



## Part 7 Codes

### Division 2 Specific Development Codes

#### Chapter 34 Temporary Use

##### 1.0 Purpose

The purpose of this code is to allow for the use of any premises within the Gold Coast City area for a Temporary Use, provided it complies with the requirements of this Chapter, without requiring any further development approval. This code also provides for the use of land in any domain or Local Area Plan (LAP) for purposes such as carnivals, circuses, fairs, fetes, rodeos, shows and community uses, provided these uses are of a temporary nature. Key objectives include:

- providing opportunities to use premises on an irregular basis for the recreational, educational, sporting, economic, social, cultural or community benefit of the City;
- ensuring that any Temporary Use does not cause unacceptable impacts on traffic movement, safety, amenity, health, City infrastructure, City image, or the long term economic viability of established businesses; and
- ensuring that, when the Temporary Use ceases, the premises are restored to their original condition.

##### 2.0 Application

- 2.1 This code applies to development for the purposes of a Temporary Use indicated as self, code or impact assessable in the Table of Development of the domain or Local Area Plan (LAP) within which the Temporary Use is proposed.
- 2.2 The Temporary Use of premises is identified as self-assessable development for all domains and LAPs contained in this Planning Scheme when the following conditions apply:
- the use must not require the construction of a permanent building;
  - the use must not require the installation of permanent infrastructure or services;
  - the use must be irregular or infrequent; and
  - the use must not have a duration exceeding 7 days.
- 2.3 Note that a Temporary Use may include a use that would otherwise be code or impact assessable. To remove any doubt, it is requested that Council be formally advised of any proposed Temporary Use of premises.
- 2.4 A Temporary Use that is intended to have a duration exceeding 7 days will be subject to code assessment in most domains or LAPs in this Planning Scheme.
- 2.5 All Temporary Uses of premises must also comply with Council's Local Law requirements. Where the Temporary Use is proposed to take place on public land, the consent of the Council or State Government, as manager of the land, will also be required.
- 2.6 Performance Criteria PC1-PC7 apply to all code and impact assessable development subject to this code. For development identified as self assessable, only the acceptable solutions to Performance Criteria PC1-PC6 apply.

##### 3.0 Development Requirements

Performance Criteria	Acceptable Solutions
<b>Development that is Self Assessable, Code Assessable or Impact Assessable</b>	
<b>Location</b>	
PC1 The Temporary Use must be located so that no nuisance is caused to the existing residential amenity of surrounding land.	AS1 The Temporary Use occurs on a site located at least 50 metres from any existing residential dwellings.



Performance Criteria	Acceptable Solutions
<b>Aesthetics and Signage</b>	
<p>PC2 All buildings, structures and signage used in relation with the Temporary Use must not detract from the amenity of the local area.</p>	<p>AS2 Any signage used in association with the Temporary Use is consistent with the maximum area of signage allowed in the relevant domain or LAP.</p>
<b>Car Parking and Set Down Areas</b>	
<p>PC3 The design and arrangement of access, car parking and vehicle movements on the site must facilitate the safe and convenient use of the Temporary Use by the operators and clients.</p>	<p>AS3 Temporary car parking is provided on the site or on adjoining land.</p>
<b>Environment, Health and Safety</b>	
<p>PC4 The Temporary Use must be designed and managed to meet satisfactory environmental standards in relation to odour, waste disposal, maintenance of water quality, and noise.</p>	<p>AS4.1 All wastes are disposed of and contained in a septic disposal system for the length of the Temporary Use, or carried off-site for treatment and disposal.</p> <p>AS4.2 No treated or untreated wastes are disposed of into a waterway.</p> <p>AS4.3 Animals involved with the Temporary Use are housed within buildings or structures or vehicles between the hours of 11pm and 7am.</p> <p>AS4.4 Any animals are exercised only within the property boundaries.</p> <p>AS4.5 Noise levels are measured in accordance with the appropriate Australian Standard and do not exceed 50 Db(A), when measured at the boundary of the site.</p> <p>AS4.6 The requirements of the Department of Primary Industries and the EPA are complied with at all times.</p>
<b>Supervision</b>	
<p>PC5 The Temporary Use must be adequately supervised at all times.</p>	<p>AS5 A person associated with the management of the Temporary Use is on the property at all times, for the duration of the Temporary Use.</p>
<b>Environment Protection</b>	
<p>PC6 Remnant vegetation and natural waterway or wetlands located on or adjacent to the site must be conserved and protected.</p>	<p>AS6.1 The Temporary Use does not result in the disturbance of remnant vegetation.</p> <p>AS6.2 Uses on the site must be set back a minimum of 30 metres from any natural waterway and natural wetland area, as identified on <b>Overlay Map OM11 – Natural Waterways and Wetland Areas</b>.</p>
<b>Development that is Code Assessable or Impact Assessable</b>	
<b>Site Area</b>	
<p>PC7 The site on which a Temporary Use is located must be large enough in area to accommodate the activity proposed and the expected number of visitors for the duration of the Temporary Use.</p>	<p>AS7 No acceptable solution provided.</p>