre. AS21.4 Where development fronts Seventh Avenue or Fourth Avenue, the site where it adjoins the street frontage is landscaped or paved. The width of the footpath widening is a minimum of three metres. AS21.5 Development has landscaping work for at least 20% of the site at ground level.</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>PC22 All ground level car parking, open space and buffer areas must be landscaped and maintained to complement the character of the sub-regional activity centre and any adjoining residential or public open space areas.</p>	<p>AS22 The car park area, open space and buffer areas of the lot are landscaped with landscape design and use of plant species generally consistent with that of adjacent and nearby lots. The landscape design may incorporate extensive paved areas for pedestrian use.</p>
<b>LOT SIZE (FOR SUBDIVISION ONLY)</b>	
<p>PC23 All allotments must be of sufficient area and dimensions to accommodate buildings designed to the criteria in this LAP.</p>	<p>AS23.1 The minimum allotment size is 800m<sup>2</sup>.</p> <p>AS23.2 The minimum frontage of land proposed to be used for non-residential or commercial purposes is 15 metres.</p>
<b>AMENITY PROTECTION</b>	
<p>PC24 The proposed use must not detract from the amenity of the local area, having regard, but not limited, to the impact of:</p> <ul style="list-style-type: none"> <li>a) noise;</li> <li>b) hours of operation;</li> <li>c) traffic;</li> <li>d) lighting;</li> <li>e) signage;</li> <li>f) visual amenity;</li> <li>g) privacy;</li> <li>h) odour and emissions.</li> </ul>	<p>AS24 No acceptable solution provided.</p>
<p>PC25 The proposed development must take into account and seek to ameliorate any negative aspects of the existing amenity of the local area, having regard, but not limited, to the existing impact of:</p> <ul style="list-style-type: none"> <li>a) noise;</li> <li>b) hours of operation;</li> <li>c) traffic;</li> <li>d) lighting;</li> <li>e) signage;</li> <li>f) visual amenity;</li> <li>g) privacy;</li> <li>h) odour and emissions.</li> </ul>	<p>AS25 No acceptable solution provided.</p>
<b>PLOT RATIO</b>	
<p>PC26 The bulk of the development proposal must be proportional to the character of the local area, with some bonus in floor space available, where identified public benefits are provided.</p>	<p>AS26.1.1 The Basic Plot Ratios described for each precinct in the Table to Performance Criterion PC26 is not exceeded.</p> <p>OR</p> <p>AS26.1.2 The Basic Plot Ratio is exceeded by the incorporation of bonus elements in a development consistent with the provisions of Planning Scheme Policy 18 Using the Urban Design Bonus Provisions, provided that the Maximum Plot Ratio, described for each precinct in the Table to Performance Criterion PC26, is not exceeded.</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<b>TABLE TO PERFORMANCE CRITERION PC26 PLOT RATIO CONTROLS BY PRECINCT:</b>	
<b>Precinct 1:</b> a) The basic plot ratio is 4:1 b) No maximum applies	<b>Precinct 3:</b> a) The basic plot ratio is 4:1 b) No maximum applies
<b>Precinct 2:</b> a) The basic plot ratio is 4:1 b) No maximum applies	<b>Precinct 4:</b> a) The basic plot ratio for a non-residential development is 3:1 b) The maximum plot ratio for non-residential development is 4:1 c) The basic plot ratio for residential development will not exceed the plot ratio that can be achieved for such development, consistent with Specific Development Code 19 - High Rise Residential and Tourism Accommodation. d) In a development that combines residential and non-residential components, the maximum plot ratio for the non-residential component does not exceed the plot ratio stipulated in (a) or (b), and the residential component does not exceed the plot ratio specified in (c) e) The maximum plot ratio for all development within Precinct 4 is 4:1.

**ACCESS PROVISIONS**

<b>PC27</b> The LAP area must have a high standard of accessibility for vehicles, pedestrians and cyclists.	<b>AS27.1</b> New development contributes to: <ul style="list-style-type: none"> <li>a) developing off-street car parking facilities;</li> <li>b) encouraging the development of a pedestrian walkway system based on a network of shopping arcades, open space links and widened footpaths throughout the central area;</li> <li>c) improving vehicular traffic flows and reducing conflicts between local and through traffic;</li> <li>d) reducing pedestrian/vehicular conflict by provision of a system of rear vehicular access laneways;</li> <li>e) facilitating the creation of pedestrian plazas near the intersections of Sixth Avenue and the highway and Fifth Avenue and the highway.</li> </ul> <b>AS27.2</b> Pedestrian facilities are provided in exchange for plot ratio bonuses. <b>AS27.3</b> Land is set aside for Jefferson Lane to be widened, in conjunction with any development that has frontage to the lane.
----------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<b>CAR PARKING PROVISION</b>	
<p><b>PC28</b> Car parking and access requirements must ensure that the vehicular and pedestrian needs associated with development are adequately accommodated.</p>	<p><b>AS28.1</b> Car parking is provided at the following rates:</p> <p>a) one space per 30m<sup>2</sup> of GFA, or part thereof, for the following uses:</p> <ul style="list-style-type: none"> <li>• Café</li> <li>• Commercial services</li> <li>• Fast Food Premises</li> <li>• Laundromat</li> <li>• Medical Centre</li> <li>• Nightclub</li> <li>• Office</li> <li>• Reception Room</li> <li>• Restaurant</li> <li>• Service Industry (where the gross floor area does not exceed 200m<sup>2</sup>)</li> <li>• Shop</li> <li>• Shopping Centre Development</li> <li>• Showroom</li> <li>• Take-Away Food Premises</li> <li>• Tourist Shop; and</li> </ul> <p>b) all other development has car parking provided in accordance with AS16.1 of <b>Constraint Code 4 - Car Parking, Access and Transport Integration.</b></p> <p><b>AS28.2</b> For non-residential development, at least 80% of the required car parking is provided on site, unless it can be demonstrated that it cannot be reasonably provided. Residential development will provide the required amount of car parking on the site of the development.</p> <p><b>AS28.3</b> Where this LAP does not permit vehicular access to a site, cash-in-lieu of car parking is an acceptable alternative.</p>
<p><b>Precincts 1 and 2:</b> <b>PC29</b> Vehicular traffic flows must be improved. Conflicts between local and through traffic must be reduced. A system of rear vehicular access laneways will be required to service part of the precinct to reduce pedestrian/vehicular conflict.</p>	<p><b>Precincts 1 and 2:</b> <b>AS29.1</b> Land is set aside for the provision of a rear access way for the development. The area set aside is on the same level and links with other areas set aside for the same purpose.</p> <p><b>AS29.2</b> No additional vehicle access is provided from:</p> <ol style="list-style-type: none"> <li>a) the Gold Coast City Highway;</li> <li>b) Palm Beach Avenue;</li> <li>c) Sixth Avenue, for sites located on the corner of Sixth Avenue and the Gold Coast City Highway;</li> <li>d) Fifth Avenue, for sites located on the corner of Fifth Avenue and the Gold Coast City Highway.</li> </ol>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p><b>Precinct 3:</b> PC30 The existing public car parking facility at the eastern end of this precinct, both north and south of Palm Beach Avenue, must be maintained.</p>	<p><b>Precinct 3:</b> AS30.1 Off-street car parking required is provided on-site. AS30.2 No vehicle access is provided from Sixth Avenue to any site used for any non-residential purposes.</p>
<p><b>Precinct 4:</b> PC31 Vehicular access to the Gold Coast City Highway must be limited. Jefferson Lane will be widened to provide suitable rear access to properties fronting the Gold Coast City Highway.</p>	<p><b>Precinct 4:</b> AS31.1 The full off street car parking requirement for development is provided on site. AS31.2 No additional vehicular access is available from the Gold Coast City Highway. This provision applies where a site has frontage to the Gold Coast City Highway only. Vehicle access is provided to another street for all new development. AS31.3 Development sites dedicate land to the Crown for road widening purposes. An area 1.5 metres wide, for the full frontage of the site adjoining Jefferson Lane, is to be dedicated. AS31.4 Where a site has frontage to both Jefferson Lane and the Gold Coast City Highway and car parking has been provided with access from Jefferson Lane, a convenient pedestrian access link is provided. The link will connect the car parking area, through the building, to the Gold Coast City Highway frontage of the site.</p>
<b>PUBLIC CONVENIENCE FACILITIES WITHIN BUILDINGS</b>	
<p>PC32 Commercial developments must include public convenience facilities, where there is a need for their provision.</p>	<p>AS32 Where provided, public toilet facilities are open and readily accessible to the general public during retail trading hours or other trading hours relevant to the development.</p>
<b>BUILDING SERVICES</b>	
<p>PC33 Adequate facilities for the loading and unloading of goods must be provided to meet the needs of the development.</p>	<p>AS33.1 A loading area is provided on-site that is separated from the public access areas and readily accessible from all commercial tenancies on the site.</p>
<p>PC34 Adequate facilities for servicing the development with a refuse disposal service must be provided to meet the needs of the development.</p>	<p>AS34.1 Provision is made for the storage of refuse on site and suitable access for the removal of refuse. AS34.2 All outdoor storage or refuse disposal areas are screened from public view.</p>

#### 8.4 Bonus Provisions for Special Design Features and Public Benefit Facilities

To provide an incentive for new development to include particular design features and or facilities intended to provide a public benefit.