

**PART 6
LOCAL AREA PLANS**

**DIVISION 2
LOCAL AREA PLANS**

**CHAPTER 28
WEST BURLEIGH TOWNSHIP**

PART 6, DIVISION 2 CHAPTER 28

LOCAL AREA PLANS WEST BURLEIGH TOWNSHIP

1.0 INTENT

The purpose of this Local Area Plan (LAP) is to provide for the conservation of the historical character of the West Burleigh Township and to encourage development that is complementary and compatible with the existing historical buildings. This LAP seeks to establish linkages between the township area and the existing natural habitat of the adjoining Tallebudgera Creek environs. The LAP also recognises the indigenous cultural heritage and the environmental significance of the local area.

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 **West Burleigh Township LAP Map 28.1 - 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 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 West Burleigh Township 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 a compact and consolidated local business centre, in a natural setting, at West Burleigh Township (refer to **DEO Econ.3**).
- 3.2 The conservation and maintenance of the environmental quality of the Tallebudgera Creek and environs (refer to **DEO Ecol.2**).
- 3.3 The achievement of a high standard of urban design with predominantly low rise buildings and structures that complements the historical significance and the natural landscape character of the West Burleigh Township (refer to **DEO Soc.1**).

4.0 LOCAL AREA FEATURES

4.1 Valuable Features

The West Burleigh Township is unique within the Gold Coast City, and hence warrants retention of its distinct character and historical identity. In order to conserve the township's colonial character and retain significant historic buildings, redevelopment of surrounding land should complement these buildings in character, scale and compatible land use. The consideration of historical significance should also acknowledge the past Aboriginal presence and natural environmental values within the LAP area.

From the early period of settlement of the township, two original buildings remain, namely, the 'tea rooms' and 'general store', which are in reasonable condition and capable of being restored.

The provision of a convenient and safe pedestrian circulation network within the township is also important. The LAP gives special attention to improving the pedestrian environment and slowing vehicles through the township.

Land adjacent to Tallebudgera Creek constitutes a significant remnant habitat area with important nature conservation values. Most of this land is included in the Tallebudgera Creek Conservation Park. Open space areas with environmental, ecological or visual significance are to be conserved in a natural state. The LAP indicates that the opportunity exists to establish an alternative pedestrian system which is sympathetic to, and acknowledges, the environmental and historical significance of this area.

4.2 Land Use

There are four broad land uses which can be identified within the LAP area, namely retail/commercial, industrial, residential, and associated uses, and environmental areas.

Generally, the retail/commercial development is located towards the south-western corner of the township. This strip is characterised by one and two storey buildings, containing facilities that provide for neighbourhood needs. These convenience facilities include shopping, real estate, medical and eating establishments, such as the tea rooms and fast food premises. The focus of industrial uses is at the north-eastern and south-western corners of the township. The remaining sites fronting Tallebudgera Creek Road are generally occupied by residential dwellings, as well as minor associated residential activities and park. The vacant land to the north and east of the developed section of the study area is reserved for environmental park purposes.

4.3 Built Form

The aim of the LAP is to enhance the historical significance of the township by retaining certain buildings and structures. New development is to complement the scale, form, materials and design of existing buildings.

4.4 Traffic, Parking and Access

The Tallebudgera Creek Road is a sub-arterial road, servicing a relatively large volume of through traffic. The status of the Tallebudgera Creek Road within the road network hierarchy may potentially compromise the achievement of a cohesive, safe and pleasant township, through limitations on the developing of safe pedestrian links, both internally and externally to the township. However, the introduction of the following street calming measures may serve to ameliorate some of the negative impacts imposed by traffic:

- narrowing of the carriageway in order to increase pedestrian space and integrate the streetscape with buildings;
- curving of the carriageway to act as a speed reduction device, as well as to create an interesting and varied streetscape, incorporating kerb side parking and landscaping;
- a roundabout to the north, at the intersection with Loman Lane, forming a speed reduction and traffic control device as well as signalling entrance to the West Burleigh Township; and
- special treatment to the south of the township and adjacent to the bridge, including safety devices and narrowing of the neck of the carriageway.

The proposed streetscape and pedestrian facilities will restrict access to future development sites. However, amalgamation of developing sites, or integrated access between sites, should minimise conflicts with the proposed street calming measures.

Effective pedestrianisation of the area can best be achieved by restricting vehicular movement and, in particular, the number of car parking areas within the township. Steps should be taken to

strategic points, identifying the flora and fauna and Aboriginal significance of the area. Development is to be restricted to parks that facilitate low intensity, passive recreational pursuits, in keeping with the natural environment and any necessary public utility or any special use associated with the park.

6.0 WEST BURLEIGH TOWNSHIP 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 - Township | | | |
| Family Day Care Home Home Office Low-Impact Telecommunications Facility Minor Change in the scale or intensity of an existing lawful use Park Special Accommodation | Cafe Commercial Services Convenience Shop Home Occupation Laundromat Restaurant (less than 150m ² GFA) Shop Detached Dwelling Private Recreation Take Away Food Premises Tourist Shop Temporary Use | Aged Persons Accommodation Apartment Attached Dwelling and Medium Density Detached Dwellings Bed and Breakfast Caretaker's Residence Hostel Accommodation Fast Food Premises Market Medical Centre Minor Tourist Facility Office (less than 500m ² GFA) Retail Nursery Service Industry Service Station n.e.i. Showroom Telecommunications Facilities n.e.i. Veterinary Clinic | Amusement Parlour Child Care Centre Community Care Centre Educational Establishment Home Occupation n.e.i. Indoor Recreation Facility Motel Place of Worship Public Recreation Reception Room Restaurant n.e.i. Service Station where operating hours outside 7am to 7pm are proposed |
| Precinct 2 - Tallebudgera Creek and Environs | | | |
| Conservation (natural area management) Low-Impact Telecommunications Facility Park | Public Convenience Temporary Use | Telecommunications Facilities n.e.i. Caretaker's Residence | Cafe Ecotourism Facility Minor Tourist Facility Tourist Shop |

| B: MATERIAL CHANGE OF USE OVERLAY PROVISIONS | | | |
|---|------------------------|--|--|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| Material Change of Use involving Building Work that: | | | |
| | | exceeds two storeys in height due to the inclusion of a partial storey, and the GFA of the partial third storey does not exceed 50% of the GFA of the storey immediately below | exceeds two storeys in height (except for a partial third storey with less than 50% of the GFA of the storey immediately below). |

| B: MATERIAL CHANGE OF USE OVERLAY PROVISIONS | | | |
|---|--|--|--|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| Material Change of Use involving Building Work that: | | | |
| | | | exceeds a residential density of RD2 (one dwelling per 300m ² of site area) |
| | Is on a site located in a Medium or High Potential Bushfire Hazard Area as identified on Overlay Map OM10 - Potential Bushfire Hazard Areas , and complies with the Acceptable Solutions of Constraint Code 2 - Bushfire Management Areas | is on a site located in a Medium or High Potential Bushfire Hazard Area as identified on Overlay Map OM10 - Potential Bushfire Hazard Areas , and alternative solutions to the Acceptable Solutions of Constraint Code 2 - Bushfire Management Areas are proposed | |
| | is on a site identified on Overlay Map OM13 - Building Setback Line from Canals and Waterways as being affected by a waterway building setback, and is in compliance with the Acceptable Solutions of Constraint Code 3 - Canals and Waterways | Is on a site identified on Overlay Map OM13 - Building Setback Line from Canals and Waterways as being affected by waterway building setback, and alternative solutions to the Acceptable Solutions of Constraint Code 3 - Canals and Waterways are proposed | |
| | | is on or adjoins a site listed on the Queensland Heritage Register (Queensland Heritage Act 1992) or the Register of the National Estate (Australian Heritage Commission Act 1975) or the National Trust of Queensland list | |
| | | is within or adjoins an allotment containing places, sites, or landscapes of indigenous cultural heritage significance listed on the Queensland Heritage Register - Cultural Records (Landscapes Queensland and Queensland Estate) Act 1987 ; OR is located on land which is the subject of a native title claim; OR is located on land that is | |

| B: MATERIAL CHANGE OF USE OVERLAY PROVISIONS | | | |
|---|--|---|---|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| Material Change of Use involving Building Work that: | | | |
| | | known to the owner of the land and/or the developer to be of indigenous cultural heritage value | |
| | | | 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 Overlay Map OM23 - Extractive Resources |
| | is on a site identified on the Domain Maps as being affected by Future Road Requirement and complies with the Acceptable Solutions of Constraint Code 4 - Car Parking, Access and Transport Integration | is on a site identified on the Domain Maps as being affected Future Road Requirement and alternative solutions to the Acceptable Solutions of Constraint Code 4 - Car Parking, Access and Transport Integration are proposed | |

| C: OPERATIONAL WORK - CHANGES TO GROUND LEVEL | | | |
|--|------------------------|---|--------------------------|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| Operational Work that involves extraction, excavation or fill that: | | | |
| | | exceeds a volume of 20 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 Queensland Heritage Register - Cultural Records (Landscapes Queensland and Queensland Estate) Act 1987; | |

| C: OPERATIONAL WORK - CHANGES TO GROUND LEVEL | | | |
|--|------------------------|--|--------------------------|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| Operational Work that involves extraction, excavation or fill that: | | | |
| | | 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 | |

| D: OPERATIONAL WORK - ADVERTISING DEVICES | | | |
|--|---|---------------------------|--------------------------|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| | 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 ² Precinct 2: 5m ² (b) not on land with frontage to an arterial road or any state-controlled road | Advertising Device n.e.i. | |

| E OPERATIONAL WORK - INFRASTRUCTURE AND LANDSCAPE WORK | | | |
|--|------------------------|--------------------------|--------------------------|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| Minor Landscape Work | | Landscape Work n.e.i. | |
| Landscape Work associated with a detached dwelling or a caretakers' residence. | | Works for Infrastructure | |

| F: OPERATIONAL WORK - VEGETATION CLEARING | | | |
|--|---|---|--------------------------|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| Vegetation Clearing that: | | | |
| | results in the removal of, or damage to, vegetation | results in the removal of, or damage to, vegetation | |

| F: OPERATIONAL WORK - VEGETATION CLEARING | | | |
|--|--|---|--------------------------|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| Vegetation Clearing that: | | | |
| | 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 Specific Development Code 36 - Vegetation Management ; 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 Specific Development Code 36 - Vegetation Management | 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 Specific Development Code 36 - Vegetation Management 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 of Specific Development Code 36 - Vegetation Management are proposed | |

| G: RECONFIGURING A LOT | | | |
|----------------------------------|------------------------|--|--|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| Reconfiguring a Lot that: | | | |
| | | results in no lots with an area less than 600m ² 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 600m ² |
| | | | 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 |

| G: RECONFIGURING A LOT | | | |
|----------------------------------|------------------------|------------------------|---|
| EXEMPT | SELF ASSESSABLE | CODE ASSESSABLE | IMPACT ASSESSABLE |
| Reconfiguring a Lot that: | | | |
| | | | extractive industry operation or resource (sand and gravel operations) as defined on Overlay Map OM23 - Extractive Resources |

7.0 RELEVANT CODES

Codes relevant for development assessment in the West Burleigh Township 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 West Burleigh Township LAP area.

| PLACE CODE | SPECIFIC DEVELOPMENT CODES | CONSTRAINT CODES |
|---------------------------------------|---|---|
| West Burleigh Township LAP Place Code | 2 Advertising Devices 13 Detached Dwellings 25 Private Recreation 27 Retail and Related Establishments 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 15 Service Roads (Pacific Motorway) |

7.2 Material Change of Use

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

| PLACE CODE | SPECIFIC DEVELOPMENT CODES | CONSTRAINT CODES |
|---------------------------------------|---|---|
| West Burleigh Township 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 15 Ecotourism Facility 21 Landscape Work 22 Low Rise Apartment Building | 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 |

| PLACE CODE | SPECIFIC DEVELOPMENT CODES | CONSTRAINT CODES |
|------------|--|--|
| | 23 Low Rise Commercial Tourist Accommodation 24 Office 25 Private Recreation 27 Retail and Related Establishments 31 Service Stations 33 Telecommunications Facilities 38 Working from Home 39 Works for Infrastructure | 10 Nature Conservation 13 Road Traffic Noise Management 14 Sediment and Erosion Control 15 Service Roads (Pacific Motorway) |

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 West Burleigh Township LAP area.

| PLACE CODE | SPECIFIC DEVELOPMENT CODES | CONSTRAINT CODES |
|---------------------------------------|--|--|
| West Burleigh Township LAP Place Code | 11 Changes to Ground Level and Creation of New Waterbodies | 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 14 Sediment and Erosion Control 15 Service Roads (Pacific Motorway) |

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 West Burleigh Township LAP area.

| PLACE CODE | SPECIFIC DEVELOPMENT CODES | CONSTRAINT CODES |
|---------------------------------------|---|---|
| West Burleigh Township 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 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 8 Flood Affected Areas 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control 15 Service Roads (Pacific Motorway) |

7.5 Operational Work - Vegetation Clearing

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

| PLACE CODE | SPECIFIC DEVELOPMENT CODES | CONSTRAINT CODES |
|---------------------------------------|----------------------------|--|
| West Burleigh Township LAP Place Code | 36 Vegetation Management | 2 Bushfire Management Areas 5 Cultural Heritage (Historic) 6 Cultural Heritage (Indigenous) 9 Natural Wetland Areas and Natural Waterways 10 Nature Conservation 14 Sediment and Erosion Control 15 Service Roads (Pacific Motorway) |

7.6 Reconfiguring a Lot

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

| PLACE CODE | SPECIFIC DEVELOPMENT CODES | CONSTRAINT CODES |
|---------------------------------------|--|---|
| West Burleigh Township 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 13 Road Traffic Noise Management 14 Sediment and Erosion Control 15 Service Roads (Pacific Motorway) |

8.0 WEST BURLEIGH TOWNSHIP 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 mixed use and commercial premises is consistent with the function of West Burleigh Township as a local activity centre for its surrounding area.

8.2 Application

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

8.2.2 Performance Criteria PC1-PC24 apply to all assessable development in this LAP. For development identified as self assessable in **Clause 6.0**, only the Acceptable Solutions to Performance Criteria PC1-PC5 apply.

8.3 Development Requirements

| PERFORMANCE CRITERIA | ACCEPTABLE SOLUTIONS |
|--|---|
| DEVELOPMENT THAT IS SELF ASSESSABLE, CODE ASSESSABLE OR IMPACT ASSESSABLE | |
| BUILDING HEIGHT | |
| <p>PC1 All buildings must be limited in height to complement the local business centre character and to protect the residential amenity of adjoining areas.</p> | <p>AS1 The building has a maximum height of two storeys.</p> |
| ACCOMMODATION DENSITY | |
| <p>PC2 Accommodation density must be consistent with the historic local centre character of West Burleigh Township. Accordingly, low to medium density development that can be comfortably accommodated on the development site and supports mixed uses in the town centre is appropriate.</p> | <p>AS2.1 The dwelling density is one dwelling per lot. OR AS2.2 The maximum dwelling density does not exceed RD2 (one dwelling per 300m² of site area).</p> |
| SITE COVERAGE | |
| <p>PC3 Site coverage must be consistent with the local centre character of West Burleigh Township. Accordingly, medium density development that can be comfortably accommodated on the development site and supports mixed uses in the town centre is appropriate.</p> | <p>AS3 The maximum site coverage for any development does not exceed 60% in Precinct 1 and 5% in Precinct 2.</p> |
| BUILDING SETBACK AND FRONTAGE CONTROL | |
| <p>PC4 All buildings must provide for setbacks from the street frontage and the side and rear boundaries which complement the township character and topographical features of the surrounding area, and avoid adverse impacts on Tallebudgera Creek and environs.</p> | <p>AS4.1 Buildings are setback from all street frontages, in accordance with the following:</p> <ol style="list-style-type: none"> a minimum width of two metres in respect of the first two storeys of any building; a minimum of six metres in respect of that part of the building in excess of two storeys; where an existing building located adjacent to a proposed development is set back less than two metres from the street frontage, in alignment with that building. <p>AS4.2 All buildings are setback from side and rear boundaries, in accordance with the following:</p> <ol style="list-style-type: none"> 1.5 metres to the outermost projection of that part of the building which is 4.5 metres or less above ground level; two metres to the outermost projection of that part of the building which is greater than 4.5 metres but not exceeding 7.5 metres above ground level; two metres plus 0.5 metre for every three metres or part thereof to the outermost projection of that part of the building which is greater than 7.5 metres above ground level. |
| VEHICULAR CROSSINGS | |
| <p>PC5 Vehicular crossings associated with the development must be designed and constructed to ensure:</p> <ol style="list-style-type: none"> a safe footpath environment; safe vehicular access to the property; appropriate hydraulic performance of the stormwater infrastructure; | <p>AS5 The vehicular crossing is provided and designed in accordance with Part 10, Division 1 - Standard Drawings:</p> <ul style="list-style-type: none"> Drawing No. 59213 (Rural Access with Pipe Crossing); Drawing No. 59217 (Driveway and Verges Low |

| | |
|--|---|
| <p>d) no damage to vehicle or road infrastructure; e) minimal loss of on-street parking spaces; f) continued amenity of the neighbourhood.</p> | <p>Density Residential);</p> <ul style="list-style-type: none"> • Drawing No. 59218 (Driveways Industrial, Commercial and Multi-Unit Residential). <p><i>Note: All vehicular crossings require an approval in accordance with Local Law No 11 - Roads and Malls.</i></p> |
| DEVELOPMENT THAT IS CODE ASSESSABLE OR IMPACT ASSESSABLE | |
| SITING | |
| <p>PC6 All buildings must be sited to complement the local business centre character and the built form of the surrounding area, to reduce potential conflicts between uses, and to avoid adverse impacts on Tallebudgera Creek and environs having regard to a site analysis, prepared in accordance with Planning Scheme Policy 17 - Site Analysis</p> | <p>AS6.1 No acceptable solution provided.</p> |
| <p>PC7 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>AS7 No acceptable solution provided.</p> |
| <p>PC8 All car park areas must be designed and located to complement the landscape and built character of the local area.</p> | <p>AS8.1 All car parking spaces are located behind buildings, or are suitably screened so as to minimise the visual effect of such areas on the colonial theme of the township. AS8.2 Car park areas provided at ground level are located behind dwellings or recessed behind the dwelling frontage.</p> |
| BUILDING APPEARANCE | |
| <p>PC9 All development proposals must ensure that the development is complementary and compatible with the existing historical buildings and the intended character of the township.</p> | <p>AS9.1 The design and appearance of all development reflects a colonial heritage theme, in accordance with the intent of the precinct and the LAP, and is generally consistent with the architectural style shown in Figure 1 of this LAP. AS9.2 The roof form and pitch, facade articulation and detailing, window and door proportions and features such as verandahs, towers, eaves and parapets of new residential, commercial or mixed use buildings reflect or incorporate existing design elements from other buildings in the township and, in particular, those of the identified historic buildings. AS9.3 Building materials, patterns, textures and colours used in new buildings are complementary to those of nearby buildings and, in particular, to those of the identified historic buildings.</p> |
| <p>PC10 Building design and appearance must be conducive to the safety and comfort of all building users.</p> | <p>AS10.1 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>AS10.2 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.</p> <p>AS10.3 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>PC11 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 local business centre.</p> | <p>AS11.1 All car park areas are constructed and detailed to ensure they do not dominate the street frontage of the development.</p> <p>AS11.2 Building materials, patterns, textures and colours used in garage and carport structures are complementary to those of the principal building on the site.</p> |
| ADVERTISING DEVICES | |
| <p>PC12 All advertising devices must be designed and constructed to complement the character of the local business centre.</p> | <p>Precinct 1: AS12.1 All signs are consistent with the provisions for the Local Business Domain set out in Specific Development Code 2 - Advertising Devices.</p> <p>Precinct 2: AS12.2 All signs are consistent with the provisions for Public Open Space Domain set out in Specific Development Code 2 - Advertising Devices.</p> |
| LANDSCAPE WORK | |
| <p>PC13 All lots must be suitably landscaped and maintained to complement the character of the township.</p> | <p>AS13.1 In any development, at least 20% of the site is landscaped at ground level. The landscaping includes an area adjoining the street frontage which is landscaped to a minimum width of two metres.</p> <p>AS13.2 The landscaped area adjoining the street frontage is landscaped in the following manner: a) the area is at the same level as the footpath; b) the area is capable of deep planting; c) there is no fence erected within the area or between the area and the footpath; d) the area is paved and landscaped in a manner to integrate with the footpath.</p> <p>AS13.3 The open space areas of the lot are landscaped with landscape design and use of plant species generally consistent with that of adjacent and nearby lots.</p> <p>AS13.4 The selection and use of exotic plant species for landscaping purposes only occurs where this is consistent with the existing township character.</p> |
| LOT SIZE (FOR SUBDIVISION ONLY) | |
| <p>PC14 All lots must be of sufficient area and dimensions to reasonably accommodate a dwelling or a commercial building with sufficient associated landscaping so as to contribute to the township character.</p> | <p>AS14.1 The minimum lot size is no less than 600m².</p> <p>AS14.2 The maximum ratio of average depth to average width of any lot is 2.5:1.</p> |

| AMENITY PROTECTION | |
|--|---|
| <p>PC15 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"> a) noise; b) hours of operation; c) traffic; d) lighting; e) signage; f) visual amenity; g) privacy; h) odour and emissions. | <p>AS15 No acceptable solution provided.</p> |
| <p>PC16 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"> a) noise; b) hours of operation; c) traffic; d) lighting; e) signage; f) visual amenity; g) privacy; h) odour and emissions. | <p>AS16 No acceptable solution provided.</p> |
| PLOT RATIO | |
| <p>PC17 The bulk of the development proposal must be proportional to the character of the local area.</p> | <p>AS17 The plot ratio of any development in Precinct 1 does not exceed 1:1, except that any residential floor space is not included in the calculation of the plot ratio.</p> |
| CAR PARKING PROVISION | |
| <p>PC18 All developments must provide for adequate car parking.</p> | <p>AS18 Car parking is provided at the following rates:</p> <ul style="list-style-type: none"> a) one space per 30m² of GFA or part thereof, for the following uses <ul style="list-style-type: none"> • café • office • commercial services • fast food premises • medical centre • reception room • restaurant • shop • take-away food premises • tourist facility • tourist shop b) all other development, in accordance with AS16.1 of Constraint Code 4 - Car Parking, Access and Transport Integration. |
| PUBLIC CONVENIENCE FACILITIES WITHIN BUILDINGS | |
| <p>PC19 Commercial developments must include public convenience facilities, where there is a need for their provision.</p> | <p>AS19 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> |

| BUILDING SERVICES | |
|---|---|
| <p>PC20 Adequate facilities for the loading and unloading of goods must be provided to meet the needs of the development.</p> | <p>AS20 For commercial development, 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>PC21 Adequate facilities for servicing the development with a refuse disposal service must be provided to meet the needs of the development.</p> | <p>AS21.1 Provision is made for the storage of refuse on site and suitable access for the removal of refuse. AS21.2 All outdoor storage or refuse disposal areas are screened from public view.</p> |
| HERITAGE PROTECTION | |
| <p>PC22 Buildings of identified heritage value must be retained.</p> | <p>AS22.1 Alternatives to AS1 to AS18 are appropriate where they contribute to the retention of an identified historic building and are consistent with the intent of Precinct 1 and the objectives of this LAP. AS22.2 The plot ratio that applies to developments incorporating identified historic buildings may exceed the ratio provided in AS19, at the rate of 2m² of floor space for each 1m² of floor space of the historic building. AS22.3 To achieve either AS22.1 or AS22.2, a legal agreement is entered into between Council and the landowner to secure the retention of the building/s or structure/s of heritage value on the subject site.</p> |
| PUBLIC AMENITY BONUSES | |
| <p>PC23 Public amenities must be considered for inclusion in new developments. Bonus floor space is available for the inclusion of a specific public amenity component in association with a particular development. Such public amenities include toilets, rest rooms, parents' rooms, community organisation rooms, landscaped areas in excess of normal requirements, and footpath widening.</p> | <p>AS23.1 For developments providing one or more of the public amenity components listed in PC23, (except for landscaping above the normal requirements of this LAP), the maximum floor space ratio may exceed the figure provided in AS17, but not exceed a plot ratio of 2:1. AS23.2 For developments providing for landscaping above the normal requirements of this LAP, the maximum floor space ratio may exceed the figure provided in AS17, at the rate of 2m² of extra floor space for each 1m² of extra landscaped space. AS23.3 For developments providing for the retention of significant trees of important local character, the maximum floor space ratio may exceed the figure provided in AS17, at the rate 3m² of additional floor space for each 1m² of area required to be left undisturbed in order to retain the tree.</p> |
| ENVIRONMENTAL IMPACTS | |
| <p>PC24 The development must not have an adverse impact on the environmental quality and values of Precinct 2 - Tallebudgera Creek and Environs.</p> | <p>AS24 No acceptable solution provided.</p> |

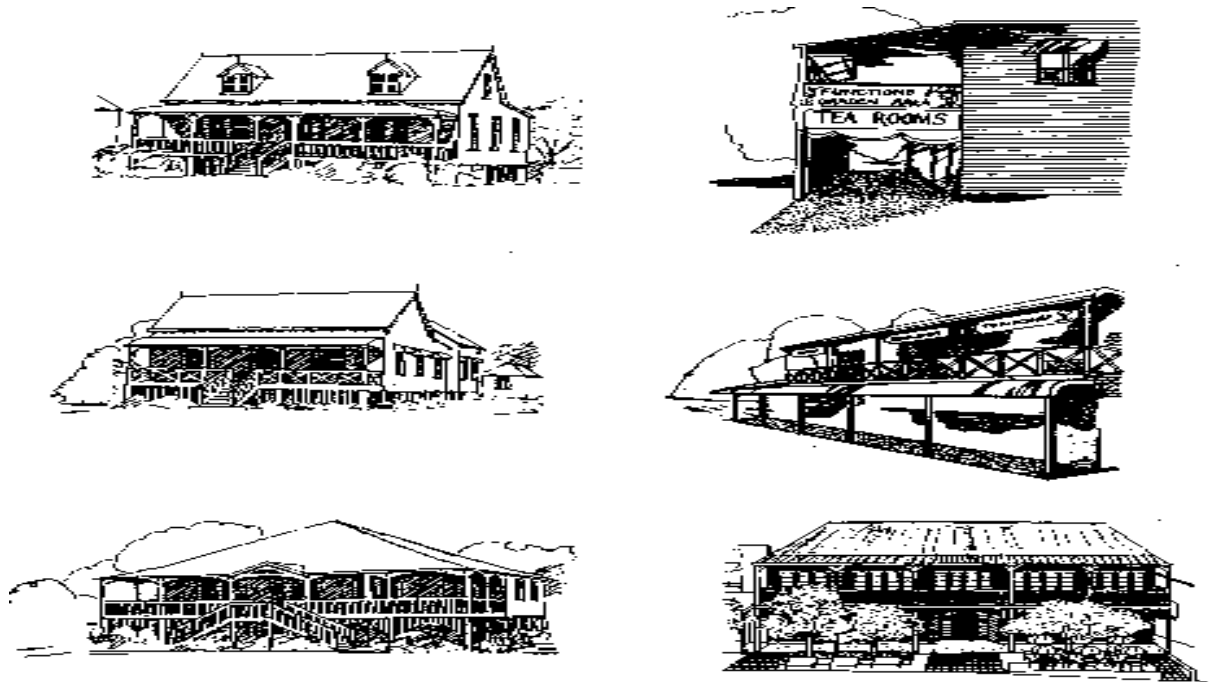


FIGURE 1
ARCHITECTURAL STYLE FOR DEVELOPMENTS