

# **PART 6 LOCAL AREA PLANS**

## **DIVISION 2 LOCAL AREA PLANS**

### **CHAPTER 26 THE SPIT (GOLD COAST HARBOUR)**

## **PART 6, DIVISION 2 CHAPTER 26**

## **LOCAL AREA PLANS THE SPIT (GOLD COAST HARBOUR)**

### **1.0 INTENT**

The purpose of this Local Area Plan (LAP) is to provide for the maintenance of the open space character and environmental significance of The Spit (Gold Coast Harbour) and to facilitate and control recreational usage of park reserves. It is intended to consolidate and enhance marine-oriented development, including ancillary tourist and entertainment facilities, and to preserve the predominantly natural aspect of The Spit (Gold Coast Harbour).

### **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 **The Spit LAP Map 26.1 - 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 The Spit (Gold Coast Harbour) 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**.
- 2.5 The Spit (Gold Coast Harbour) is included within the study area for the **Gold Coast City Harbour Study**, a joint investigation currently underway between Council and the state government of future land use and development options for the southern Broadwater and its shores. This investigation may result in significant changes to the planning controls affecting The Spit (Gold Coast Harbour).

### **3.0 DESIRED ENVIRONMENTAL OUTCOMES**

- 3.1 The protection and enhancement of The Spit (Gold Coast Harbour) as an area of outstanding natural beauty and significance to the City (refer to **DEO Ecol.1**).
- 3.2 The conservation and maintenance of the environmental quality of the Broadwater and the coastal beaches (refer to **DEO Ecol.2**).
- 3.3 The ecologically sustainable promotion of the economic viability and operational functions of the marine-oriented land uses and industries of The Spit (Gold Coast Harbour) to ensure their long-term sustainability and the conservation of the marine environment (refer to **DEO Ecol.4**).
- 3.4 The maintenance and promotion of a very high standard of resort accommodation, tourist attractions and entertainment facilities in the existing high profile tourist activity clusters on The Spit (Gold Coast Harbour) (refer to **DEO Econ.4**).

### **4.0 LOCAL AREA FEATURES**

The Spit (Gold Coast Harbour) is an important component feature of the coastal landform that constitutes the Gold Coast City Broadwater. The Spit (Gold Coast Harbour) is also the location of some of the most important tourism facility concentrations in the City. It is a significant area of open space that is very close to the major population areas of the Gold Coast, such as Surfers Paradise, and can provide relief to residents and visitors from the nearby urban landscape. The Spit (Gold Coast

Harbour) is important in terms of both its natural and urban environmental features. In one regard, it is a natural sand mass with a fragile dune ecology which deserves protection and careful management. In another context, it is an important location for waterfront uses, tourist facilities and outdoor recreation.

Approximately 25% (45 hectares) of the total area of The Spit (Gold Coast Harbour) has been developed for tourist related and waterfront activities. The remaining area consists of undeveloped open space. The Park and Open Space land uses occupy the areas east of Sea World Drive, excluding the Mirage Hotel complex and the areas north and immediately south of Sea World. The use of these areas is for predominantly passive and informal activities, associated with both the ocean and Broadwater beaches. These open space areas are maintained in varying states, from formal landscaped parks to increasingly natural habitat areas with few man-made features. The formal park landscaped areas are on either side of the Sheraton Mirage hotel complex, with the natural areas towards the north and eastern sides of The Spit (Gold Coast Harbour). These natural areas, while not of pristine quality, retain major environmental significance. They also contribute to an extensive open space area suitable for use not only by residents of the City, but tourists also.

The tourist and entertainment uses, including tourist hotel accommodation, are located in two distinct parts. The first is the Sea World complex and adjoining lands. The other is the cluster comprising the Sheraton Mirage complex, Mariners Cove and the Versace Hotel site. These developments include a range of tourist activities of a waterfront or marine nature. The Sea World theme park provides a substantial tourist entertainment complex of state significance. The locational characteristics of The Spit (Gold Coast Harbour) are significant to the activities provided in the Sea World complex, with access to seawater an integral part of that use. The Sea World complex includes a luxury hotel. The activity cluster, based on the Sheraton Mirage complex, provides a diverse range of tourist recreation, retail, restaurant, hotel and marine uses. The boutique and designer retail outlets, existing and proposed luxury hotels and restaurant and nightclub activities contribute to making this cluster one of the most important destinations for domestic and international tourists in Gold Coast City.

The areas north and south of the central tourist area include the Southport Yacht Club, the Department of Transport building and the Carters Basin wharf area. These developments are predominantly marine oriented and include activities associated with the operation of the fishing fleet, the repair and maintenance of boats and associated waterfront activities, and boat berthing. The existing marinas on the western side of The Spit (Gold Coast Harbour) form the principal permanent mooring area in the Broadwater. Carters Basin is the home of the Gold Coast City Fishing Fleet, an authentic industrial activity that takes advantage of The Spit's locational attributes.

The Spit (Gold Coast Harbour) and Broadwater are interdependent landforms, in that they have both resulted from the action of various physical processes, such as sand deposition, longshore drift, storms, tides and wave action. The Spit (Gold Coast Harbour) is a recent formation which continues to be affected by fluctuations in its boundaries. A spit is an inherently dynamic land form. The Spit (Gold Coast Harbour) has undergone dramatic change because of the training of the Nerang River entrance. This has stabilised The Spit (Gold Coast Harbour) to an extent. However, it may be vulnerable to freak combinations of meteorological conditions. The landform of The Spit (Gold Coast Harbour) is dominated by a continuous foredune along the eastern side, rising to an elevation of over five metres. This dune is backed by a haphazard system of dunes and swales (depressions) which cover the remainder of the undeveloped land. The striking form of The Spit (Gold Coast Harbour) is closely related to that of South Stradbroke Island, to which it would be joined from time to time if the Gold Coast City Seaway had not been constructed.

Because of the recent origin of much of The Spit (Gold Coast Harbour), the terrestrial ecosystems are, in the main, in the early stages of colonisation and development. The diversity and complexity of comparable coastal ecosystems, such as those on South Stradbroke Island, are largely absent in The Spit (Gold Coast Harbour). Approximately 61% or 82 hectares of The Spit (Gold Coast Harbour) is covered by vegetation of some form. The remaining area is mainly bare sand. Most of this (38 hectares) is the ocean beach and wind swept area at the extreme northern end of The Spit (Gold Coast Harbour). The remaining 15 hectares is denuded, due to the deposition of dredging material or active wind erosion causing accretion behind the stabilised foredune.

Along the eastern coast of The Spit (Gold Coast Harbour), the linear foredune is presently well stabilised with Beach Spinifex (*Spinifex hirsutus*). This dense grass cover has stabilised the exposed frontal dune, although it also appears to have excluded several further sand binding species which are present at the base of the dune and elsewhere on The Spit (Gold Coast Harbour). The density of grass cover along the foredune may also be a factor in the absence of shrubs and trees, such as Coastal She-Oak, from the eastern shoreline. Immediately behind the foredune, the spread of Beach Spinifex and other stabilising species is less uniform. In total, almost 18 hectares (13% of The Spit (Gold Coast Harbour)) is vegetated with a dense cover of spinifex and other species. However, several areas are bare, apparently due to wind scouring or the presence of dredged material. Coarser sand and shell grit, dredged from developed areas of The Spit (Gold Coast Harbour) to provide lagoons, have been used to fill and stabilise various low points in the easterly fore dune. These patches of coarse material have generally proven to be resistant to colonisation by plants, and several remain bare. However, they are also more resistant to erosion by wind and appear to be quite stable at present.

Approximately 11 hectares of The Spit (Gold Coast Harbour), immediately behind the fore dune to the east of Sea World, have been stabilised by a planting program undertaken by the (former) Beach Protection Authority. This planting is now more than 25 years old and consists of the following species:

Beach Spinifex:	( <i>Spinifex hirsutus</i> )
Lupin:	( <i>Lupinus cosentii</i> )
Coastal She-Oak:	( <i>Casuarina equisetifolia</i> )
Coastal Honeysuckle:	( <i>Banksia integrifolia</i> )
Coastal Wattle:	( <i>Acacia sophorae</i> )
Golden Wreath Wattle:	( <i>A. Cyanophylla</i> )
Coastal Ti-Tree:	( <i>Leptospermum laevigatum</i> )

Trees and shrubs have also been planted by the Council in other areas on The Spit (Gold Coast Harbour), and there are several patches of apparently natural revegetation. In total, some 25 hectares (18% of The Spit (Gold Coast Harbour)) supports stands of trees of between three and five metres in height. Most of these in the northern half of The Spit (Gold Coast Harbour) are in discrete dense copses of Coastal She-Oak and Swamp Oak (*Casuarina glauca*). These trees are generally located towards the western side of The Spit (Gold Coast Harbour) and in protected swales. Downwind regeneration is taking place behind most of these copses. Other tree species, such as Coast Honeysuckle and Port Jackson Pine (*Callitris rhomboidea*), are present as scattered small individual specimens.

In the lower swales (depressions), which appear to be within two metres of sea level, moisture retention and drainage impedance have given rise to sedges and grasses that are characteristic of seasonal swamps. These are limited in extent, and cover less than five hectares in total (4% of The Spit (Gold Coast Harbour)).

Apart from the area planted by the authorities, shrubs are not common on The Spit (Gold Coast Harbour). The low, dense Coastal Wattle is present in isolated clumps, and the introduced Groundsel weed occurs as the understorey species in several patches of Swamp Oak.

Generally, the existing vegetation of The Spit (Gold Coast Harbour) is in neither a natural nor a stable situation. Manipulation of landform and vegetation, to achieve rapid stabilisation have created a largely artificial ecosystem in the southern sections of The Spit (Gold Coast Harbour), but this is expected to mature with time into a more natural system. Rapid stabilisation of the area north of Sea World is being achieved using the same techniques which effectively shortcut the slow processes of natural colonisation.

The Spit (Gold Coast Harbour) is of low value for faunal habitat in its present form. There is little development of plant associations which provide appropriate cover or food, due to the high proportion of bare sand. Migration of terrestrial fauna into The Spit (Gold Coast Harbour) from surrounding areas is limited, due to the absence of adjacent natural vegetation. As the vegetation of The Spit (Gold Coast Harbour) matures, the first invaders are likely to have been small animals which have tolerated human activity in the adjacent developed area. The bare sands of The Spit (Gold Coast Harbour) are likely to provide a convenient nesting area for sea birds. Other bird groups, based around the

wetlands area of the Broadwater, have been extensively affected by canal and other urban development in the region. Therefore, these are not as numerous as might be expected under natural conditions. However, the size and relatively undeveloped nature of The Spit (Gold Coast Harbour), with the degree of vegetation regrowth that is evident, means there is some value as bird habitat, particularly when compared to the adjacent urban areas.

Due to its locational and topographical characteristics and the complementary nature of its built form, The Spit (Gold Coast Harbour) is visually significant. The open space areas provide a range of visual linkages that are the basis for the environmental significance of the area, combined with its distinct geological formation. The open space areas in the southern section have been subject to a degree of landscaping which has enhanced the natural attractiveness of the existing vegetation. The central section, adjacent to Sea World, has been subject to extensive revegetation to enhance its dunal characteristics and further selective landscaping will provide areas for passive recreational use without impacting upon the inherent visual quality of the area. The northern section of The Spit (Gold Coast Harbour) is either primarily low dunal vegetation or subject to significant impact due to the work associated with the construction of the Seaway. In both cases, extensive plantings of natural tree species would result in an improvement to the visual appeal of the area.

The landscape quality of The Spit (Gold Coast Harbour) is very high, particularly in terms of its role in framing distant views from the western shore of the Broadwater. It's essentially natural appearance and character is complemented by the low rise and low density buildings and structures associated with commercial and marine based activities.

The majority of buildings on The Spit (Gold Coast Harbour) are generally of recent construction and are in good condition. They are low rise, not exceeding three storeys and are of good to high architectural design. They are generally well integrated with a landscaping theme that complements the vegetated character of The Spit (Gold Coast Harbour). In some cases, vegetation presents an image of a luxury resort landscape associated with the Broadwater or the Pacific Ocean.

Due to the visual prominence of development on The Spit (Gold Coast Harbour), particularly from the western shore of the Broadwater and Sea World Drive, it is important to encourage a high standard of urban design and to require the inclusion of satisfactory landscaping so as to ensure a visual integration of development with the natural character of The Spit (Gold Coast Harbour).

The existing marinas have had a significant visual impact on the Broadwater, and the construction of additional marinas is likely to continue in the area south of Sea World. Some reclamation of the Broadwater which has occurred on the western side of The Spit (Gold Coast Harbour) has generally been associated with the rationalisation of existing shoreline boundaries. Some of these reclamations have had the undesirable effect of extending development in to the Broadwater. Any further reclamation has the potential to reduce the visual openness of the Broadwater.

## **5.0 LAND USE PRECINCTS**

The identified local area features and the DEOs, outlined above, relate to The Spit (Gold Coast Harbour) LAP in its entirety. In order to achieve optimal planning outcomes for the whole of the local area, The Spit (Gold Coast Harbour) has been divided into six precincts. These precincts are differentiated by the nature of their existing development or environmental significance, where similar planning controls may be exercised. The establishment of these precincts enables the refinement of planning controls within the local area, permitting detailed development and environmental controls to be applied to the component parts of The Spit (Gold Coast Harbour).

- Precinct 1: Phillip Park and Environs
- Precinct 2: The Seaway Park
- Precinct 3: Beach Front Park
- Precinct 4: Sea World Drive Central
- Precinct 5: Sea World
- Precinct 6: Southport Boat Harbour

The precincts and their areas are depicted on **The Spit LAP Map 26.2 - LAP Precincts**.

## **5.1 Precinct 1: Intent for Phillip Park and Environs**

The primary intent of the Phillip Park Precinct is to provide protection of land in public ownership for the purposes of nature conservation, outdoor recreation, landscape preservation, environmental buffers and natural hazard management, while facilitating passive recreational usage.

This precinct comprises all the land vested Council control for park purposes on the eastern side of Sea World Drive, north of **Precinct 3** (Beachfront Park), and the majority of the land north of Sea World (1CP846066). It comprises the majority of Park and Recreational Reserve R1101 including the Federation Walk Coastal Reserve.

This area is to be preserved and enhanced as public open space in view of its environmental significance, while at the same time adequate measures should be taken to cater for the increasing demand for informal recreational usage. Within the precinct, action will be taken to strengthen, stabilise and maintain the dune system, in accordance with the Environmental Protection Authority's guidelines.

A comprehensive pedestrian walkway system will be provided within the Phillip Park Precinct, to connect with existing and proposed walkways to the north and south. The pedestrian walkway system is intended as an integrated pathway, linking with vehicular access and ancillary facilities. The Phillip Park pathway will connect Beach Front Park with the Seaway, as part of the foreshore pathway facilities. In addition, linkages should be provided, where designated, from Sea World Drive through to the beach. The pedestrian walkway system will be developed in accordance with Council's adopted master plan for Phillip Park.

## **5.2 Precinct 2: Intent for The Seaway Park**

The primary intent of the Seaway Park Precinct is to provide for the protection of land in public ownership, for the purposes of landscape preservation and natural hazard management, in association with the Seaway, while facilitating and controlling opportunities for passive outdoor and active water-based recreation usage.

This precinct comprises the land at the northern end of The Spit (Gold Coast Harbour) adjacent to the Seaway, and all land to the north and west of **Precinct 1**. This area is crown land that is either under the trusteeship or vested in the Harbours Corporation of Queensland, under the trusteeship of the Department of Transport, or under the trusteeship of Council.

The Broadwater shores are to remain available for public passive recreation. Car parking and ancillary facilities will be provided, where appropriate, for passive recreational use in the precinct.

A comprehensive pedestrian walkway system will be provided within the Seaway Park Precinct to connect with existing and proposed walkways within the Phillip Park Precinct to the south. The pedestrian walkway system is intended as an integrated pathway, connecting with car parking and limited public facilities, where provided. In addition, linkages will also be provided, where designated, from Sea World Drive through to the ocean beach. The pedestrian walkway system will be developed in accordance with Council's adopted Master Plan for this area.

This area should be preserved and enhanced as public open space, in view of its environmental significance and its role in the maintenance of the Seaway. Within the precinct, action will be taken to maintain and enhance the sand bypass and public safety, in association with the Seaway.

## **5.3 Precinct 3: Intent for Beach Front Park**

The primary intent for the Beach Front Park Precinct is to ensure the use of the area for public park and other open space purposes, including environmental rehabilitation and passive recreation. No major buildings are intended in this precinct, with any development for passive recreation involving only limited buildings and structures, except as described below.

The environmental impacts of any development are to be identified and properly managed, to ensure

that they remain within acceptable limits.

This precinct comprises land south, east and north of the Sheraton Mirage Hotel that is located on the eastern side of Sea World Drive. It extends from John Kemp Street in the south to the public car park located to the east of Sea World Drive, opposite the Sea World car park. It includes Recreation Reserve R305, and part of Park and Recreation Reserve R1101.

The precinct includes the formally developed park area south of the Mirage Hotel. This area includes a number of recreational and beach related facilities. Due to the increasing demand on the use of this precinct and adjoining beach, its significance as an open space area for the growing residential population of Main Beach and its visual appeal at the entrance to The Spit (Gold Coast Harbour), further development of formal recreational uses and buildings is intended to be limited.

A comprehensive pedestrian walkway system will be provided within the Beach Front Park Precinct, to connect with existing and proposed walkways within the Phillip Park Precinct to the north. The pedestrian walkway system is intended as an integrated pathway linking car parking and limited public facilities, where provided. The pedestrian walkway system will be developed in accordance with Council's adopted Master Plan for this park.

#### **5.4 Precinct 4: Intent for Sea World Drive Central**

The primary intent for the Sea World Drive Central Precinct is for a centrally located group of tourist complexes. It includes the only area on the eastern side of Sea World Drive that will be considered for commercial development. It also includes crown land immediately to the north of the existing tourist complexes, on the western side of Sea World Drive, and land to the immediate south of Sea World.

The intent for the precinct is to allow the development of major tourist and entertainment facilities, preferably with a waterfront theme and in conjunction with marine-oriented uses. Marine uses are encouraged to form part of any development and to enhance and protect the locational advantages of The Spit (Gold Coast Harbour) as an area suitable for the consolidation of waterfront uses. The tourist and entertainment facilities located in this precinct will not be permitted to adversely affect or expand into the surrounding areas. Council will strongly oppose any further reclamation or filling activities in the Broadwater adjacent to this precinct.

The vacant crown land in the north of the precinct has been proposed as a suitable location for an Aboriginal Cultural Centre. Such a development would be consistent with the objectives of the precinct and The Spit (Gold Coast Harbour) LAP, and would have excellent potential to complement and connect to the existing activities within the precinct.

The crown land in the mid north of the precinct is currently occupied by an extensive boat slipway and maintenance facility, located adjacent to Carters Basin and the fish processing and associated activities related to the operations of the local commercial fishing fleet. Appropriately identified land is available within **Precinct 6** to facilitate the relocation of these activities, should this be required. Additional tourist and entertainment facility development within this precinct will be conditional upon the relocation and redevelopment of desirable waterfront activities to **Precinct 6**, to the satisfaction of the Department of Lands and the Council.

The plot ratio and heights of buildings and structures within the precinct are limited, to ensure that buildings and structures do not have an adverse visual impact. Residential densities have been restricted to reflect the low key character of The Spit (Gold Coast Harbour). All new development must be of a high standard of design, and include visually prominent ground level landscaping.

On-site car parking is required for all development, due to the high demand for parking in this area during peak tourist periods. Provision will be made for boat launching and berthing, and wharf facilities may be provided for temporary usage by visitors to the precinct. To promote pedestrian convenience and safety, a boardwalk will be progressively developed along the Broadwater foreshore.

The planning provisions for this precinct are intended to ensure that the area has a coherent and attractive built form, and that development is carried out in an environmentally and visually sensitive manner.

## 5.5 Precinct 5: Intent for Sea World

The primary intent of the Sea World Precinct is to protect and maintain Sea World as a major tourist and entertainment facility in the Gold Coast City region.

This precinct comprises the Sea World development. It is important to ensure the continuance of this use as a major tourist and entertainment facility. Any further development in the precinct should not adversely impact upon the visual significance of the area.

The existing resort hotel forms an integral component of the overall Sea World development.

The plot ratio and height of buildings and structures within the precinct is limited to ensure buildings and structures do not have an adverse visual effect on the amenity of The Spit (Gold Coast Harbour). Residential accommodation densities have been limited to a low density to reflect the low key character of the northern part of The Spit (Gold Coast Harbour). All new development should be of a high standard of design, and provide suitable areas of visually prominent ground level landscaping.

On-site car parking shall be provided for all development, due to the high demand for parking at Sea World during peak tourist periods.

## 5.6 Precinct 6: Intent for Southport Boat Harbour

The primary intent for the Southport Boat Harbour Precinct is to consolidate and enhance marine-oriented activities and waterfront industries, and to only permit ancillary development where carried out in conjunction with marine uses. It is also intended to maximise accessibility to the Broadwater for boat launching/retrieval and berthing facilities, and to protect the commercial fishing industry based on The Spit (Gold Coast Harbour) by providing an area for its relocation from Precinct 4. Public convenience, safety, amenity and pedestrian access to the Broadwater will also be promoted.

This precinct comprises all of the land on the western side of Sea World Drive, south of the Mariners Cove Tourist Complex. This precinct forms the major area of industrial development on The Spit (Gold Coast Harbour), and is located south of Precinct 4, on the western side of Sea World Drive. The area includes a number of developed and undeveloped sites, with the predominant uses being of a marine or waterfront nature. Due to the significance of the area for water-based activities and its locational advantages, it is important that the marine-oriented uses are consolidated and enhanced. The inclusion of tourist and entertainment uses will only be permitted where they are carried out in conjunction with, and are ancillary to and compatible with, these marine uses. Any development should recognise the visual significance of the area, and should ensure minimal impact on the Broadwater. Commercially operated outdoor recreation activities of a low key nature which cannot exist outside a marine environment may be acceptable in this precinct.

An important principle in development of the Southport Boat Harbour Precinct is the preference for land uses which are marine oriented and hence require the locational attributes of this precinct. Uses which could conveniently establish in other parts of the City will be discouraged from taking up the small area of Marine Industry land available on The Spit (Gold Coast Harbour).

## 6.0 THE SPIT (GOLD COAST HARBOUR) 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.*

<b>A: MATERIAL CHANGE OF USE</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
<b>Precinct 1 - Phillip Park and Environs</b>			
Conservation (natural area management) Low-Impact Telecommunications Facility Park	Public Convenience (in compliance with an adopted management plan) Temporary Use	Telecommunications Facilities n.e.i. Waterfront Industry	
<b>Precinct 2 - The Seaway Park</b>			
Conservation (natural area management) Low-Impact Telecommunications Facility Park	Caretaker's Residence Public Convenience (in compliance with an adopted management plan) Temporary Use	Telecommunications Facilities n.e.i.	Cafe Convenience Shop Emergency Service Rescue Base Helicopter Landing Facility Minor Tourist Facility Take-Away Food shop
<b>Precinct 3 - Beach Front Park</b>			
Conservation (natural area management) Low-Impact Telecommunications Facility Park	Caretaker's Residence Public Convenience (in compliance with an adopted management plan) Temporary Use	Telecommunications Facilities n.e.i.	Cafe Recreation Facility Take-Away Food shop
<b>Precinct 4 - Sea World Drive Central</b>			
Conservation (natural area management) Low-Impact Telecommunications Facility Park	Public Convenience (in compliance with an adopted management plan) Home Office Home Occupation Temporary Use	Boat Hire Boat Sales Caretaker's Residence Estate Sales Office Marine Industry Telecommunications Facilities n.e.i.	Attached Dwelling and Medium Density Detached Dwellings Apartment Cafe Convenience Shop Fast Food Premises Helipad Hostel Accommodation Medical Centre Tourist Facility Minor Tourist Facility Nightclub Office Reception Room Resort Hotel Restaurant Service Industry Shop Take-Away Food Premises Tavern Tourist Shop Vehicle Hire Premises
<b>Precinct 5 - Sea World</b>			
Conservation (natural area management) Low-Impact Telecommunications Facility Park	Caretaker's Residence Temporary Use	Marine Industry Telecommunications Facilities n.e.i.	Cafe Convenience Shop Community Purposes Fast Food Premises Helipad Facility Hostel Accommodation Tourist Facility Minor Tourist Facility Nightclub Office Reception Room

<b>A: MATERIAL CHANGE OF USE</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
			<b>Recreation Facility</b> <b>Resort Hotel</b> <b>Restaurant</b> <b>Service Industry</b> <b>Shop</b> <b>Take-Away Food shop</b> <b>Tavern</b> <b>Tourist Shop</b>
<b>Precinct 6 - Southport Boat Harbour</b>			
<b>Conservation (natural area management)</b> <b>Low-Impact Telecommunications Facility</b> <b>Park</b>	<b>Boat Hire Premises</b> <b>Waterfront Industry n.e.i.</b> <b>Temporary Use</b>	<b>Cafe</b> where located above ground floor level <b>Convenience Shop</b> <b>Caretaker's Residence</b> <b>Restaurant</b> where located above ground floor level <b>Service Station</b> including the sale of fuel directly to marine craft <b>Tourist Shop</b> where located above ground floor level <b>Telecommunications Facilities n.e.i.</b>	<b>Cafe</b> where located at ground floor level <b>Fuel Depot</b> <b>Marina</b> <b>Market</b> where directly associated with Fresh Seafood <b>Office</b> <b>Restaurant</b> where located at ground floor level <b>Service Industry</b> where directly related to waterfront industry activity <b>Tavern</b> <b>Tourist Facility</b> <b>Tourist Shop</b> at ground floor level <b>Transport Terminal</b> where including water based transport <b>Waterfront Industry</b> where directly associated with Fish and Seafood Processing and Storage

<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 the maximum number of storeys indicated for the site identified on <b>The Spit (Gold Coast Harbour) LAP Map 26.3 - Maximum Building Height</b>
			exceeds a residential density of one dwelling per lot.
	is on a site located in a Medium or High Potential Bushfire Hazard Area as identified on <b>Overlay Map OM10 - Potential Bushfire Hazard Areas</b> , and complies with the Acceptable Solutions of	is on a site located in a Medium or High Potential Bushfire Hazard Area as identified on <b>Overlay Map OM10 - Potential Bushfire Hazard Areas</b> , and alternative solutions to the Acceptable	

<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>Constraint Code 2 - Bushfire Management Areas</b>	Solutions of Constraint Code 2 - Bushfire Management Areas are proposed	
	is on a site identified on <b>Overlay Map OM13 - Building Setback Line from Canals and Waterways</b> as being affected by a waterway building setback, and is in compliance with the Acceptable Solutions of <b>Constraint Code 3 - Canals and Waterways</b>	is on a site identified on <b>Overlay Map OM13 - Building Setback Line from Canals and Waterways</b> as being affected by a waterway building setback, and alternative solutions to the Acceptable Solutions of <b>Constraint Code 3 - Canals and Waterways</b> are proposed	
		is on or adjacent to 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</b> list	
		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 Transport Integration</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 Transport Integration</b> are proposed	

<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>			
			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 23 - 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>			
		exceeds a volume of 100 cubic metres of fill or excavation, or is closer than 20 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> ; 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 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: 5m <sup>2</sup> Precinct 2: 5m <sup>2</sup> Precinct 3: 5m <sup>2</sup> Precinct 4: 10m <sup>2</sup> Precinct 5: 5m <sup>2</sup> Precinct 6: 10m <sup>2</sup>	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	

<b>F: OPERATIONAL WORK - VEGETATION CLEARING</b>			
<b>EXEMPT</b>	<b>SELF ASSESSABLE</b>	<b>CODE ASSESSABLE</b>	<b>IMPACT ASSESSABLE</b>
<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> ; OR results in the removal of, or damage to, vegetation that is equal to, or in excess of, four metres in height, and complies with the Acceptable Solutions of	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; OR results in the removal of, or damage to, vegetation that is equal to, or in excess of, four metres in height, and alternate solutions to the Acceptable Solutions	

F: OPERATIONAL WORK - VEGETATION CLEARING			
EXEMPT	SELF ASSESSABLE	CODE ASSESSABLE	IMPACT ASSESSABLE
<b>Vegetation Clearing that:</b>			
	Specific Development Code 36 - Vegetation Management	To of Specific Development Code 36 - Vegetation Management are proposed	

G: RECONFIGURING A LOT			
EXEMPT	SELF ASSESSABLE	CODE ASSESSABLE	IMPACT ASSESSABLE
<b>Reconfiguring a Lot that:</b>			
		<p><b>Precincts 1, 2, 3 and 5:</b> results in no lots with an area less than 4,000m<sup>2</sup></p> <p>OR</p> <p>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.</p> <p><b>Precincts 4 and 6:</b> results in no lots with an area less than 1,000m<sup>2</sup></p> <p>OR</p> <p>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</p>	<p><b>Precincts 1, 2, 3: and 5:</b> results in at least one lot with an area less than 4,000m<sup>2</sup></p> <p><b>Precincts 4 and 6:</b> results in at least one lot with an area less than 1,000m<sup>2</sup></p>
			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 operation) as defined on <b>Overlay Map 23 - Extractive Resources</b>

## 7.0 RELEVANT CODES

Codes relevant for development assessment in The Spit (Gold Coast Harbour) 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 **Material Change of Use** and/or **Building Work** development that is self assessable in The Spit (Gold Coast Harbour) LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
The Spit (Gold Coast Harbour) LAP Place Code	2 Advertising Devices 10 Caretaker's Residence 34 Temporary Use 36 Vegetation Management 38 Working From Home	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 8 Flood Affected Areas 10 Nature Conservation 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 Spit (Gold Coast Harbour) LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
The Spit (Gold Coast Harbour) LAP Place Code	6 Attached Dwellings and Medium Detached Dwellings 10 Caretaker's Residence 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 38 Working from Home 39 Works for Infrastructure	1 Gold Coast Airport and Aviation Facilities 2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 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 Spit (Gold Coast Harbour) LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
The Spit (Gold Coast Harbour) LAP Place Code	11 Changes to Ground Level and Creation of New Waterbodies	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 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 Spit (Gold Coast Harbour) LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
The Spit (Gold Coast Harbour) LAP Place Code	2 Advertising Devices 21 Landscape Work 39 Works for Infrastructure	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 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 Spit (Gold Coast Harbour) LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
The Spit (Gold Coast Harbour) LAP Place Code	36 Vegetation Management	2 Bushfire Management Areas 6 Cultural Heritage (Indigenous) 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 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 Spit (Gold Coast Harbour) LAP area.

PLACE CODE	SPECIFIC DEVELOPMENT CODES	CONSTRAINT CODES
The Spit (Gold Coast Harbour) 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	2 Bushfire Management Areas 3 Canals and Waterways 4 Car Parking, Access and Transport Integration 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 11 Ocean Front Land 13 Road Traffic Noise Management 14 Sediment and Erosion Control

## 8.0 THE SPIT (GOLD COAST HARBOUR) 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 tourist, recreational and commercial premises, is consistent with the character of The Spit (Gold Coast Harbour) as a conservation and recreation area of outstanding

natural beauty.

## 8.2 Application

- 8.2.1** The Spit (Gold Coast Harbour) LAP Place Code applies to development indicated as self, code or impact assessable in The Spit (Gold Coast Harbour) LAP Table of Development at **Clause 6.0** of this LAP.
- 8.2.2** Performance Criteria PC1-PC42 apply to all code and impact assessable development in this LAP. For development identified as self assessable in **Clause 6.0**, only the Acceptable Solutions to Performance Criteria PC1-PC7 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>													
<p>PC1 All buildings must be limited in height, to complement the surrounding built form, landscape work and terrain.</p>	<p>AS1 The maximum height of buildings in each precinct does not exceed the relevant maximums shown on <b>The Spit LAP Map 26.3 - Maximum Building Height</b></p>												
<p>PC2 All structures must be limited to a height consistent with their intended use and to conform with surrounding built form, landscape work and terrain.</p>	<p>AS2.1.1 The maximum height for all structures does not exceed: RL.8 metres on AHD in <b>Precincts 1, 2 and 3</b>; or RL.13.5 metres on AHD for <b>Precincts 4, 5 and 6</b>. OR AS2.1.2 For <b>Precinct 5</b>, the erection of structures associated with tourist rides that are necessitated by the characteristics of the ride exceed the maximum heights expressed in <b>AS2.1</b>. Any such increase in height does not result in any significant increase in the overall bulk of the structures and does not result in an adverse effect on the visual amenity of The Spit (Gold Coast Harbour). OR AS2.1.3 For <b>Precinct 6</b>, structures that are ancillary to the approved use of the site may exceed the stated RL.13.5 metres limit. These structures do not contain any office, restaurant, residential or retail floor space.</p>												
<b>ACCOMMODATION DENSITY</b>													
<p>PC3 All hotels, other tourist accommodation establishments and all residential dwelling developments must have an accommodation density consistent with the low rise, sub-tropical resort character of The Spit (Gold Coast Harbour).</p>	<p>AS3.1 The maximum residential density in <b>Precincts 4 and 6</b> does not exceed the following:</p> <table border="1"> <tr> <td>single bedroom hotel guest rooms or suites</td> <td>at least 50m<sup>2</sup> of net site area for each unit</td> </tr> <tr> <td>two bedroom hotel guestrooms or suites</td> <td>at least 100m<sup>2</sup> of net site area for each unit</td> </tr> <tr> <td>all other hotel guest rooms or suites not included in (a) and (b)</td> <td>at least 150m<sup>2</sup> of net site area for each unit</td> </tr> </table> <p>AS3.2 The maximum residential density within <b>Precinct 5</b> does not exceed the following:</p> <table border="1"> <tr> <td>single bedroom hotel guest rooms or suites</td> <td>at least 100m<sup>2</sup> of net site area for each unit</td> </tr> <tr> <td>two bedroom hotel guestrooms or suites</td> <td>at least 200m<sup>2</sup> of net site area for each unit</td> </tr> <tr> <td>all other hotel guest rooms or suites not included in (a) and (b)</td> <td>at least 300m<sup>2</sup> of net site area for each unit</td> </tr> </table>	single bedroom hotel guest rooms or suites	at least 50m <sup>2</sup> of net site area for each unit	two bedroom hotel guestrooms or suites	at least 100m <sup>2</sup> of net site area for each unit	all other hotel guest rooms or suites not included in (a) and (b)	at least 150m <sup>2</sup> of net site area for each unit	single bedroom hotel guest rooms or suites	at least 100m <sup>2</sup> of net site area for each unit	two bedroom hotel guestrooms or suites	at least 200m <sup>2</sup> of net site area for each unit	all other hotel guest rooms or suites not included in (a) and (b)	at least 300m <sup>2</sup> of net site area for each unit
single bedroom hotel guest rooms or suites	at least 50m <sup>2</sup> of net site area for each unit												
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all other hotel guest rooms or suites not included in (a) and (b)	at least 300m <sup>2</sup> of net site area for each unit												
<b>SITE COVERAGE</b>													

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p><b>All Precincts:</b> PC4 The site coverage of development must be in accordance with the function of the precinct and its relationship with surrounding precincts.</p>	<p><b>Precincts 1, 2 and 3:</b> AS4.1 The site coverage of any development does not exceed 5%. <b>Precinct 4:</b> AS4.2 The maximum site coverage does not exceed 40%, or a maximum of 60% where the additional covered area (above 40%) comprises unenclosed pedestrian areas or plazas which are covered only by a transparent or translucent roof structure or by a membrane material or similar roofing treatment. <b>Precinct 5:</b> AS4.3 The maximum site coverage does not exceed 25%, provided that the site coverage for the resort hotel does not exceed 25% for that part of the Sea World site which is used for the resort hotel. <b>Precinct 6:</b> AS4.4 The maximum site coverage does not exceed 60%.</p>
<b>BUILDING SETBACK</b>	
<p>PC5 All buildings must provide for setbacks from the street frontage and the side and rear boundaries which maintain a substantial physical and visual separation from the road frontage of the site and from any buildings on adjoining sites.</p>	<p><b>Precincts 1, 2 and 3:</b> AS5.1 All buildings are set back a minimum of ten metres from the principal road frontage and six metres from any other boundary of the site. <b>Precincts 4 and 5:</b> AS5.2 All buildings or structures are set back a minimum of six metres from the street frontage. AS5.3 All buildings or structures are set back a minimum of 1.5 metres from any other boundary of a site. <b>Precinct 6:</b> AS5.4 All buildings or structures are sited a minimum of ten metres from the major street frontage and seven metres from any other streets. AS5.5.1 All buildings or structures are sited a minimum of 1.5 metres from any other boundary of a site (not being a street frontage). OR AS5.5.2 Where the site adjoins a residential development or public open space, all buildings or structures are sited a minimum of three metres from the relevant boundary.</p>
<b>FRONTAGE CONTROLS</b>	
<p>PC6 Building setbacks, building design and frontage design must contribute to an interesting street perspective and to the visual amenity of The Spit (Gold Coast Harbour).</p>	<p>AS6.1 All building facades are detailed and articulated with design indentations or window openings to reduce the impact of large blank wall spaces and to promote streetscape interest. AS6.2 Lengths of wall in excess of 15 metres are not provided on the same alignment. AS6.3 Outdoor areas, such as unenclosed decks, terraces and balconies fronting the street, do not: a) extend beyond the front property boundary of the site; b) adversely affect adjoining developments; or c) result in adverse visual impacts, due to the loss</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	<p>of suitable building setbacks.</p> <p>AS6.4 Where the site adjoins public open space, all buildings or structures are sited at a minimum of two metres from any boundary of a site.</p> <p>AS6.5 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>PC7 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 stormwater 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>AS7 The vehicular crossing is provided and designed in accordance with <b>Part 10, Division 1 - Standard Drawings</b>:</p> <ul style="list-style-type: none"> <li>• <b>Drawing No. 59213 (Rural Access with Pipe Crossing)</b>;</li> <li>• <b>Drawing No. 59217 (Driveway and Verges Low Density Residential)</b>;</li> <li>• <b>Drawing No. 59218 (Driveways Industrial, Commercial and Multi-Unit Residential)</b>.</li> </ul> <p><i>Note: All vehicular crossings require an approval in accordance with Local Law No 11 - Roads and Malls.</i></p>
<b>DEVELOPMENT THAT IS CODE ASSESSABLE OR IMPACT ASSESSABLE</b>	
<b>SITING</b>	
<p>PC8 All buildings and associated structures must be designed and sited to complement the natural landscapes and topographical features of the surrounding area, to contribute to the adopted landscape theme for the site 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>AS8.1 No acceptable solution provided.</p>
<p>PC9 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>AS9 No acceptable solution provided.</p>
<b>BUILDING APPEARANCE AND DESIGN</b>	
<p>PC10 The design and construction of buildings and ancillary structures must effectively integrate the built environment with the natural environment.</p>	<p>AS10.1 In <b>Precincts 1, 2 and 3</b>, all buildings and structures use appropriate stylistic features, devices and materials, finishes and colours, to contribute to the predominantly natural character of the precinct area.</p> <p>AS10.2 In <b>Precincts 4 and 5</b>, all buildings and structures use appropriate stylistic features, devices and materials, finishes and colours to contribute to the predominant sub-tropical resort character of the precinct area.</p>
<p><b>Precinct 6;</b> PC11 All buildings and structures must be designed and constructed to meet the functional needs of marine industry or ancillary activities, and reflect the visual prominence of the area.</p>	<p><b>Precinct 6:</b> AS11.1 The design, materials and colours used in any building or structure are compatible with the surrounding landscape and reflect the waterfront character of the precinct.</p> <p>AS11.2 Buildings and structures facilitate the functional operation of the marine industry and its ancillary activities.</p> <p>AS11.3 The front facade of any industrial buildings is constructed of brick, colour-bond, concrete, glass or similar materials, excluding corrugated iron,</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>PC12 Building design and appearance must be conducive to the safety and comfort of all building users and reflect the visual prominence of the area.</p>	<p>galvanised iron or steel.</p> <p>AS12.1 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.</p> <p>AS12.2 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><b>CAR PARK AREA DESIGN</b></p>	
<p><b>Precincts 1, 2 and 3:</b> PC13 All car park areas must be designed and located to complement the landscape character of the local area and reflect the visual prominence of the area.</p>	<p><b>Precincts 1, 2 and 3:</b> AS13.1 All car park areas are landscaped to a standard and theme consistent with the adopted Landscape Concept Plan for the site.</p> <p>AS13.2 Car park areas are set back at least ten metres from the frontage of the site.</p> <p>AS13.3 A landscaped buffer is located in the setback area between the frontage and the car park. The design of the landscape buffer is consistent with the adopted landscape concept plan for the site.</p> <p><b>Precinct 1:</b> AS13.4 The only major car parking areas provided are opposite the entrance to Sea World and in conjunction with a public boat ramp north of Sea World.</p> <p>AS13.5 Minor public car parking facilities developed adjacent to Sea World Drive are in areas where ecological impact can be minimised. Such facilities are located west of the erosion-prone area wherever practicable. Any new car parking facilities located within the erosion-prone area are expendable and will not be protected during times of erosion.</p> <p><b>Precinct 2:</b> AS.13.6 The only major parking area provided is adjacent to the Seaway.</p> <p>AS13.7 Minor public car parking facilities (if provided) are located along the small peninsula on the western side of The Spit (Gold Coast Harbour).</p> <p><b>Precinct 3:</b> AS13.8 The only major parking areas provided are those adjacent to the Surf Life Saving Club and the Sheraton Recreation Centre.</p> <p>AS13.9 Minor public car parking facilities developed adjacent to Sea World Drive are in areas where ecological impact can be minimised. Such facilities are located west of the erosion-prone area, wherever practicable. Any new car parking facilities located within the erosion-prone area will be expendable, and will not be protected during times of erosion.</p>
<p>PC14 All car park areas must be designed and constructed to service the needs of all users of the development and reflect the visual prominence of the area.</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</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	<p>level are located to the side or the rear of the main building on the site.</p> <p>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>
	<p><b>Precinct 4,5 and 6:</b></p> <p>AS14.3 Any above ground multi-level car parking structure is set back a minimum of six metres from all boundaries, including the Broadwater. This setback is deep planted and densely landscaped to visually screen the structure from areas outside of the precinct. The design of the car park is of high architectural merit, and may include the provision of landscaped planter boxes on all levels and elevations. The multi-level car parking is no more than 1 storey above ground, and that storey is concealed by buildings to project an appropriate façade. The structure is included in site coverage calculations.</p>
<b>ADVERTISING DEVICES</b>	
<p><b>Precincts, 1, 2 and 3:</b></p> <p>PC15 The provision of signs must be limited to those consistent with a Park and Recreational Reserve location.</p>	<p><b>Precincts 1, 2 and 3:</b></p> <p>AS15 All signs are consistent with the provisions for the Public Open Space Domain set out in <b>Specific Development Code 2 - Advertising Devices.</b></p>
<p><b>Precincts 4 and 5:</b></p> <p>PC16 The provision of signs must be limited to those consistent with a sub-tropical resort theme.</p>	<p><b>Precincts 4 and 5:</b></p> <p>AS16 All signs are consistent with the provisions for the Tourist and Residential Domain set out in <b>Specific Development Code 2 - Advertising Devices.</b></p>
<p><b>Precinct 6:</b></p> <p>PC17 The provision of signs must be limited to those consistent with marine industry activity.</p>	<p><b>Precinct 6:</b></p> <p>AS17 All signs are consistent with the provisions for the Marine Industry Domain set out in <b>Specific Development Code 2 - Advertising Devices.</b></p>
<p><b>All Precincts:</b></p> <p>PC18 Signage must be minimised, designed and located to avoid visual clutter.</p>	<p><b>All Precincts:</b></p> <p>AS18 All signs are located on the building's walls or façade, or contained within the roof structure, and designed so as not to obscure the outline of the building when viewed from the street frontage.</p>
<b>LANDSCAPE WORK</b>	
<p>PC19 All development must be landscaped or managed to present a cohesive character that complements or enhances the Gold Coast City image.</p>	<p>AS19.1 A Landscape Concept Plan for the site is prepared, adopted and applied as a master document that guides the development and maintenance of the entire site to a consistent landscape theme.</p> <p>AS19.2 Subject to compliance with the adopted Landscape Concept Plan, all plant species used, landscape features and structures must be designed EITHER to complement the existing local landscape character OR to provide a strong visual focus that relates to the Gold Coast City's image as a resort and tourist destination.</p>
	<p><b>Precincts 4, 5 and 6:</b></p> <p>AS19.3 For any development, at least 20% of the site in <b>Precinct 4</b>, 30% in <b>Precinct 5</b> and 12% in <b>Precinct 6</b> is landscaped at ground level. The landscaping complies with the following:</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	<p>a) it includes an area comprising at least 10% of the site which is capable of being used for deep planting;</p> <p>b) it includes an area to a minimum width of six metres adjoining all street frontages and, within this area, an area an average of three metres wide adjoining all frontages, which is landscaped as described below;</p> <p>c) the area is at the same level as the footpath;</p> <p>d) the area is capable of deep planting, provided that such area of deep planting may be included in that area required by (a) above;</p> <p>e) there are no fences erected within the area or between the area and the footpath;</p> <p>f) the area is paved and landscaped so as to integrate with the footpath;</p> <p>g) security fencing is obscured by vegetation planted on or against it.</p> <p><b>Precinct 5:</b> AS19.4 Plant species used complement the natural vegetation on the eastern side of Sea World Drive and the marine/sub-tropical theme of The Spit (Gold Coast Harbour). AS19.5 Perimeter fencing is provided and generally screens the Sea World facilities from distant view.</p> <p><b>Precinct 6:</b> AS19.6 Plant species used complement the natural vegetation on the eastern side of Sea World Drive and the marine/sub-tropical theme of The Spit (Gold Coast Harbour). AS19.7 Security fencing is obscured by vegetation planted on or against it. AS19.8 Where the site adjoins a residential building or public open space, the required setback areas are landscaped as a buffer strip to provide a visual and acoustic barrier between the two uses. This buffer strip includes screen planting, mounding and, where the site adjoins a residential building, a screen fence is located on the site boundary.</p>
<p>PC20 Landscape work must be consistent with the management of identified environmental impacts on the land.</p>	<p>AS20 All areas identified as buffer zones to help to accommodate fluctuations of the shore line and erosion by the sea are managed consistent with <b>Planning Scheme Policy 15 - Management of Coastal Dune Areas.</b></p>
<p>PC21 Landscaping must support and promote public safety.</p>	<p>AS21 Landscape work complies with the principles of <b>Crime Prevention Through Environmental Design (CPTED)</b>. The relevant principles include the provision for public surveillance, clearly marked transitions from public to private space and well defined pathways with clear views to surrounding vegetation, thus minimising risks to personal safety.</p>
<p>PC22 All ground level car parking, open space and buffer area must be landscaped and maintained to complement the character of the local business 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>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<b>LAND RECLAMATION</b>	
<p>PC23 The integrity of the Broadwater, particularly in terms of its habitat values, estuarine function and scenic values, must be maintained and respected by any new development.</p>	<p>AS23.1 Any reclamation of land is restricted to rationalisation of the existing shoreline, with no net loss of the water area of the Broadwater.</p> <p>AS23.2 Sand reserves within the Broadwater are to be used for beach nourishment and dune strengthening, and not for commercial purposes.</p> <p>AS23.3 Any reclamation of land is restricted to areas that will not have an adverse impact on the habitat or estuarine function of the Broadwater.</p>
<b>STRUCTURES IN THE TIDAL ZONE</b>	
<p>PC24 Any proposal incorporating marina facilities or land reclamation must ensure that the likely effect of the proposal, on at least the following matters, is managed to protect the environment:</p> <ul style="list-style-type: none"> <li>a) water quality in the vicinity of the site;</li> <li>b) hydro dynamics of the Broadwater;</li> <li>c) marine animals;</li> <li>d) marine vegetation;</li> <li>e) marine navigation;</li> <li>f) aesthetic appearance;</li> <li>g) public amenity.</li> </ul>	<p>AS24 No acceptable solution provided.</p>
<p>PC25 Any marina or pier development must have minimal impact on the natural environment of the Broadwater and adjacent land, and be designed to ensure there is no excessive intrusion into the Broadwater.</p>	<p>AS25.1 The erection of any building or structure on marina or pier development is limited in size to ensure minimal visual impact, and the use shall be restricted to ancillary activities associated with the operation of the marina.</p> <p>AS25.2 All marina development shall accord with the relevant provisions of <b>Planning Scheme Policy 11 - Land Development Guidelines</b>.</p> <p>AS25.3 All marina development shall provide land-based ablution and laundry facilities.</p>
<b>LOT SIZE (FOR SUBDIVISION ONLY)</b>	
<p><b>Precincts 1, 2 and 3:</b></p> <p>PC26 All allotments must be of sufficient size to accommodate a major recreational open space area, including required infrastructure and car parking, while retaining a predominantly open space character.</p>	<p><b>Precincts 1, 2 and 3:</b></p> <p>AS26 The minimum allotment size is no less than 4,000m<sup>2</sup>.</p>
<p><b>Precincts 4, 5 and 6:</b></p> <p>PC27 All lots must be of sufficient area and dimensions to reasonably accommodate either a tourist attraction, commercial complex, marine industry building or a tourist accommodation development with sufficient associated services.</p>	<p><b>Precincts 4, 5 and 6:</b></p> <p>AS27.1 Minimum lot size is 1,000m<sup>2</sup>.</p> <p>AS27.2 The maximum ratio of average depth to average width of any lot is 3:1.</p>
<p>PC28 All mixed use development lots must be of sufficient area and dimensions, and have acceptable aspect to light and sun and suitable location in regard to access, in order to accommodate a mixed use building incorporating at least one dwelling.</p>	<p>AS28 The site and proposed building development is able to accommodate separate access areas for the residential and commercial uses, and to provide open space areas with access to sun and daylight for the residents.</p>
<b>AMENITY PROTECTION</b>	
<p>PC29 The proposed use must not detract from the amenity of the local area, having regard, but not limited, to</p>	<p>AS29 No acceptable solution provided.</p>

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
the impact of:	
a) noise; b) hours of operation; c) traffic; d) lighting; e) signage; f) visual amenity; g) privacy; h) odour and emissions.	
<b>PC30</b> 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: a) noise; b) hours of operation; c) traffic; d) lighting; e) signage; f) visual amenity; g) privacy; h) odour and emissions.	<b>AS30</b> No acceptable solution provided.
<b>PC31</b> The traffic servicing sites within the precinct must not create unreasonable impacts for users of public roads.	<b>AS31</b> The carriage of goods or services to the site does not create unreasonable increase in traffic congestion or danger to users of public roads.
<b>Precinct 6:</b> <b>PC32</b> Ancillary activities on the site, such as storage of goods or materials in open areas, must be presented in a manner which does not detract from the visual amenity of the local area.	<b>Precinct 6:</b> <b>AS32.1</b> All open storage areas for vehicles, machinery, goods and materials used on the site are located no closer than three metres from either the main street frontage or the waterfront or riverside boundary. <b>AS32.2</b> All open storage areas are effectively screened with a buffer screen or fence.
<b>Precinct 6:</b> <b>PC33</b> All developments must ensure that the water quality of the local waterways is not degraded.	<b>Precinct 6:</b> <b>AS33</b> Marine industries which are capable of berthing six or more vessels provide sewage pump out facilities to acceptable industry standards. In addition, separate facilities for disposal of other liquid wastes, including contaminated bilge water, are provided.
<b>WATERFRONT ACTIVITIES</b>	
<b>PC34</b> The existing waterfront activities, including the home of the Gold Coast City fishing fleet within <b>Precinct 4</b> , are considered to be of important social, cultural and economic value. Any redevelopment of land in this precinct must preserve the values of the existing waterfront activities. This may involve their maintenance in situ or effective relocation.	<b>AS34.1</b> The existing waterfront activities are retained in any redevelopment proposal. OR <b>AS34.2</b> Provision is made for the effective relocation of these activities to another site on The Spit (Gold Coast Harbour).
<b>PLOT RATIO</b>	
<b>PC35</b> 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.	<b>AS35.1.1</b> The basic plot ratios described for each precinct in the <b>Table to Performance Criterion PC35</b> are not exceeded OR <b>AS35.1.2</b> The Basic Plot Ratio is exceeded by the incorporation of bonus elements in a development consistent with the provisions of <b>Planning Scheme Policy 18 Using the Urban Design Bonus Provisions</b> , provided that the Maximum Plot Ratio, described for each precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	in the Table to performance Criterion PC35, is not exceeded.  <i>Note: that for buildings over four storeys in height, the basic plot ratio is determined by the formula in the Specific Development Code 19 - High Rise Residential and Tourist Accommodation</i>

TABLE TO PERFORMANCE CRITERION PC35 PLOT RATIO CONTROLS BY PRECINCT	
<b>Precincts 1, 2 and 3:</b> a) The basic plot ratio is 4:1 b) No maximum applies	<b>Precinct 5:</b> a) The basic plot ratio is 2:1. The plot ratio for that part of the Sea World site used for the resort hotel is 0.8:1. b) The maximum plot ratio is 3:1
<b>Precinct 4:</b> a) The basic plot ratio is 3:1. b) The maximum plot ratio is 4:1	<b>Precinct 6:</b> As determined by Specific Development Code 19 - High Rise Residential and Tourist Accommodation Code

PEDESTRIAN AND VEHICLE ACCESS	
PC36 Vehicle access is to be restricted to a limited number of points to protect the natural values of the local area.	AS36.1 Vehicle access from <b>Precincts 1 to 5</b> is limited to the existing access to the Sea World/Nara Hotel and the Air Sea Rescue base and the Customs and Quarantine base that is to be located in the northern part of <b>Precinct 5</b> . AS36.2 No vehicle access to the beach is provided within <b>Precincts 1 or 2</b> . AS36.3 In <b>Precinct 3</b> , vehicle access to the beach is only provided at the Southport (Main Beach) Surf Life Saving Club and at the Sheraton Recreation Centre. AS36.4 No access to the Sea World Tourist facility is allowed from Sea World drive, north of the roundabout, other than for emergency vehicles. AS36.5 In <b>Precincts 4, 5 and 6</b> , a maximum of two vehicle crossovers is provided for each development site.
PC37 Pedestrian access must be facilitated throughout the park area.	AS37.1 A comprehensive system of pedestrian walkways and bikeways is provided throughout the LAP area to permit informal recreational use of the area. AS37.2 Unrestricted public pedestrian access is provided via a boardwalk located along the Broadwater foreshore, with connections to Sea World Drive.
PUBLIC CONVENIENCE FACILITIES WITHIN BUILDINGS	
PC38 Commercial developments must include public convenience facilities, where there is a need for their provision.	AS38 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.
BUILDING SERVICES	
PC39 Adequate facilities for the loading and unloading of goods must be provided to meet the needs of the development.	AS39 All loading and unloading of goods is undertaken on site, in a location dedicated for this purpose that is separated from the public access areas of the development. This loading area is readily accessible from all commercial tenancies on the site.

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
PC40 Adequate facilities for servicing the development with a refuse disposal service must be provided to meet the needs of the development.	AS40 Provision is made for the storage of refuse on site and the suitable access for the removal of refuse.
PC41 Loads on public utilities must be consistent with the levels expected for activity characteristic of the local area and land use type.	AS41 Water supply, waste disposal services and electricity supply are within the load levels planned for this locality by the relevant servicing authority.
<b>ANIMALS AND OUTDOOR RECREATION</b>	
PC42 The use of animals for tourism and outdoor recreation purposes must be managed to ensure that there is no adverse environmental impact on The Spit (Gold Coast Harbour).	AS42.1 The proposal does not result in the introduction of exotic plants to The Spit (Gold Coast Harbour). AS42.2 The method of collecting and disposing of animal waste and the method of storing and distributing food will be strictly managed to minimise undesirable impacts on the local environment. AS42.3 No overnight accommodation of animals occurs in <b>Precincts 1, 2 or 3.</b>