



Part 7 Codes

Division 1 Introduction to Codes

Chapter 1 The Purpose and Nature of Codes

1.0 Purpose

To advise that codes are used by the Gold Coast City Planning Scheme for the assessment of all self, code and impact assessable development. This section sets out the purpose and nature of the codes used in this Planning Scheme.

2.0 The Nature of Codes

All self, code and impact assessable development is assessed with reference to the codes identified in this Planning Scheme. There are three main types of codes identified and the relationships of these codes, as shown in **Figure 1**, are described below.

Place Codes are codes that apply to all self, code and impact assessable development in specified areas or locations of the City. Place Codes are found in **Part 5 – Domains**, and **Part 6 – Local Area Plans (LAPs)**. There are 18 domain Place Codes and 29 LAP Place Codes. Logically, only one Place Code will apply to a single property within the City. In rare cases, a development site may include multiple properties in more than one domain, in which cases, more than one Place Code will apply.

Specific Development Codes are codes that apply to self, code and impact assessable development in specific development type or land use categories. The Specific Development Codes are found in **Part 7, Division 2**. There are currently 39 Specific Development Codes. Logically, only one Specific Development Code will apply to a single development application.

Constraint Codes are codes that may apply to any self, code and impact assessable development in the City. These codes are generic in nature, in that they may relate to land that is affected by certain development constraints, broad development parameters or to particular services or facilities that are required to support a development. The Constraint Codes are found in **Part 7, Division 3**. There are currently 17 Constraint Codes. A single development application may need to comply with up to ten of these Constraint Codes. It is possible, but unlikely, that a single development application will be required to comply with more than ten of these Codes. Most of the Constraint Codes make use of Overlay Maps that indicate the properties that are affected by the particular Constraint Code's provisions.

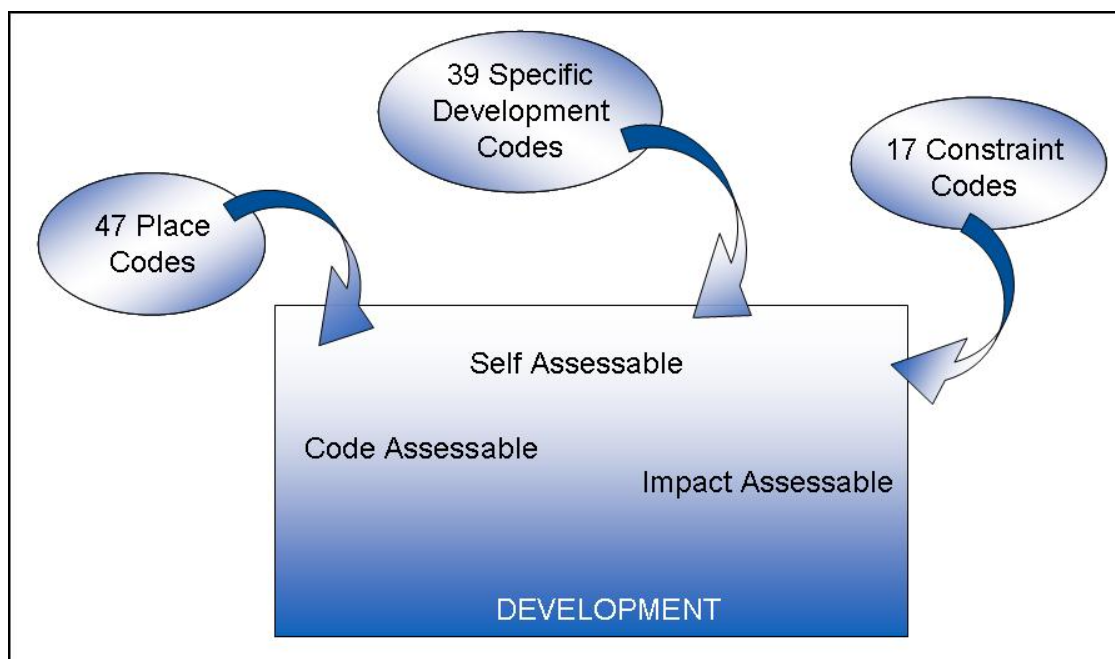


Figure 1 Codes in the Gold Coast City Planning Scheme



3.0 Reference to Relevant Codes

The domain or LAP provisions make clear the codes which apply to the assessment of development in the domain or LAP area. The cross reference to these other codes is aligned to the development assessment status determined from the Table of Development. A list of relevant codes is provided for each of the following categories of development:

- self assessable (all types of development);
- operational work (code or impact);
- reconfiguring a lot (code or impact);
- material change of use (code or impact).

Where a development proposal includes one or more of the above mentioned categories, all the identified codes must be referred to, for each of the components of the development.

All development is required to be assessed against the Place Code that is specific to the domain or the LAP.

4.0 Relating the Various Codes for Assessment Purposes

All self, code and impact assessable development will be referred to one Place Code, and any relevant Specific Development and Constraint Codes. Compliance is required with all referred codes, to the extent that these are relevant to the development application.

In all cases, the provisions of the relevant Place Code always take precedence over the provisions of any other code, including any Specific Development Code.

In all cases, the provisions of the relevant Constraint Code always take precedence over the provisions of any Specific Development Code.

In cases where the provisions of a Constraint Code, other than the Car Parking and Transport Integration Code, applied to a particular proposal, appears to contradict provisions of any other relevant code, the provisions of the Constraint Code take precedence.

External codes are incorporated by reference, usually through the Acceptable Solutions of one of the three other types of code. Accordingly, an external code has the relative status of whichever of the three other codes has called it up.



Part 7 Codes

Division 1 Introduction to Codes

Chapter 2 Using Codes

1.0 Purpose

To provide guidance on the operation of the codes in the Gold Coast City Planning Scheme. This section sets out the role of each part of the codes.

2.0 Purpose Statements in Codes

Each code commences with a purpose statement which sets out the general aim of the code. The purpose statement is informed by those City wide Desired Environmental Outcomes (DEOs) which are directly relevant to the development intended to be assessed by the code.

3.0 Application

Each code clearly identifies the range of development that is subject to its planning measures. While the domain or Local Area Plan (LAP) provisions may have referred the assessment of a particular development to the code, the application section of the code makes it clear to what extent it is to be used for the particular development.

4.0 The Table of Performance Criteria and Acceptable Solutions

Each code includes a Table of Performance Criteria and associated Acceptable Solutions for each criterion. All Tables of Performance Criteria and Acceptable Solutions must be read in conjunction with the following important explanatory notes.

The Performance Criteria are consecutively numbered, commencing with PC1. The Acceptable Solutions are also consecutively numbered, using a two level number, following from their relevant performance criterion. Accordingly, the Acceptable Solutions to PC1 are listed as AS1.1, AS1.2, AS1.3 and so on. If there is only one acceptable solution to PC1, it will be listed simply as AS1.

The Table of Performance Criteria and Acceptable Solutions are divided, for convenience, into two parts. These are:

- a) Performance Criteria and Acceptable Solutions that apply to self assessable development, as well as code and impact assessment development; and
- b) Performance Criteria and Acceptable Solutions that apply only to code and impact assessment development.

Note: *Self assessable development must comply with the Acceptable Solutions of the first part of the Table only.*

The Table of Performance Criteria and Acceptable Solutions is divided, for convenience, into topical headings, eg. Site Coverage or Car Parking Provisions.

Note: *The numbering system described above is not affected by these topical development headings.*

Development proposals must comply with the Performance Criteria to meet the objectives of the Planning Scheme and to ensure that the DEOs are not compromised. All Performance Criteria are considered separate and distinct.

The relevant Acceptable Solutions must comply with self assessable development, in order to retain self assessable development status.

It is desirable that code assessable development comply with the Acceptable Solutions to ensure that each Performance Criterion is met. However, code assessable development may comply with an alternative solution, provided that the alternative solution can be demonstrated to meet the relevant Performance Criterion, to Council's satisfaction. Where no acceptable solution is provided for a Performance Criterion in the code, the development must provide its own solution to meet that particular Performance Criterion.



It is desirable that impact assessable development comply with the Acceptable Solutions to ensure that each Performance Criterion is met. However, impact assessable development may comply with an alternative solution, provided that the alternative solution can be demonstrated to meet the relevant Performance Criterion, to Council's satisfaction.

Note: *Impact assessable development must comply with all relevant planning measures of the whole Planning Scheme.*

Where no alternative solution is provided for a Performance Criterion in the code, the development must provide its own solution to meet that particular Performance Criterion.

Acceptable Solutions are expressed in the present tense, as if they have been achieved. Each Acceptable Solution describes an outcome. All separately numbered Acceptable Solutions are to be complied with cumulatively. However, in some cases the connecting word 'OR' is used, indicating that there is an alternative Acceptable Solution described by the Planning Scheme. These alternatives share a related three level number eg. AS1.1.1, AS1.1.2, AS1.1.3. Only one of the similarly numbered alternative Acceptable Solutions need be complied with.

All development terms listed in the codes are to be read as consistent with the definitions contained in **Part 4 – Definitions**. Any undefined terms used in this Planning Scheme are intended to have the meaning assigned to them in common usage, unless the context otherwise indicates or requires. For undefined terms, the Gold Coast City Council relies on a common reference in the latest edition of the Macquarie Australian Dictionary.