ATTACHMENT G

CHANGES TO OUR CITY OUR PLAN AMENDMENT PACKAGE FOLLOWING PUBLIC CONSULTATION

Item 20 – Neighbourhood Centres - Changes relating to Neighbourhood centres and consequential changes

November 2019
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Executive Summary

In response to submissions, City officers have undertaken an assessment and propose the following changes:

- amending the Strategic Framework to specify a catchment size of 1,500m walk for new neighbourhood centres proposed in Suburban neighbourhoods;
- amending building height from 15 metres to 12 metres for the neighbourhood centre at Pacific Parade, Currumbin which will be consistent with the surrounding residential height designations;
- removing the proposed late night dining precinct from the neighbourhood centre at Pacific Parade, Currumbin, meaning hours of operation are envisaged to cease at 10pm (consistent with the current City Plan); and
- including 7-9 Burra Street, Chevron Island in the Chevron Island precinct, allowing for commercial businesses to operate until midnight consistent with the other businesses fronting Thomas Drive, Chevron Island.

These changes are deemed to be significantly different in accordance with the Minister’s Guidelines and Rules.

These changes will form part of the second round of public consultation for the Our City Our Plan (Major update 2 & 3) amendment package.

1. Introduction

As part of the public consultation phase of Major Update 2 & 3 (Our City Our Plan), Council received 962 submissions relating to Item 20 - Neighbourhood centre improvements. Based on consideration and assessment of these submissions, City officers recommend changes to the Our City Our Plan amendment package to address the following points of submission:

- better outline the appropriate catchment size for new neighbourhood centres in Suburban neighbourhoods (i.e. in the Low density residential zone, or where called up by a Conceptual Land Use map in the Emerging community zone);
- reduce building heights for the neighbourhood centre at Pacific Parade, Currumbin;
- remove the late night dining precinct from the neighbourhood centre at Pacific Parade, Currumbin; and
- allow an additional property (7-9 Burra Street) on Chevron Island to operate until midnight by including in the Chevron Island precinct of the Neighbourhood centre zone, and modifying zone code provisions;

Having regard to the Minister’s Guidelines and Rules, these changes are deemed to be ‘significantly different’. As such, it is recommended these changes form part of the second round of public consultation of Our City Our Plan.
2. **Catchment size for new neighbourhood centres in Suburban neighbourhoods**

**Submissions**

Submissions received stated that the Our City Our Plan changes do not clearly identify the catchment size for new neighbourhood centres in a Suburban neighbourhood (i.e. in the Low density residential zone, or where called up by a Conceptual Land Use map in the Emerging community zone). The submissions request that the alternative catchment size for Suburban neighbourhoods be clearly described.

**Discussion**

The current policy setting within version 7 of City Plan for the establishment of new neighbourhood centres is provided in section 3.4.5.1(7) of the current City Plan:

> The size of each neighbourhood centre will be determined by the needs of their immediate neighbourhood catchment – calculated as the planned population and/or jobs within a 1,000 metre walk from the centre.

This method seeks to facilitate small local centres within a walkable catchment. The review undertaken identified that the default 1,000 metre catchment may not be viable for new neighbourhood centres in the Low density residential zoned areas or new communities in the Emerging community zone due to the zone’s lower density population.

The proposed change introduced in the Our City Our Plan amendment package sought to facilitate new neighbourhood centres in low density suburban neighbourhoods by allowing applicants to propose a larger catchment size (more than the 1,000 metre walking distance) to achieve a viable population size. The proposed changes to the above provision were:

> The size of each neighbourhood centre will be determined by the needs of their immediate neighbourhood catchment – calculated as the planned population and/or jobs within a 1,000 metre walk from the centre or a similar planned population size in a demonstrated neighbourhood catchment area for Suburban neighbourhoods.

Following a review of the submissions, City officers agree this provision could be improved to clarify the alternative measure. The reference to ‘similar planned population size’ is open to interpretation and does not clearly provide for larger catchment sizes (i.e. the catchment would still need to be ‘similar’ to a 1,000m walk).

**Recommendation**

It is recommended the catchment size for Suburban neighbourhoods be amended to a 1,500m walk, and the separation between existing centres be expanded from 1,000m to 1,500m consistent with the catchment size expansion.

It is proposed to amend the Strategic framework (now section 3.4.5.6 in the Major Update 2 & 3 version of the City Plan) as follows:

> The size of each neighbourhood centre will be determined by the needs of their immediate neighbourhood catchment – calculated as the planned population and/or jobs within (a) a 1,500 metre walk from the centre within Suburban neighbourhoods; or (b) a 1,000 metre walk from the centre in other places; or a similar planned population size in a demonstrated neighbourhood catchment area for Suburban neighbourhoods.
are separated by a minimum 1,000 metre walk from any existing centre, outside Suburban
neighbourhoods, except where within the light rail urban renewal area or large master planned
sites where this does not undermine the orderly development or viability of nearby centres;

are separated by a minimum 1,500 metre walk from any existing centre within Suburban
neighbourhoods;

3. Proposed Height Changes to Currumbin Neighbourhood Centre Zone

Submissions
Submissions were received in relation to the 15 metre height of the neighbourhood centre at Pacific Parade,
Currumbin. A large number of submissions requested height reductions to the neighbourhood centre, to be
more consistent with the surrounding residential area.

A submission was received supporting the proposed height changes for the Neighbourhood centre zone at
Currumbin (i.e. the removal of the ‘storey’ restriction). It notes that a reduction to 12 metres would unreasonably
constrain the ability to achieve appropriate non-residential uses on these sites

Discussion
As part of the amendments contained in Our City Our Plan amendment package, the regulation of building
height is proposed to be changed from regulating height in both storeys and metres to metres only. Also, the
Building height overlay map is proposed to be updated to show height designations for all properties, where it
currently only shows exceptions to the default heights provided in each zone.

In addition to regulating building height in metres only, sites that were included in the proposed new Low-
medium density residential zone (consistent with the approved methodology for that zone), which currently have
a height designation of ‘3 storeys within 15 metres’ were changed to ‘12 metres’ to reflect the 3 storey policy
intent.

The submissions note this has change has resulted in the residential areas around the Currumbin
Neighbourhood centre zoned areas being designated ‘12 metres’ with the new Low-medium density zone not
supporting the 50% exceedance test. While the Neighbourhood centre zoned land has remained at ‘15 metres’
(refer to Table 1).
Table 1: Location and height of Currumbin neighbourhood centre and the surrounding areas

<table>
<thead>
<tr>
<th>Sites</th>
<th>Neighbourhood centre building height proposed in Our City Our Plan (Major Update 2 &amp; 3)</th>
<th>Surrounding building height proposed in Our City Our Plan (Major Update 2 &amp; 3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Currumbin 776 Pacific Parade Currumbin 4223 - Lot 2 on RP58471 778 Pacific Parade Currumbin 4223 - Lot 0 on BUP6774 780-784 Pacific Parade Currumbin 4223 - Lot 1-4 on RP58695 788 Pacific Parade Currumbin 4223 - Lot 1 on RP59664 794 Pacific Parade Currumbin 4223 - Lot 0 on BUP7161</td>
<td>15m</td>
<td>12m adjoining along Pacific Parade 9m adjoining along Murraba Street and Woodgee Street</td>
</tr>
</tbody>
</table>

In consideration of this point, it is important to note that Section 3.5.5.1(5) of the Strategic Framework states that building height in neighbourhood centres should complement the character and appearance of the surrounding neighbourhood:

*Building height in neighbourhood centres complements the planned function and desired future appearance of its surrounding neighbourhood.*

A 12 metre designation can still enable 3 storey buildings, plus rooftop plant and equipment (lift wells etc.) to occur. Proposed updates to the Neighbourhood centre zone code seek to achieve a 4.5m floor to ceiling height at the ground level. Proposals that adopt this height are likely to extend to the full height allowance, and depending on roof features, plant and equipment, may require additional height.

If a greater height designation was provided, it is likely a 4 storey building, with minimal floor to ceiling heights, could be achieved.

If a new proposal was able to meet the assessment criteria contained in the Strategic framework for exceeding the mapped height designation, it is possible additional storeys could be achieved. While a 50% increase is only envisaged in limited circumstances, if this was achieved on a site with a 15m designation, a total maximum height of 22.5m could be achieved, which could accommodate 6-7 storeys. Or with a 12m designation, a total maximum height of 18m, which could accommodate 5-6 storeys.

In consideration of these submissions, City officers recommend reducing heights of the Currumbin Neighbourhood centre zoned site from '15 metres' to '12 metres' on the Building height overlay map.

The amendment would better align with the Strategic Framework intent of complementing the future appearance of the surrounding neighbourhood.
City officers do not recommend making amendments to the Neighbourhood centre zone to include specific provisions for the Pacific Parade Currumbin area, as requested in submissions. It is noted that the Significant Ridges and Overlay Code includes provisions to protect the landscape significance of Currumbin Hill. Requests to further refine this overlay code may be considered at a later date.

Recommendation

It is recommended:

1. The Building height overlay map be changed to reduce the height designations for the Neighbourhood centre zoned site at Pacific Parade, Currumbin.

4. Proposed Changes to the Neighbourhood Centre, Late Night Dining Precinct at Currumbin

Submissions

A pro forma submission, submitted by over 110 submitters, was received requesting that the Late night precinct designation (in the Neighbourhood centre zone) at Pacific Parade, Currumbin be removed citing potential noise and nuisance impacts on surrounding residential land uses.

Discussion

Council resolved in December 2017 to extend the hours of operation of ‘Food and drink outlets’ and ‘Bar’ land uses up to 12am midnight. The extended hours only apply to Neighbourhood centres identified on the Strategic framework defined ‘coastal tourism/urban strip’ and at Paradise Point, where impacts to residential amenity can be appropriately mitigated by design and management criteria. For all other neighbourhood centres, trading hours for commercial activity are limited to 10pm.

Item 20 of the Our City Our Plan amendment package addresses this resolution, proposing:

- a new precinct providing extended trading hours for certain Neighbourhood centres including that at Pacific Parade, Currumbin; and
- changing levels of assessment from impact assessment to code assessment and hours of operation for ‘Food and drink outlets’ and ‘Bar’ land uses.

The late night dining precinct has also been added to other Neighbourhood centres that front busy roads, such as:

- the Gold Coast Highway;
- Thomas Drive (Chevron Island);
- Marine Parade;
- Musgrave Street Coolangatta; and
- Mermaid Beach/Nobby Beach.

Figure 1 shows the location of the Late night dining precinct in Currumbin on Pacific Parade.
Figure 1: Late Night Dining Precinct at Currumbin (highlighted)

Pacific Parade, Currumbin – while being a busy location during the day, due to proximity to the beach – is a much quieter location after 10pm, compared to the other busy roads and areas where the precinct has been proposed. The submissions raise particular concern with the impact of noise to the lower density area located to the west of the Neighbourhood centre.

It is noted that the Surf Life Saving Club operates until midnight; however, the Surf Club is detached from the residential zoned areas, has a separate, designated car park and operates a courtesy bus.

In consideration of the number of submissions citing concerns with potential noise and nuisance impacts, it is considered appropriate to remove the neighbourhood centre from the precinct. This would mean hours of operation are envisaged to cease at 10pm.

It should be noted that later operating hours may be proposed by an applicant, which could be assessed by Council through an impact assessment application. It should further be noted that the City Plan will not restrict existing lawful land uses.

Recommendations

It is recommended:

1. The Late night dining precinct is removed from the Neighbourhood centre zoned land at Pacific Parade, Currumbin.

5. Proposed Changes to the Neighbourhood Centre, Chevron Island Precinct

Submissions

A total of 24 submissions were received that requested the proposed Chevron Island Late night dining sub-precinct in the Neighbourhood centre zone, be expanded to include the existing commercial development at 7-9 Burra Street.

The current approved operating hours of the business are 7am – midnight on Fridays-Saturdays and 7am – 11pm every other week day (except on New Year’s Eve which extends until 1am).
The submissions note that the exclusion of this site is ‘illogical’ given current operating hours and that the premises directly opposite and the building to the north are within the late night precinct.

The submissions argue that impacts to residential amenity can be appropriately mitigated as the approval required acoustic attenuation measures to address noise. Further, the submissions support the change on the grounds that it will help a small business and local employment.

Discussion

As discussed in Section 4.2 of this report, Item 20 of Our City Our Plan amendment package proposes to extend trading hours to 12 midnight for ‘Food and drink outlets’ and ‘Bar’ land uses in certain Neighbourhood centre zones.

The hours of operation were resolved to be extended for Neighbourhood centres identified on the Strategic framework defined ‘coastal tourism/urban strip’ and at Paradise Point, where impacts to residential amenity can be appropriately mitigated by design and management criteria.

The proposed amendment involves introduction of new a zone precinct and changing levels of assessment and hours of operation for ‘Food and drink outlets’ and ‘Bar’ land uses.

The location of the currently proposed Chevron Island Late night dining sub-precinct is presented in Figure 2a. The precinct currently includes properties directly fronting Thomas Drive and also includes properties on the western side of Burra Street (directly opposite the subject site).

The submissions note current approved licenced operating hours reflect the late night dining hours (7am – midnight on Fridays-Saturdays and 7am – 11pm every other week day). A previous complaint was received in relation to noise from the restaurant at 7-9 Burra Street, however after investigation no action was recommended (acoustic works for development deemed to comply with approval conditions). Conditions do not permit live entertainment.

It is noted that the sites to the south are also included in the Neighbourhood centre zone and, although currently contain residential development, are envisaged to be developed to include commercial or mixed use development in the future under the City Plan. It is important to note that future development applications (if there is a change of use) would still need to be considered against the amenity criteria contained in the City Plan.

In consideration of the proposed designation directly across the road on Burra Street and the existing approved commercial operation at the site, it is recommended the Chevron Island Late night dining sub precinct be extended to include the properties at 7-9 Burra Street. Figure 2b shows the proposed amendments to this sub-precinct.
Figure 2a: Chevron Island Late night dining sub precinct currently proposed

Figure 2b: Proposed amendment to Chevron Island Late night dining sub precinct

Recommendations

It is recommended:

1. The Chevron Island Late night dining sub-precinct be extended to include the properties at 7-9 Burra Street.
FOR MORE INFORMATION

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