

## 6.2.198 Limited development (constrained land) zone code



**Photograph 6.2.198-1**  
Example of a Limited development (constrained land) zone located at Emerald Lakes. Photograph by City of Gold Coast.

### 6.2.198.1 Application

This code applies to assessing all development in the Limited development (constrained land) zone.

When using this code, reference should be made to **Section 5.3.2** and, where applicable, **Section 5.3.3**, in **Part 5**.

### 6.2.198.2 Purpose

- (1) The purpose of the Limited development (constrained land) zone code is to identify land known to be significantly affected by one or more development constraints (such as flooding).  
Such constraints limit the ability to fully develop the land.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development in the Merrimac/Carrara flood plain special management area only occurs if it:
    - (i) maintains (or improves) the existing hydraulic and hydrological regime of the land, including flood storage, and accommodates major flood flow paths and retardation areas;
    - (ii) achieves safe access to permanent residential uses during times of flood;
    - (iii) places no unacceptable risks to life or property on-site, down-stream or up-stream;
    - (iv) supports, and does not unduly burden, disaster management response or recovery capacity and capabilities; and
    - (v) is for major developments or where significant earthworks are proposed, it improves the existing hydraulic and hydrological regime of the land and delivers a net community benefit by lessening the risks to life or property down-stream or up-stream.
  - (b) Development outcomes within the Merrimac/Carrara flood plain special management area will be subject to detailed site based investigations and guided by the development intent identified on **Conceptual land use map 10 – Merrimac/Carrara flood plain special management area**.
  - (c) The layout and design of the Merrimac/Carrara flood plain special management area:

- (i) contributes to the development of safe, healthy and cohesive communities that reduce social isolation and promote community wellbeing;
  - (ii) includes an interconnected system of streets and open spaces that provide pleasant and comfortable walking and cycling environments and support public transport;
  - (iii) responds to opportunities and constraints both on site and from the surrounding locality, including ecological and hydrological functions and corridors, topography, scenic amenity and landscape features, natural hazards and other factors;
  - (iv) orientates streets and lots to support energy efficient design;
  - (v) enables the efficient development of adjoining land and does not accelerate, place or shift unreasonable costs of infrastructure to adjoining properties, such as recreation facilities, stormwater management facilities, roads and bridges; and
  - (vi) achieves a high standard of urban design and safety, with dwellings and other buildings appropriately addressing all road frontages.
- (d) Land uses –
- (i) include limited opportunities for low-to-medium intensity, ~~low to medium rise~~ residential and tourism related activities in the:
    - (A) least flood affected;
    - (B) least environmentally sensitive areas; and
    - (C) guided by **Conceptual land use map 10 – Merrimac/Carrara flood plain special management area**; and
  - (ii) that include neighbourhood centres, are consistent with the Strategic framework.
- (e) **Amenity –**  
Development achieves a level of amenity reasonably expected in the local context, having regard to:
- (i) the qualities of the locality;
  - (ii) built form and scale;
  - (iii) noise, privacy, safety, glare, odour and light; and
  - (iv) traffic, parking, servicing and hours of operation.
- (f) Character consists of –
- (i) a continuous green space area made up of largely undeveloped land with clusters of urban residential and some tourism-related development occurring in the least flood affected and least environmentally sensitive areas of the Merrimac/Carrara flood plain special management area.
- (g) Built form –
- (i) is low-to-medium intensity, ~~low to medium rise~~ in accordance with **Conceptual land use map 10 – Merrimac/Carrara flood plain special management area**;
  - (ii) including ~~building heights and~~ residential densities will vary across the Merrimac/Carrara floodplain, where complying with all flooding and environmental objectives for the special management area;
  - (iii) has a building height and structure height which will vary across the Merrimac/Carrara floodplain, but ~~that~~ does not exceed that indicated on the **Building height overlay map**;
  - (iv) ~~does not exceed a Partial third storey where indicated on the Building height overlay map as having a building height of 9 metres;~~
  - (iiiiv) minimises disruption to natural systems and maximises opportunities to create visually prominent green space;
  - (ivi) is site responsive to address constraints; and
  - (vii) is of a scale that is not visually dominant on the landscape.

**Comment [MU2 - CP1]: Theme: Height and density - creating a sustainable city shape;**  
Item 1&2 – Building height overlay map and new building height categories

**Comment [MU3 - CP2]: Theme: Built form and urban design - the importance of a well-designed city;**  
Item 9 – Built form improvements

**Comment [MU2 - CP3]: Theme: Height and density - creating a sustainable city shape;**  
Item 1&2 – Building height overlay map and new building height categories

**Comment [MU2 - CP4]: Theme: Height and density - creating a sustainable city shape;**  
Item 1&2 – Building height overlay map and new building height categories

**Note:** -The designated height on the Building height overlay map may not be achievable when taking into consideration outcomes, such as, but not limited to aviation restrictions, setbacks and site cover.

- (hg) Lot design –  
(i) supports the limited development nature of the zone.

**Comment [MU2 - CP5]:** Theme: Height and density - creating a sustainable city shape;  
Item 1&2 – Building height overlay map and new building height categories

**6.2.198.3 Specific benchmarks for assessment**

**Part A** applies to accepted development subject to requirements.

**Part B** applies to assessable development.

**PART A – ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS**

**Table 6.2.198-1: Limited development (constrained land) zone code – for accepted development subject to requirements**

Required outcomes							
<b>Setbacks</b>	<b>RO1</b> Setbacks are as follows						
	<table border="1"> <thead> <tr> <th>Setback</th> <th>Minimum distances measured in metres (m)</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td> <ul style="list-style-type: none"> <li>if roadside stall: 0m</li> <li>otherwise: 10m</li> </ul> </td> </tr> <tr> <td>Side and rear</td> <td>3m</td> </tr> </tbody> </table>	Setback	Minimum distances measured in metres (m)	Front	<ul style="list-style-type: none"> <li>if roadside stall: 0m</li> <li>otherwise: 10m</li> </ul>	Side and rear	3m
	Setback	Minimum distances measured in metres (m)					
	Front	<ul style="list-style-type: none"> <li>if roadside stall: 0m</li> <li>otherwise: 10m</li> </ul>					
Side and rear	3m						
<b>Site cover</b>	<b>RO2</b> Site cover for dwelling houses, on lots created by a residential reconfiguration of a lot approval, does not exceed 50%. OR Site cover does not exceed 10%.						
<b>Height</b>	<b>RO3</b> Building height and structure height does not exceed that shown on the Building height overlay map. <del>Building height does not exceed 2 storeys and a maximum of 9m or that shown on the Building height overlay map.</del> OR <del>Structures do not exceed a height of 9m or that shown on the Building height overlay map.</del>						
<b>Density</b>	<b>RO4</b> Density is one dwelling house per lot.						

**Comment [MU2 - CP6]:** Theme: Height and density - creating a sustainable city shape;  
Item 1&2 – Building height overlay map and new building height categories

**Comment [CB7]:** Theme: Height and density - creating a sustainable city shape;  
Item 1&2 – Building height overlay map and new building height categories

**Advisory note**

Accepted development identified in the assessment tables as subject to requirements must comply with all the nominated requirements in this and other applicable codes.

**PART B – ASSESSABLE DEVELOPMENT BENCHMARKS**

**Table 6.2.198-2: Limited development (constrained land) zone code – for assessable development**

Performance outcomes	Acceptable outcomes						
<b>Amenity</b>							
<p><b>PO1</b> Development achieves a level of amenity reasonably expected in the local context, having regard to:</p> <p>(a) the qualities of the locality; (b) built form and scale; (c) noise, privacy, safety, glare, odour and light; and (d) traffic, parking, servicing and hours of operation.</p>	<p><b>AO1</b> No acceptable outcome provided.</p>						
<b>Setbacks</b>							
<p><b>PO4PO2</b> Setbacks:</p> <p>(a) protect the amenity of adjoining uses; and (b) contribute to the semi-rural streetscape character.</p>	<p><b>AO4AO2</b> Setbacks are as follows:</p> <table border="1"> <thead> <tr> <th>Setback</th> <th>Minimum distances measured in metres (m)</th> </tr> </thead> <tbody> <tr> <td>Front</td> <td> <ul style="list-style-type: none"> <li>if roadside stall: 0m</li> <li>otherwise: 10m</li> </ul> </td> </tr> <tr> <td>Side and rear</td> <td>3m</td> </tr> </tbody> </table>	Setback	Minimum distances measured in metres (m)	Front	<ul style="list-style-type: none"> <li>if roadside stall: 0m</li> <li>otherwise: 10m</li> </ul>	Side and rear	3m
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Front	<ul style="list-style-type: none"> <li>if roadside stall: 0m</li> <li>otherwise: 10m</li> </ul>						
Side and rear	3m						
<p><b>Figure 6.2.198-1</b> Illustration showing Limited development (constrained land) zone setbacks and site cover outcomes</p>							
<b>Site cover</b>							
<p><b>PO2PO3</b> Site cover:</p> <p>(a) reduces the dominance of buildings and structures; (b) addresses site constraints; (c) protects the semi-rural character; and (d) minimises the extent of impervious surfaces.</p>	<p><b>AO2AO3</b> Site cover for dwelling houses, on lots created by a residential reconfiguration of a lot approval, does not exceed 50%. OR Site cover does not exceed 10%.</p>						
<b>Height</b>							
<p><b>PO3PO4</b> Building height and structure height does not exceed that shown on the <b>Building height overlay map</b>. OR</p>	<p><b>AO3AO4.1</b> No acceptable outcome provided. <del>Building height does not exceed that shown on the Building height overlay map.</del> OR</p>						

Comment [MU3 - CP9]: Theme: Built form and urban design - the importance of a well-designed city;  
Item 9 – Built form improvements

Comment [MU3 - CP8]: Theme: Built form and urban design - the importance of a well-designed city;  
Item 9 – Built form improvements

Performance outcomes	Acceptable outcomes
<p>Building height does not exceed a Partial third storey, where indicated on the <b>Building height overlay map</b> as having a building height of 9 metres.</p> <p>Building height and structure height is low rise.</p>	<p>Where not identified on the overlay map building height does not exceed:</p> <ul style="list-style-type: none"> <li>(a) 2 storeys with a maximum of 9m; or</li> <li>(b) a partial third storey if within 9m.</li> </ul> <p><b>AQ3.2</b></p> <p>Structures do not exceed a height of 9m or that shown on the <b>Building height overlay map</b>.</p>

Comment [MU2 - CP10]: Theme: Height and density - creating a sustainable city shape; Item 1&2 – Building height overlay map and new building height categories

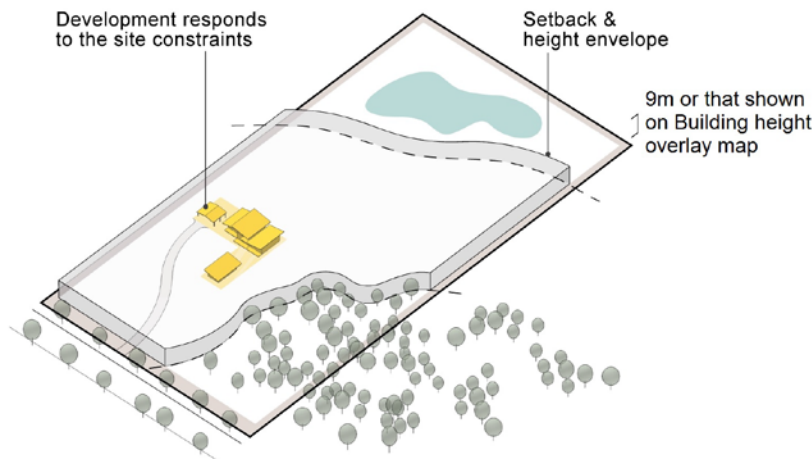


Figure 6.2.198-2  
Illustration showing Limited development (constrained land) zone setback and height outcomes

**Density**

**PO4PO5**

Very low density reflects the semi-rural character of the zone.

**AQ4AQ5**

Density is one dwelling house per lot.

**Design and appearance**

**PO5PO6**

All buildings are designed so their scale and visual prominence do not dominate the landscape.

**AQ5AQ6**

No acceptable outcome provided.

**Land use**

**PO6PO7**

Development outcomes within the Merrimac/Carrara flood plain special management area will be subject to detailed site based investigations, and guided by the development intent identified on **Conceptual land use map 10 – Merrimac/Carrara flood plain special management area**.

**AQ6AQ7**

No acceptable outcome provided.

**PO7PO8**

The layout and design of the special management area:

- (a) contributes to the development of safe, healthy and cohesive communities that reduce social isolation and promote community wellbeing;
- (b) includes an interconnected system of streets and open spaces that provide pleasant and comfortable walking and cycling environments and support public transport;
- (c) responds to opportunities and constraints both on site and from the surrounding locality, including ecological and hydrological functions and corridors, topography,

**AQ7AQ8**

No acceptable outcome provided.

Performance outcomes	Acceptable outcomes
<p>scenic amenity and landscape features, natural hazards and other factors;</p> <p>(d) orientates streets and lots to support energy efficient design;</p> <p>(e) enables the efficient development of adjoining land and does not accelerate, place or shift unreasonable costs of infrastructure to adjoining properties, such as recreation facilities, stormwater management facilities, roads and bridges; and</p> <p>(f) achieves a high standard of urban design and safety, with dwellings and other buildings appropriately addressing all road frontages.</p>	
<p><b>Lot design (for subdivision only)</b></p>	
<p><b>PO8PO9</b></p> <p>Lots are of a size that support the semi-rural character of the zone and address site constraints.</p>	<p><b>AO8AO9</b></p> <p>The minimum lot size is 4 hectares.</p>

Draft for Public Consultation