

Council Meeting 3 June 1994
Report of Planning & Development Committee Meeting 31 May 1994

ITEM 38 CONTINUED...
APPLICATION TO AMEND A PLANNING SCHEME BY REZONING LAND FROM GENERAL COMMERCIAL ZONE TO SPECIAL RESIDENTIAL ZONE - WEST BURLEIGH ROAD AND REEDY CREEK ROAD, WEST BURLEIGH

setback area should not protrude more than one metre above natural ground level with the exception of pergolas which shall not extend more 2.5 metres from the townhouse line.

Guidelines for setbacks to side and rear boundaries and distances between habitable room windows and any two buildings on a site generally accord with Scheme provisions with the exception of a minimum building setback of five metres where a habitable room other than a bedroom has direct access onto a private courtyard abutting a side or rear boundary. This requirement should be included within the design and site guidelines.

Open Space

A design guidelines stipulates that each townhouse shall be provided with useable private open space, each with a major open space of not less than 20 square metres with minimum dimensions of three metres or alternatively a common landscaped open space area of at least 30% of the site. The private open space option could result in insufficient landscaping. It is therefore considered appropriate that landscaping accord with the communal open space option provided up to 50% of the area could be private open space.

The proposed three metre minimum landscaped area to a secondary street frontage is considered acceptable where a modification of the building setback has been granted.

In respect to the erection of fences, the guideline should be expanded to avoid too many walls and fences on the same alignment.

Building Aesthetics

Guidelines should accord with Scheme provisions in respect of offsets where two or more dwellings are attached. The applicant seeks to have a maximum of seven townhouses in the one continuous building in contrast to the Scheme requirement of four dwellings. This is considered excessive and could result in an unacceptable built form. While the Planning and Development manager may relax these provisions, the applicant has also included a clause whereby the guidelines may be relaxed further. It is therefore considered appropriate that the maximum number of dwellings connected be limited to four to ensure development enhances the visual amenity of the area, provided this may be relaxed having regard for the particular architectural merit of the development and the impact on the surrounding area.

Car Parking and Access

The car parking rates stipulated in the design guidelines essentially reflect the draft Scheme requirements which were modified several times prior to gazettal of the Planning Scheme. The guidelines should reflect the latest car parking rates.

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Refuse Facilities

Complies with Scheme requirements.

Lakefront Setbacks

A design guideline stipulates that a minimum of 50% of the 12 metre building setback is to be planted with ground covers, shrubs and trees which are suited to their lake front location. This is considered desirable and will assist in achieving some of the recommendations put forward by Council's Senior Landscape Architect. The location of decks, pergolas, swimming pools and terraces should accord with comments detailed above under the heading of building setbacks.

MULTI-UNIT DEVELOPMENT

The design and siting guidelines for the proposed unit sites have been assessed having regard for Section 4.15 of the 1994 Planning Scheme which details provisions in respect of multi-unit development in the Residential-Townhouse Zone. The following comments are made:

Density

Lots are in the order of 1.104 hectares and 1.16 hectares. The subdivision layout plan indicates 69 units on each lot. While it is intended that these units will each contain two bedrooms, the applicant wants the flexibility to construct two x one bedroom units or two bed sitter units in lieu of one, two bedroom unit. This has the potential to greatly increase unit numbers on a site and could result in a doubling of unit numbers.

It has been stipulated that density will not exceed 60 dwellings/hectare. The Planning Scheme states the maximum development density for buildings comprising solely bed sitting units shall be one dwelling for every 140 square metres of net site area and for building other than those comprising bed sitting units, the maximum density shall be one dwelling for every 200 square metres of net site area. Having regard for the Mixed Low Density Strategic Plan Designation and surrounding low density development, development should accord with these densities. In order to provide flexibility with unit types, a building should be able to comprise a mix of bedsitter, one and two bedroom units provide adequate area is available for each unit type and development complies with the remaining performance standards for multi-unit buildings other than bedsitters, namely Section 4.15.1.2.

Height

Guidelines state that development shall not exceed three storeys above ground level, provided this provision may be relaxed to permit a basement car park constructed partially above ground level.

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This is considered acceptable provided a condition is imposed which reinforced the Scheme requirement that a basement shall not extend more than one metre above natural ground level, otherwise it would constitute a storey.

Landscaping

The proposed design guidelines seek to vary the landscaping requirements to that stipulated in the Planning Scheme. There is no substantial planning justification to vary these requirements. As proposed, development could result in a substantial shortfall in landscaping i.e. the guidelines state at least 500 square metres of landscaping in one area and a six metre setback to the street which can be relaxed and which could include the area required in one piece. This contrasts significantly with the Scheme requirement that 40% of the site is to be landscaped. Having regard for the lot sizes proposed, landscaping should be in the order of 4500 square metres for each site.

Plot Ratio

The plot ratio guideline simply states plot shall not exceed 4:1. Plot ratio is not stipulated within the Scheme for such development with provisions such as density, setbacks, landscaping and site cover controlling the intensity and scale of development. A maximum plot of 4:1 is superfluous having regard for site cover and building height requirements.

Building Setbacks and Site Cover

The guidelines stipulate a maximum site cover of 40%. This is considered reasonable having regard for the provision of park land to the north, east and south of these allotments, the interface with townhouses and the distance from detached housing.

The guidelines stipulate a minimum building setback of six metres to any street frontage, provided this requirement may be relaxed having regard for certain aspects. As these sites will only have frontage to one street and having regard for the landscape setback requirement, a minimum six metre building setback should be imposed.

Car Parking

The applicant indicates provision of car parking at a uniform rate, being one covered space per unit plus one visitor space per five units up to 30 units and one space per ten units for the remaining units.

Car parking under the new Scheme is dependent upon the unit type. The larger the unit in terms of number of bedrooms, the greater is the anticipated traffic generated by the use and therefore the greater is the number of required car spaces. It is considered appropriate that the proposed multi-unit development accords with these rates, namely:

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- * Bed-sitting units - one covered space per unit for resident parking plus one space per five units or part thereof for visitor parking
- * One-bedroom units - one covered space per unit
- * Two-bedroom units - 1.5 covered space per unit for the first 20 units and one space per unit in excess of 20 units.

In addition, all one and two bedroom units shall provide visitor parking at the rate of 0.25 spaces per unit for the first 20 units and 0.1 spaces per unit in excess of 20 units.

Visitor car parking may be uncovered and shall be freely accessible to all visitors.

Additional Guidelines

The applicant has detailed guidelines in respect to building aesthetics, refuse facilities and two or more buildings on the same site. These guidelines largely accord with the new Scheme. Some amendments are considered necessary in respect to length of wall.

CONCLUSION

The proposal warrants Council's favourable consideration having regard for amongst other things the Strategic Plan designation of the site under the 1994 Planning Scheme. Detailed conditions have been imposed to ensure concerns expressed by various Departments within Council and the recommendations of the EIS are met. It is considered most appropriate that the whole site be included in the Special Residential Zone and the rezoning of any additional areas required to be dedicated as public open space be undertaken by Council at a later date in the normal manner. While the subdivision layout plan and plans of development for each residential precinct including design and siting guidelines will become the approved plans, the subdivision layout is approved only in principle and will require a formal application(s) at a later date. Design and siting guidelines should be modified in part essentially to reflect Planning Scheme requirements.

*** OFFICER RECOMMENDATION

It is recommended

- (A) Council in determining this matter has had due regard to the information supplied by the applicant as part of the application, the submissions made by the objector and has also relied on reports prepared in relation to this matter.
- (B) The applicant and the objector be notified, as required under the provisions of "The Local Government (Planning & Environment) Act, that the application to exclude land from the General Commercial

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Zone and include in the Special Residential Zone on land described the land as described herein be approved subject to the conditions listed below:

DETAILS OF PREMISES

| | |
|--|--|
| PROPERTY DESCRIPTION: | LOT 1 ON REGISTERED PLAN 174886 AND LOT 5 ON REGISTERED PLAN 208764, PARISH OF MUDGEERABA AND GILSTON, COUNTY OF WARD WEST BURLEIGH ROAD AND REEDY CREEK ROAD, WEST BURLEIGH |
| POSTAL ADDRESS: | 26.1 HECTARES |
| AREA OF LAND: | |
| ZONE TO WHICH THE LAND IS PROPOSED TO BE EXCLUDED: | GENERAL COMMERCIAL |
| ZONE INTO WHICH THE LAND IS PROPOSED TO BE INCLUDED: | SPECIAL RESIDENTIAL |
| USE OF THE PREMISES AT THE TIME OF THE APPLICATION: | VACANT LAND |
| APPROVED USE/S AS GRANTED IN THIS APPROVAL: | SPECIAL RESIDENTIAL DEVELOPMENT COMPRISING DETACHED HOUSING, INTEGRATED HOUSING, TOWNHOUSE DEVELOPMENT AND MULTI-UNIT DEVELOPMENT AND AN EXTENSION TO EXISTING BURLEIGH LAKE |

CONDITIONS ATTACHED TO THE COUNCIL APPROVAL

APPROVED PLANS

(1) The development shall be in accordance with the plans submitted by the applicant (Plan/Drawing No. BWP-011 to BWP-013 prepared by Robina Planning Pty Ltd dated July 1993) and Drawing No. 02A prepared by Greenspace Pty Ltd dated 5 July 1993 (as amended by the conditions of the approval). Such plans will become the approved plans for the site and shall incorporate the following design parameters on the Plans:

- (a) Dwelling houses on lots with minimum site areas of 600 square metres shall comply with Section 4.11 of the Planning Scheme and all relevant sections of the Building Act and Building Code, unless otherwise approved.

(b) DESIGN AND SITING GUIDELINES FOR INTEGRATED HOUSING

Greater than 400 square metres but less than 600 square metres.

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Building Controls

Only one dwelling permitted on each allotment. Maximum permissible height is one storey.

Maximum site coverage on allotments is 50%. Site coverage is defined as the area of site covered by building or other structure having an impervious roof. The terms does not include structures which are used exclusively for recreational purposes and which have a total roofed area not exceeding 15 square metres and eaves up to a maximum of 600 mm in width.

All dwellings shall be designed to ensure adequate privacy and solar amenity. In particular dwellings shall be designed to minimise overlooking and overshadowing of adjoining dwellings and their major landscaped open spaces.

Car Parking

All dwellings must allow for the accommodation of two cars. This shall comprise a minimum of one enclosed garage and one pergola style space.

Allowance is also to be made for tandem visitors car spaces for each dwelling. These can be situated on the driveway and may be permitted to overrun the boundary line having regard for the street type of which the lot has frontage, the area of road reserve to be landscaped and the impact on the pedestrian environment.

Boundary Setbacks

The setbacks referred to in Clauses 4.02, 4.03 and 4.04 must be complied with unless it can be demonstrated that overall amenity is not impaired.

Front setback from boundary to building line shall be a minimum of six metres provided this may be relaxed to a minimum of three metres having regard for the street type to which the lot has frontage and the detailed streetscape plans.

Whereas lots have a zero-lot line side boundary nominated on the Plan of Development, it is permissible for the external wall of the building to be built to this boundary for the length of the zero-lot line shown on the plan.

All other boundary setbacks shall be 1.5 metres or as otherwise indicated on the Plan of Development. Roof

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overhangs are not permitted within the 1.5 metre setbacks.

Note: lengths of the dwelling built to the 1.5 metre setback is limited by useable open space requirements. Long narrow spaces should be avoided.

Open Space Requirements

All open space is to be designed to ensure maximum useability i.e. as entry courts, outdoor living spaces, or for service use as appropriate.

A major open space is required of not less than 40 square metres, with a minimum dimension of five metres. This space is not to include clothes drying facilities and where it occurs on street frontages it is to be partly screened by a court wall or mature landscape planting.

Boundary Fencing

Solid screen "Good Neighbour" style boundary fencing 1.8 metres high is to be provided to maintain privacy where there are openings facing the boundary. Where practicable, fencing is to be relieved by landscaping.

Any privacy fencing required beyond the front alignment of the dwelling or parallel to the street frontage shall be constructed of masonry piers, either of face brickwork or blockwork with coloured render of texture finish to match the dwelling, with infill panels of treated timber lattice, "Good Neighbour" style timber palings, coloured metal tube, or matching masonry.

All fencing along street boundaries shall be incorporated with landscaping to the street face within the footpath area, but so as not to cause difficulty in pedestrian traffic to the footpath.

No front boundary fencing shall exist to more than 60% of the street frontage of any property.

Architectural/Landscape Design

Architectural and landscape design should achieve a high degree of privacy, design for climate effects, soil conditions, an overall harmony and coherence.

All building and landscape structures shall have a predominant appearance of being constructed of masonry walls, and is to be architecturally appealing and blending with surrounding dwellings.

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All dwellings shall have predominantly pitched roofs of a minimum of 15° pitch.

Dwellings shall be designed and positioned so that driveways generally shall not be immediately adjacent to one another, and in all situations shall have a minimum plantation width of 600 mm between adjacent driveways.

Driveways and pathways are to be compatible with architectural design and streetscape and shall be of pavers or concrete with exposed aggregates or stamped and coloured.

Open type pergolas may be built abutting any side or rear boundary. No part of any such structure may be attached to the wall of an adjoining building.

Landscape planting is to be provided wherever practical to soften the appearance and give scale to dwellings and fences and be in harmony with adjoining allotments.

Planning Scheme

Compliance with Section 4.13 - provisions in Respect of Integrated Housing Development of the Planning Scheme unless otherwise detailed in these guidelines.

Compliance with Section 16.4 - Subdivision for Integrated Housing of the Planning Scheme unless otherwise detailed in these guidelines.

(c) DESIGN AND SITING GUIDELINES FOR TOWNHOUSE SITES

Density One dwelling unit for every 250 square metres of site area.

Site Coverage and Building Height

The site coverage shall not exceed 40%.

The height of a townhouse shall not exceed two (2) storeys above ground level.

Building Setbacks

(i) No part of any townhouse shall be erected within six (6) metres of any road frontage providing that in respect of sites with more than one (1) frontage, a minimum setback of three (3) metres to the secondary road frontage may be adopted, having regard to the location of urban services, proposed landscape treatment of the setback and setbacks of building on adjacent sites.

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- (ii) No part of any townhouse shall be erected within twelve (12) metres of any lake frontage.
- (iii) Any structure within the twelve (12) metre setback area shall not protrude more than one (1) metre above natural ground level with the exception of pergolas which shall not extend more than 2.5 metres from the townhouse line.
- (iv) Decks, pergolas, swimming pools and terraces shall be set back six (6) metres from the lake frontage unless evidence is provided that the water level will not reach that level governed by a three (3) metre setback, to the satisfaction of the Principle Building Surveyor.
- (v) The following minimum building setbacks shall be provided to the side and rear site boundaries:
 - (I) 1.5 metres to the outermost projection of that part of the building which is 4.5 metres or less above ground level; and
 - (II) 2.0 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; and
 - (III) 2.0 metres plus 0.5 metre for every three (3) metres or part thereof to the outermost projection of that part of the building which is greater than 7.5 metres above ground level.

Provided that in respect of a car port, private garage or shed with a maximum length or width of nine (9) metres and a maximum mean height of three (3) metres, the prescribed side and rear site boundary setbacks may be relaxed having regard to the provisions made for the discharge of rainwater and the objective of achieving adequate daylight, ventilation and privacy.

- (vi) No habitable room window shall be placed so that it directly faces and is within ten metres of a habitable room window of another dwelling unit on the same site, or is within three (3) metres of any vehicle access way or shared driveway, provided that this provision may be relaxed having regard to the objective of achieving adequate daylight, ventilation and privacy.

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- (vii) The minimum distance between any two (2) buildings on a site shall be three (3) metres, provided that this distance may be reduced having regard to the objective of achieving adequate daylight, ventilation and privacy.

Open Space

A landscaped open space area comprising at least 30% of the site shall be provided and shall:

- (i) be distributed in such a manner that at least 70% of the total landscaped open space required has a minimum width and length of five metres; and
- (ii) be kept clear of all obstacles including clothes hoists, driveways, car parking spaces and garbage receptacles; and
- (iii) may include a swimming pool, spa, gazebo, barbecue, etc; and
- (iv) include an area of at least six (6) metres wide adjoining any frontage, provided that in respect of sites with more than one frontage this provision may be modified to a minimum of three metres wide to any secondary road frontage where a modification of the building setback has been granted. The erection of fences and courtyard walls may be permitted within the landscaped area adjoining the frontages provided these fences or walls are set back at least three metres from the frontages and there is reasonable variation in their alignments; and
- (v) be provided so at least 50% of the area is developed as communal open space.

Building Aesthetics

- (i) All townhouse development shall demonstrate a high standard of design and finish.
- (ii) All dwellings shall be designed to incorporate the following:
 - (iii) where buildings comprise more than two attached dwelling units no more than two such units shall have external walls which are either in the same vertical plane or are offset by less than one (1) metre; and

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- (iv) the number of attached dwelling units forming one continuous building shall not exceed four (4).

Provided that these provisions may be relaxed if non compliance does not detract from the urban environment.

Car Parking and Access

- (i) Car parking shall be provided at the following rates:

(I) Two (2) car parking spaces shall be provided for each dwelling unit for resident parking. One (1) of these spaces shall be covered and the other may be uncovered and provided in tandem with the covered space. These spaces shall be located so that no part of any car parking space or manoeuvring area is located closer than 6.0 metres to any frontage; and

(II) one car parking space shall be provided for every two dwelling units, or part thereof, for visitor parking. These spaces shall be located so that no part of any car parking space or manoeuvring area is located closer than 6.0 metres to any street frontage, provided such spaces may be located no closer than three (3) metres to any secondary road frontage where these spaces are effectively screened.

- (ii) Vehicular access to the site shall be via a single access way catering for two-way traffic, provided that this provision may be relaxed having regard to:

- (III) the dimensions of the site; and
(IV) the topography of the site; and
(V) the maintenance of high visual standards.

- (iii) All access ways shall be paved or otherwise finished to a high visual standard.

Refuse Facilities

- (i) Provision shall be made for the storage and removal of refuse.
- (ii) A refuse storage area may be provided within the six (6) metre setback to the frontage provided the following provisions are met:

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- (I) the refuse storage area shall be no closer than three (3) metres to any road alignment and no closer than 1.5 metres to any other site boundary; and
(II) the refuse storage area shall be enclosed on three (3) sides with a screen wall extending 0.2 metres above the height of the refuse receptacles; and
(III) the refuse storage area shall be screened by dense planting and mounding.

Lakefront Setbacks

In landscaping the 12 metre lakefront setbacks, a minimum of 50% of the setback areas shall be planted with ground covers, shrubs and trees selected to be suitable to their lakefront location. Decks, pergolas, swimming pools and terraces are to be set back in accordance with building setback guidelines (c) and (d) and shall be stepped and designed to complement the landscaped batter.

- (d) DESIGN AND SITING GUIDELINES FOR MULTI-UNIT DEVELOPMENT SITES

Density

One bed-sitting unit for every 140 square metres of site area one dwelling unit comprising one or more bedrooms for every 200 square metres of site area

Height

Maximum of three storeys above basement level. Any basement shall not exceed more than one metre above natural ground level.

Landscaping

At least 40% of the site shall be landscaped.

The landscaped open space shall -

- (a) be distributed in such a manner that at least 70% of the total requirement has a minimum length and width of five metres; and
(b) be kept clear of all obstacles such as clothes hoists, driveways, parking spaces and garbage receptacles; and
(c) include an area at least six metres wide adjoining the street frontage; and

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- (d) be available for the use of all residents of the development.

Site Coverage

Maximum of 40%

Building Setbacks

Street frontage - a minimum of six metres side and rear boundaries - compliance with the Building Code, having regard for the height of the building (or 2.5 metres).

Distances between buildings on the same site shall be to the satisfaction of the Director Development and Environment Planning.

Length of Wall

Maximum of 15 metres on the one plane unless otherwise approved by the Planning and Development Manager.

All multi-unit development shall comply with Scheme provisions in respect to shadow impact unless otherwise approved by the Planning and Development Manager.

BUILDING AND DEVELOPMENT COMPLIANCE

- (2) Submission to and approval by Council of satisfactory building plans and specifications in accordance with the Building Act, Council's By-laws where applicable and the City of Gold Coast Planning Scheme. These building plans are to accord with the plan approved in this Approval. The building is to be constructed in accordance with the approved building plans prior to the commencement of the use.
- (3) Provision of fire services in accordance with the Building Act.
- (4) Compliance with the Health Acts and all Regulations made thereunder.
- (5) The provisions of the Rezoning Approval are to be effected prior to the commencement of the specific use as granted by the said Approval.

NOISE & AMENITY CONTROL

- (6) Any noise generated is to comply with the provisions of By-law 270 of Chapter 11 of Council's By-laws and The Noise Abatement Act and the requirements of any other Authorities.
- (7) There is to be no interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.
- (8) An acoustic fence three (3) metres high shall be erected along the southern (common) boundary adjoining the Burleigh West Shopping Site to the satisfaction of the Planning and

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- (9) Development Manager. Such fencing shall be completed prior to the occupation of any part of the land for residential use. Compliance with the recommendations of the Noise Impact Assessment Report prepared by Ron Rumble Pty Ltd, Acoustical and Vibration Engineers dated July 1993 and noise impact comments detailed in correspondence from Robina Planning Pty Ltd dated 3 May 1994 and referred to as folio 9417684, unless otherwise detailed in this approval.

INFRASTRUCTURE AND CONSTRUCTION PROVISIONS EXTERNAL AND INTERNAL TO DEVELOPMENT SITES

LIGHTING DEVICES - GENERAL

For the purpose of conditions that relate to lighting devices, a light shall be deemed to create a nuisance when the level of illumination measured at or above ground level at a distance of 1.5 metres outside the boundary of the site exceeds eight (8) lux.

- (10) Any lighting device is to be so positioned and shielded as not to cause any glare nuisance to any nearby residential occupation or passing motorist.

STREET LIGHTING

- (11) Any proposed lighting to be provided within the Road Reserve area or other public areas under Council's control shall be of a design and standard and contain appropriate fittings which are S.E.Q.E.B. approved and comply with the necessary Australian Standards. In addition, the proposed lighting device is to be of a design and standard approved by S.E.Q.E.B. for on-going maintenance by S.E.Q.E.B..
- (12) Any lighting to be provided within the Road Reserve area or other public areas under council's control shall be satisfactorily integrated with the existing or proposed streetscape to the satisfaction of the Planning and Development Manager.

LANDSCAPING

- (13) The landscaping is to be established and maintained to the reasonable satisfaction of the Planning and Development Manager at all times.
- (14) The open space and setback areas are to be landscaped in accordance with a properly prepared planting plan to be submitted to and approved by the Planning and Development Manager prior to the issue of a building approval. Where building approval is not required, the planting plan is to be submitted and approved prior to the commencement of the said use. Such landscaping is to be completed in accordance with the approved planting plan prior to the premises being occupied and maintained at all times thereafter to the reasonable satisfaction of the Planning and Development Manager. The plan is to include the location of any proposed advertising devices and certain information listed in provision 13.12.1.1 of the Planning Scheme.

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- (15) The particular flora species to be utilised and the landscaped areas are to be species endemic to the area and those species recommended within the Flora and Fauna Report and Landscape Report of the EIS document and are to be in accordance with Council's adopted Policies.
- (16) Tall landscaped screening shall be provided along buffers and the southern park to reduce the visual impact of industrial and commercial sites, to the satisfaction of the Director of Parks and Landscape, and Director of Development and Environment Planning.
- (17) Landscape plans encompassing the streetscape and park areas are to be landscaped to the satisfaction of the Director of Parks and Landscape and the Director of Development and Environment Planning. The developer shall liaise with Council's Parks and Landscape Section prior to finalising these plans.

INFRASTRUCTURE AND CONSTRUCTION PROVISIONS EXTERNAL TO DEVELOPMENT SITES

General Provision

- (18) Council approves the payment by the owner of the land the subject of the application to the Council before commencement of construction specifically referred to in this approval, such sum as is required by the Council for the provision of those external works. Where such payment is accepted, the Council shall carry out the works and account for all costs within such time as is agreed between the Council and the owner of the land.

Where the actual cost to the Council of the above works exceeds the sum approved, the Council may recover the difference from the owner of the land as a debt due and owing to the Council.

Where the actual cost to the Council of the above works is less than the sum approved, the Council shall refund the difference to the owner of the land.

Stormwater Drainage

- (19) Stormwater drainage that may discharge onto the site, from and traversing the site shall be collected on site in an underground drainage system and discharged into an approved stormwater drainage system. This system shall be constructed to a legal point of discharge at the time of development of the site, to the satisfaction of the Chief Engineer. Where required by the Chief Engineer, easements shall be provided within and or external to the site at no expense to the Council to ensure that a drainage path to the ultimate outlet of the catchment is obtained.

- (20) Development shall ensure minimal downstream siltation during construction by intercepting the flow from the sub catchment

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and returning that flow to the natural gullies and downstream gullies or stormwater drainage systems at a volume and velocity not exceeding the existing condition. In addition, the following provisions shall be met to the satisfaction of the Chief Engineer -

- (a) construction of silt traps at the downstream end of the construction area; and
 - (b) stabilisation of earth batters using quick growing vegetation techniques or turfing; and
 - (c) re-aligned drainage channels shall be protected from scouring as construction proceeds; and
 - (d) drainage channels shall be wide based, if possible; and
 - (e) construction of temporary bunds throughout the site; and
 - (f) the contract documentation shall include Quality Assurance Provisions in accordance with Australian Standard AS2900-1987.
- (21) Soil exposure during the construction phase shall be minimised and restoration of exposed areas shall be carried out to the satisfaction of the Chief Engineer within seven (7) days of such areas no longer forming part of the construction areas.

For the purpose of this Clause "construction area" means that part of the site which is required for the carrying out of development and storage of equipment and materials associated with the development.

Roadworks and Footway Areas

- (22) Prior to the issue of a Certificate of Classification or sealing a plan of subdivision, the following shall be required to the satisfaction of Chief Engineer and the Queensland Department of Transport-Main Roads:

- (a) an area of the site required for road widening purposes dedicated free of charge to the Crown; and
- (b) construction of road pavement, kerb and channel and pavement tapers; and
- (c) construction of medians or median breaks in the Road Reserve; and
- (d) provision of traffic control devices; and
- (e) any other road works necessitated by the development.

- (23) Any existing kerb and channel which is damaged or is required by the Chief Engineer to be replaced for the frontage of the site shall be on an alignment both horizontal and vertical to match the existing kerb and channel or any future kerb and channel design approved by the Chief Engineer.

ROADWORKS AND FOOTPATH AREAS

- (24) Any existing kerb and channel which is damaged or is required by the Chief Engineer to be replaced for the frontage of the site shall be on an alignment both horizontal and vertical to

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- match the existing kerb and channel or any future kerb and channel design approved by the Chief Engineer.
- (25) A formed footway shall be provided for the full length of all frontages of the site, to the satisfaction of the Chief Engineer. Where paving is to be provided this material shall have a Polished Frictional Value of not less than 45, as established in Australian Standard AS1141.42.
- (26) Any drainage works or alterations to public utilities, road signage or traffic control devices necessitated by the works required shall be undertaken by the owner of the land at no cost to the Council and to the satisfaction of the Chief Engineer.
- (27) All works shall be carried out in accordance with the Council's design and specification and to the satisfaction of the Chief Engineer.

FILLING AND FLOOD LEVEL

- (28) Any filling of the site shall not cause ponding on adjoining sites.
- (29) The site (excluding the lake) is to be fill above maximum recorded or design flood level to the reasonable satisfaction of the Director, Beaches and Foreshores. The required filling level will be determined in the light of tests being carried out on the Nerang River Mathematical Model for Albert Shire Council and Gold Coast City Council by the Department of Primary Industries Water Resources Unit. Any enquiries concerning these tests are to be directed to the Director, Beaches and Foreshores.
- (30) The applicant is to ensure that the development levels are safe against local flooding or drainage problems. A report by competent consultants, to the satisfaction of Council's Chief Engineer, is to be provided examining flood and stormwater levels as affected by run-off from upstream and water levels which will occur downstream. (Council does not have flood level records relevant to this site).
- (31) Any filling of land shall be in accordance with the provisions of the Local Planning Policy "Foundation and Geotechnical Assessment" and shall be constructed in accordance with the provisions of that policy, to the reasonable satisfaction of the Chief Engineer and the Planning and Development Manager. All fill placed on the lands shall also be suitable for the purpose of providing a foundation for the proposed use of the land and shall be placed on the land and compacted in accordance with sound engineering practice.

The applicant shall, before Council seals the plan of subdivision, lodge a certificate from a professional engineer (civil) registered in accordance with the Professional Engineers Act 1929-1973 addressed to Council and certifying that the engineer has been responsible for the inspection of the construction of the filling and any roadworks, the installation of any pipe work and drainage works and other development and civil engineering works for the subdivision.

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- Such certificate shall be in a form prescribed by the Chief Engineer or the Chief Executive Officer and shall be to the effect that all stages of construction were inspected by such engineer and certifying that all materials, components and works have been constructed in accordance with the approved drawings, amendments and specifications and conform with the requirements of the design and all relevant standards and codes and have been constructed in accordance with sound engineering practice.
- (32) Any lake excavation shall be to a depth established for adequate navigation and water quality and excavation for obtaining fill shall not be made below that depth.
- (33) A design flood level is to be established for the development through modelling of the area on the Nerang River Computer Model.

PERMANENT ACCESS AND PROVISION FOR TRAFFIC

- (34) A portion of the site is to be dedicated as road reserve, free of cost to Council, for road widening purposes. The exact area and shape shall be to the reasonable satisfaction of the Chief Engineer and will be determined after discussions with Council's Traffic Engineering Section and/or The Queensland Department of Transport-Main Roads.
- (35) The applicant shall provide all works at his expense as required to upgrade the existing road network with the following minimum requirements to be satisfactorily completed:
- (a) The applicant shall contribute towards the cost of upgrading of the intersection of the Gold Coast Highway and West Burleigh Road. The contribution shall be to the satisfaction of the Queensland Department of Transport-Main Roads.
- (b) The applicant shall upgrade that section of West Burleigh Road between Burleigh Street and James Street to the satisfaction of the Chief Engineer and the Queensland Department of Transport-Main Roads.
- (c) The applicant shall upgrade the intersections of West Burleigh Road and Tallebudgera Creek Road; the intersection of West Burleigh Road and Tabilban Street; and the intersection of West Burleigh Road with Reedy Creek Road.
- (d) The applicant shall provide for the upgrading of Reedy Creek Road to provide for four traffic lanes with a central median for the full frontage of the site with tapers external to the site.
- (e) The applicant shall be responsible for all costs associated with the provision of traffic signals and the coordination of all associated traffic signals located on roadways or new signals to be located by the applicant within the vicinity of the site.

All works referred to above shall be designed and constructed to the satisfaction of the Chief Engineer and the Queensland Department of Transport-Main Roads, and are to be completed in conjunction with the buildings on the site and prior to the

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issues of a Certificate of Classification for the proposed structures on the site.

- (36) The applicant shall provide detailed drawings in accordance with preliminary layout No. 102 SK2 dated 16 May 1994 prepared by the Queensland Department of Transport and shall complete all works to the satisfaction of the Queensland Department of Transport-Main Roads and Council's Director of Roads and Transport. Detailed drawings shall be prepared prior to the sealing of the first residential subdivision stage and work shall be completed prior to any permanent access being obtained onto West Burleigh/Reedy Creek Roads.
- (37) A bond for the sum of \$30,000.00 is to be lodged with Council to cover future traffic management works in Tabilban Street, prior to the application being referred to the Minister. Such amount shall be released after two years from completion of the development if it has been determined by Council's Director of Roads and Transport, that additional traffic works are not necessary as a result of the development.

PROVISIONS FOR VISIBILITY AT INTERSECTIONS OR ROAD JUNCTIONS

- (38) No person shall erect or cause or permit to be erected on corner area any fence, hoarding or other structure, or plant growth likely to cause visual destruction of a height greater than 750 mm or such lesser height as the Chief Engineer may determine having regard to the levels of the site and adjoining Road Reserve areas.

CONSTRUCTION ACCESS AND PROVISION FOR TRAFFIC

- (39) Access to site during construction shall be in accordance with the Local Planning Policy 'Requirements for Construction for Development Sites'.

CAR PARKING AND LOADING FACILITIES

- (40) Provision of off-street car parking spaces in accordance with Clause 13.5.1 of the Planning Scheme and access and layout design to be provided and constructed in accordance with the Local Planning Policy 'Off Street Vehicle Parking Requirements' Australian Standards AS-2890.1 and AS-1428.1 amended from time to time, to the reasonable satisfaction of the Planning and Development Manager. Should the development be designed in such a manner as to reduce the amount of required car parking, the required amount of car parking may upon application to the Planning and Development Manager, be amended accordingly.
- (41) Car parking bays and aisle widths to be in accordance with Class 3 of the Australian Standard Code 2890.1-1986.

WATER SUPPLY & SEWERAGE AND WASTE DISPOSAL

- (42) Provision of water supply and sewerage to the reasonable satisfaction of the Chief Engineer and in accordance with the Sewerage and Water Supply Act and relevant Local Planning Policies. The sewerage system is to be designed to cater for

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the external catchment presently served by pump station B22 adjacent to the Besser Plant.

The owner of the land shall be responsible for all costs involved with the connection to the existing Council water supply main and the sterilisation of any new water supply mains. These works shall be carried out by Council.

- (43) The development shall be provided with Fire Hydrant installation conforming with the provisions of the Australian Standard AS2419 (as amended from time to time).
- (44) The existing Council water main / sewer traversing the site will be subject to Local Planning Policy "Structures near Council's Services". At the time of Building Application, a security bond will be assessed if required by the policy, for protection of the service. Where the service is to be relocated clear of a proposed building, or re-laid under a proposed building in cast iron cement lined or ductile iron cement lined pipe, then the bond will represent the estimated value of the work plus 20%. The bond will be required to be paid prior to construction commencing and shall be in the form of cash or unconditional bank bond. Where a service is to be relocated an easement shall be created over that service and dedicated in favour of Council, prior to the approval of a Building Application on the subject site.

HEADWORKS CONTRIBUTIONS

(45) WATER SUPPLY AND SEWERAGE COMPONENT 1

In accordance with the Planning Scheme and Local Planning Policy "Development Charges for Water Supply and Sewerage Service" contributions are payable towards Water Supply and Sewerage Headworks (Component 1).

These contributions are based on the equivalent population proposed in excess of that allowed for the zone within which the land the subject of this approval is located. The contributions have been determined from information supplied with the application and Council records, the principal particulars of which are as follows:

| | | |
|-----------------------------------|------------|--------------|
| Water Supply (Account No. 006635) | 760.20 e.p | \$270,631.00 |
| Sewerage (Account No. 006637) | 938.50 e.p | \$309,705.00 |

Total Component 1 Headworks Contribution \$580,336.00

The above rates are valid for the period of this approval only and subject to increase in accordance with any increases in the Consumer Price Index (All Groups) Brisbane which was 110.2 for the January/March quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

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Prior to this approval for rezoning being forwarded to the Chief Executive of the Department of Housing, Local Government and Planning an agreement on terms and conditions to be determined by the Chief Executive Officer whereby the applicant for rezoning agrees to make payment of the Water Supply and Sewerage Component 1 Headworks contribution referred to above shall be signed by the applicant and lodged with the Council as security for compliance with the applicant's obligations to make the above contribution. Prior to referral of the application for rezoning to the Chief Executive of the Department of Housing, Local Government and Planning the applicant shall also lodge an unconditional and unequivocal bank bond or guarantee on terms and from an institution acceptable to the Chief Executive Officer for the amount of the total Component 1 Headworks contribution.

The agreement and the security referred to above shall only be released to the applicant or as directed by the applicant upon payment of the contribution (together with any CPI increases calculated in accordance with the index referred to above) in cash or by bank cheque payable to the Council.

In the event of a sale of the lands the subject of this rezoning approval Council may at its discretion on completion of the sale release the applicant from all obligations under the agreement and release the security referred to above upon lodgement of a substitute agreement on terms determined by the Chief Executive Officer executed by the purchaser of the land and the lodgement of a replacement security, the amount of which shall be determined by the Chief Executive Officer after taking into account any increases in the index referred to above.

The determination of the final amount of the contribution referred to in this condition will be deferred until the approval by Council of an application for permissible development or permitted development subject to conditions, as the case may be, and payment of the contribution shall then be made to Council at the time of such approval by it or such other date as may be determined by it at the time of such approval. The determination of the amount of the contribution time will be based on the rates for water supply and sewerage per equivalent population/person at that time.

(46) WATER SUPPLY AND SEWERAGE COMPONENT 2 HEADWORKS

In accordance with the Planning Scheme and Local Planning Policy "Development Charges for Water Supply and Sewerage Service" contributions are payable towards Water Supply and Sewerage Headworks (Component 2).

The rates are valid for the period of this approval only and subject to increases in the Consumer Price Index (All Groups) Brisbane which was 110.2 for the January/March quarter of

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1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

The determination of the final amount of the contribution referred to in this condition will be deferred until the approval by Council of a building application, permissible development application, application for permitted development subject to conditions or application for subdivision, as the case may be, and payment of the contribution shall then be made to Council at the time of such approval by it or such other date as may be determined by it at the time of such building approval, approval for permissible development, approval for permitted development subject to conditions or subdivision approval, as the case may be. The determination of the amount of the contribution will be based on the rates for water supply and sewerage per equivalent population/person at the time.

- (47) PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS
The contributions are payable to Council by the owner of the land in cash or bank cheque within seven (7) days of the commencement of the construction of the building work or prior to sealing any plan of subdivision. No plumbing and drainage inspections will be undertaken until payment is received.

ALTERATION TO UTILITY MAINS

- (48) Any alterations to or relocation of public utility mains, services or installations rendered necessary by a development shall be undertaken by the owner of the land, at no cost to the Council, and to the satisfaction of the Chief Engineer.

GEOTECHNICAL CONSIDERATIONS

- (49) Where, in the opinion of the Chief Engineer and in accordance with Clause 13.4.5 of the Planning Scheme, the proposed construction of a development requires investigation of a geotechnical nature, the owner of the land shall submit a geotechnical report prior to the issue of Building Approval. This report shall be prepared by persons suitably qualified and experienced in the field of geotechnical investigations. All works required by a geotechnical investigation shall be undertaken by the owner of the land to the satisfaction of the Chief Engineer.
- (50) All development shall comply with the Local Planning Policy "Foundation and Geotechnical Assessment".
- (51) Prior to the issue of Building Approval the applicant shall submit to Council for approval full details prepared by a professional engineer of the building work necessary to retain any excavation below the development level and to preserve and protect adjoining building from damage.

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ENGINEERING DESIGN AND CONSTRUCTION

- (52) (a) Engineering plans and specifications for the work set out in conditions contained herein are to be approved by the Chief Engineer prior to construction commencing. Approval by the Chief Engineer does not warrant that such plans and specification have been checked in detail, nor does it absolve the Applicant from complying with all the conditions of this approval and / or relevant Council By-Laws and policies and / or relevant statutes and / or statutory regulations in the execution and / or performance of the said works. Neither the Council nor the Chief Engineer accepts any responsibility for the accuracy of such plans and specifications as approved.
- (b) All material supplied and all work performed by the Applicant pursuant to this approval shall be to the reasonable satisfaction of the Chief Engineer and shall comply in all respects with the provisions of all relevant statutes, statutory regulations, By-laws and / or Policies. The Chief Engineer may, by himself or his nominated delegate, supervise and test and generally may inspect all materials and work but no supervision, testing or inspection shall relieve the Applicant of any obligation imposed upon such applicant, pursuant to this clause or any other clause of this approval.
- (c) MAINTENANCE - All works which, at the completion of the development, will become the responsibility of Council, shall be subject to a maintenance period and provision of security for the maintenance period in accordance with Council's subdivision By-Laws and policies.
- (d) SUPERVISION - All internal roadworks, sewerage, water supply and stormwater drainage is to be constructed under the supervision of a qualified Engineer who is to certify that these works have been constructed under his direct supervision and that they comply with the approved drawings and specifications.
- (e) Prior to the commencement of any work arising out of conditions listed above, written advice of intention to proceed with the work is to be given to Council. The advice shall include the name of the responsible supervisor with whom Council's inspecting officer will make contact.

- (53) Construction work is permitted only during the hours of 7:00 am to 6:00 pm Monday to Saturday.

NUISANCE

- (54) The Applicant is to ensure that a "smoke and dust nuisance" is not created in the development of this proposal. Attention is drawn to Chapter 8 of Council's By-laws in regard to this matter. Open burning off of any material shall not be permitted on the subject site. All waste material, including cleared vegetation, shall be transported from the site and

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disposed of in a satisfactory manner. The applicant is to apply to Council and receive in writing from Council an approved site to dispose of this waste material. The requirements of By-law 270 of Chapter 11 in regard to noise nuisances shall apply to this development, and in addition, construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday to Saturday unless otherwise approved by the Chief Engineer.

PARK PROVISION

- (55) The applicant is to provide ten percent (10%) of the land as park provision. As part of this requirement Council shall acknowledge previous public park dedications made under subdivision approval 665/083/010. Buffer zones containing easements which are to be dominated by services shall be excluded from the overall public park calculations. The park area shall be transferred to Council in Fee Simple and shall be developed to a condition fit for the purpose for which it will be surrendered, and shall be selectively cleared, graded, filled, grassed, planted, etc, under the direction of and to the reasonable requirements of the Chief Engineer.

COMPLETION OF PARK WORKS

- (56) Council will not issue a Certificate of Compliance for the site until such time as all park areas have been completed to the requirements herein contained to the satisfaction of the Chief Engineer and Planning and Development Manager in consultation with the Division Alderman.

TREE PRESERVATION

- (57) Any tree with a girth of 400 mm or more at waist height shall not be removed without first obtaining the consent of the Chief Engineer. Exceptions will be made in the case of trees within an approved future road reserve or where necessary to install water and sewerage works, drainage lines, etc. Prior to any design or construction work commencing, arrangements shall be made with the Environmental Officer for an inspection to identify trees which are to be preserved. The results of this inspection will be valid only for the duration of this approval, and a fresh inspection will be required for any future approval.

Observance of Chapter 37 of Council's By-laws in regard to the preservation of trees.

PROVISIONS IN RESPECT OF DEVELOPMENT ON SITES ADJACENT TO AN OCEAN BEACH, THE BROADWATER, A RIVER, STREAM, CANAL, LAKE OR OTHER BODY OF WATER

General Provisions

- (58) Where the site fronts a body of water, a revetment wall shall be constructed where the Chief Engineer is in the opinion that such a wall is necessary to protect the site from erosion or similar effects. All such revetment walls shall be located,

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constructed and maintained to the satisfaction of the Chief Engineer, at no cost to Council. A wall shall be reconstructed at no cost to Council when, in the opinion of the Chief Engineer, reconstruction is necessary to ensure the preservation of the wall.

WATER QUALITY REQUIREMENTS

- (59) Prior to subdivision approval or building approval being granted for the site, the applicant is to provide satisfactory details of:
- Gross pollutant/silt traps which can be readily maintained.
 - Nutrient stripping basins.
 - Calculations of the expected water quality parameters.
 - Management procedures for the lake with respect to water quality and how the use of the lake can be regulated during periods of low water quality.
 - Calculations of the efficiency of (a) and (b) and likely resultant water quality.

PREREQUISITE PRIOR TO APPLICATION BEING FORWARDED TO THE DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND PLANNING AND REVOCATION OF APPROVAL CONDITIONS

- (60) Prior to the matter being forwarded to the Chief Executive of the Department of Housing, Local Government and Planning for approval, the applicant within two (2) years of the date of the Council decision is to lodge with Council:
- A cash bond or bank guarantee to the sum equivalent to the contributions required by the conditions of approval contained herein. The cash bond or bank guarantee is to be returned to the applicant if the application is not approved by the Governor-in-Council.
 - A legal Agreement on terms and conditions satisfactory to the Chief Executive Officer, ensuring compliance with the conditions relating to water supply and sewerage headworks contributions contained herein. This Agreement is to be binding on all successors in Title.
 - Three coloured copies of the Plan of Development amended where necessary to comply with the conditions of approval.

Should the applicant fail to comply with the provisions herein contained within the time period of two (2) years from the date of the Council decision, Council will take action to rescind the decision to approve the proposed rezoning without further notice, unless the applicant can give reasons satisfactory to Council why such rescission should not take place.

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PROVISIONS FOR VISIBILITY AT INTERSECTIONS OR ROAD JUNCTIONS
General Provisions

- (61) For the purposes of this Clause, "corner area" means, in relation to a corner site which has not been truncated, that part of the site which would be contained within a six (6) metre truncation on each frontage, as defined by three (3) equal chords. No person shall erect or cause or permit to be erected on the corner area any fence, hoarding or other structure, or plant growth likely to cause visual obstruction of a height greater than 750 mm or such lesser height as the Chief Engineer may determine having regard to the levels of the site and adjoining road reserve areas. Provided that the Chief Engineer may relax this provision having regard to the purpose of Clause 13.7.1 of the Planning Scheme.

Dust, Smoke and Noise Control

- (62) All development shall:

- provide and maintain at all times adequate dust control measures to the satisfaction of the Chief Engineer which shall incorporate a schedule of works which minimises the area of cleared land or open excavation at any one time; and
- ensure that all waste material including vegetation is transported from the site and disposed of in a location approved by the Chief Engineer, provided that the Chief Engineer may permit on-site burning using an approved pit burning method incorporating forced ventilation; and
- limit construction activity to the hours of 7.00 a.m. to 6.00 p.m. Monday to Saturday inclusive unless otherwise approved by the Chief Engineer.

Paved Surfaces

- (63) Paved footways within development shall have a minimum Polished Frictional Value of 40 as established in Australian Standard AS1141.42.
- (64) Standards of construction of internal accessways shall be based on the bearing capacity of the soil and the anticipated traffic volume and shall be designed and constructed to the satisfaction of the Chief Engineer.

Electricity Facilities

- (65) Where the electricity authority requires provision of a transformer, such provision shall be made to the satisfaction of the electricity authority and the Planning and Development Manager. The transformer shall not be located within any areas required for landscaping unless approved by the Planning and Development Manager having regard to constraints on the location of the transformer elsewhere on the site. Should the Planning and Development Manager approve a transformer within an area required for landscaping, the area of the site

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occupied by the transformer, including the surrounding pad mount shall not be included as landscaping for the purpose of meeting Scheme provisions and the transformer shall be adequately screened by planting and fencing, to the satisfaction of the Planning and Development Manager.

AUSTRALIA POST

- (66) The applicant is to contact Australia Post to ascertain requirements in relation to siting of letter boxes for the development. The representative for contact is the Postmaster at the Southport/Broadbeach/Burleigh Heads/Palm Beach/Coolangatta Post Office.

S.E.Q.E.B. PROVISIONS

- (67) Should S.E.Q.E.B. require provision of a transformer, such provision is to be made to the satisfaction of S.E.Q.E.B. and the Planning and Development Manager. The transformer is not to be located within landscaping areas unless approved by the Planning and Development Manager. Should the Planning and Development Manager approve provision of the transformer within a landscaped setback area, the area of the transformer in plan, excluding the surrounding pad mount is not to be included for landscaping calculation.

CONTRIBUTION TO QUEENSLAND DEPARTMENT OF TRANSPORT-MAIN ROADS

- (68) A contribution of an amount of one million dollars (\$1,000,000.00) is to be made to the Queensland Department of Transport-Main Roads, towards the upgrading of West Burleigh Road between the subject land and the Gold Coast Highway.

ENVIRONMENTAL IMPACT STATEMENT

- (69) Compliance with findings and recommendations of the Environmental Impact Statement for West Burleigh Residential Project submitted by Robina Planning Pty Ltd and dated September 1993 and additional information supplied in correspondence from Robina Planning Pty Ltd, dated 3 May 1994 and referred to as folio 9417684, unless otherwise detailed in this approval.
- (70) Compliance with recommendations detailed in correspondence from the Queensland Department of Environment and Heritage dated 8 November 1993 in respect of the EIS prepared for the development.
- (71) The applicant/developer is responsible for forming a legal agreement/contract with Besser Masonry Queensland to ensure modified practices referred to in the Noise Impact Assessment Report prepared by Ron Rumble Pty Ltd, dated June 1993 are put into place. This agreement shall be to the satisfaction of the Chief Executive Officer and shall be submitted to Council prior to the application being forwarded to the Minister.

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PREREQUISITE PRIOR TO APPLICATION BEING FORWARDED TO THE DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND PLANNING AND REVOCATION OF APPROVAL CONDITIONS

(72) Prior to the matter being forwarded to the Chief Executive of the Department of Housing, Local Government and Planning for approval, the applicant within two (2) years of the date of the Council decision is to lodge with Council:

- (a) A cash bond or bank guarantee to the sum equivalent to the contributions required by the conditions of approval contained herein. The cash bond or bank guarantee is to be returned to the applicant if the application is not approved by the Governor-in-Council.
- (b) A legal Agreement on terms and conditions satisfactory to the Chief Executive Officer, ensuring compliance with the conditions relating to water supply and sewerage headworks contributions contained herein. This Agreement is to be binding on all successors in Title.
- (c) Three coloured copies of the Plan of Development amended where necessary to comply with the conditions of approval.

Should the applicant fail to comply with the provisions herein contained within the time period of two (2) years from the date of the Council decision, Council will take action to rescind the decision to approve the proposed rezoning without further notice, unless the applicant can give reasons satisfactory to Council why such rescission should not take place.

- (c) The comments on the objections contained in the reference be adopted as Council's representations on these objections in its application to the Minister.

*** RECOMMENDATION

That the recommendation of the Acting Senior Town Planner be adopted subject to the addition of the following conditions:

- (73) Appropriate fencing and/or barriers are to be erected in order to minimise the noise impact of the nearby Besser operations to the satisfaction of the Director of Community Services.
- (D) Full subdivision fees will be required prior to any further approvals by Council in respect of the subject land.

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*** ITEM 39

CM03/06/94(PD039)

APPLICATION FOR TOWN PLANNING CONSENT BY THE ISSUE OF A TOWN PLANNING CONSENT PERMIT TO CARRY OUT EXTENSIONS TO THE BURLEIGH WEST SHOPPING CENTRE - 123 WEST BURLEIGH ROAD, BURLEIGH HEADS

| | |
|-----------------------------|--|
| FILE REFERENCE(S) | 818/094/022 |
| APPLICATION NUMBER | 940022 |
| VIDE ITEM(S) | MAP(S) LIST |
| PROJECT ADDRESS | 123 WEST BURLEIGH ROAD, BURLEIGH HEADS |
| REAL PROPERTY DESCRIPTION | LOT 2 ON RP 157976, LOT 3 ON RP 172762, PART OF LOT 1 ON RP 174866, PART OF LOT 10 ON RP 96788 |
| OWNER | SCHWARTZ FAMILY COMPANY PTY LIMITED |
| APPLICANT | SCHWARTZ FAMILY COMPANY |
| PROPOSED DEVELOPMENT | TO EXTEND AN EXISTING SHOPPING CENTRE DEVELOPMENT |
| SITE AREA | 9.328 HECTARES |
| ZONING OF THE LAND | GENERAL COMMERCIAL |
| ROAD REALIGNMENT PROVISIONS | SUBJECT TO QUEENSLAND DEPARTMENT OF TRANSPORT REQUIREMENTS |
| ROAD HIERARCHY | ARTERIAL ROAD |
| CLASSIFICATION | SHOPPING CENTRE DEVELOPMENT |
| DATE RECEIVED | 04/02/94 |
| DATE ADVERTISED | 04/02/94 |
| OBJECTION(S) | 23 LETTERS WERE RECEIVED |
| OBJECTOR(S) | SEE VIDE ATTACHED |

*** CURRENT AGENDA MATERIAL*** CORRESPONDENCE MCKERRELL LYNCH TOWN PLANNERS (FOLIO 9409278) (08/03/94)

We thank you for the opportunity to review objections received by Council to the abovementioned consent application.

In response to these objections, which principally concentrated on economic need, we reiterate the information contained in the Population and Retail Review Report accompanying the application.

The subject land was rezoned in 1985 allowing for a regional shopping centre of some 46,000 m² to establish on the subject site. In accordance with the strategic plan, the subject application seeks a smaller district shopping centre of some 23,000 m². The Treetops Plaza and Mudgeeraba Market were established in 1992/93 in full knowledge of the strategic plan intent and the subject land's potential retail capacity.

It is therefore considered that the grounds for objection on economic need are not justifiable.

Should you seek any further information on this or any matter concerning the application please do not hesitate to contact the writer.

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*** REFERENCE ACTING SENIOR STRATEGIC PLANNER (DG) (13/05/94)

Application is made to extend the Burleigh West Shopping Centre which has frontage to West Burleigh Road and Reedy Creek Road, West Burleigh. The application was lodged under the 1982 Town Plan. While an assessment of compliance with performance standards will be based upon the 1982 scheme, a detailed assessment on the appropriateness of the shopping centre's expansion will be made largely having regard for the new Strategic Plan implications.

While the subject land is zoned General Commercial, the 1982 Town Plan requires that an application for town planning consent be made for shops where the site area is greater than 4000 m² and where the proposed extension or any redevelopment will increase the gross floor over that of the existing shops by 10% or more. The site comprises an area of 9.328 ha. It is proposed to extend the existing centre of some 12,800 m² to some 23,400 m² gross floor area. The proposal is classified as a Shopping Centre Development under the 1994 Planning Scheme and is a permissible development.

LOCAL GOVERNMENT (PLANNING & ENVIRONMENT) ACT

Under the Act the proposal is defined as a major shopping development and is a designated development. Under Section 8.2 of the Act, an EIS is required. The applicant made application to the Chief Executive of the Department of Housing, Local Government and Planning for terms of reference. The Department wavered the need to prepare an EIS having regard for the existing commercial nature of the site and that an EIS was originally prepared for the site. While the Department considered that the consequence of the consent application in relation to this designated development would be minor, they did request that consideration be given to the preparation of reports on;

- (i) noise and water quality impacts including preparation of an Environmental Management Program to the satisfaction of Gold Coast City Council and Department of Environment and Heritage - South Coast District Office;
- (ii) appropriate traffic management plan addressing various issues that may arise from the proposed development.

OBJECTIONS

A total of 23 objections were received within the statutory advertising period. However, two (2) objectors have provided insufficient details in order to ascertain their addresses. The majority of objectors are associated with businesses within Treetops Plaza situated to the west on the western corner of Bermuda Street and Reedy Creek Road. Several other objectors are connected with businesses within Central Burleigh Heads.

The main grounds for objection are summarised as follows:

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- (1) the catchment is already adequately serviced with existing and planned commercial projects providing services to the catchment community;
- (2) the proposal is not needed having regard to existing retail services in the locality, current vacancies within these centres and population growth rates;
- (3) the proposal does not comply with the car parking requirements in the town planning scheme and a relaxation of car parking would create a difficult precedent and would be unsatisfactory for the retail success of the centre;
- (4) the proposal leads to an increase in traffic congestion and a loss of traffic safety in the locality.

COMMENT

Objectors concerns will be addressed in detail throughout the remainder of the report. The applicant's detailed town planning assessment is contained on file. In addition the applicant's comments on objections are detailed above in folio 9409278.

PROPOSAL

The existing centre provides for two (2) supermarkets (5970 m²), 44 specialty store (4571 m²), retail showroom (Campbells Hardware) (1990 m²), warehouse (Campbells Hardware) (approximately 4410 m²) and fast food premises (Hungry Jacks (227 m²). It is intended to extend the main building westward to provide for some 20 specialty shops (1902 m²) and a discount department store (Big W) (6508 m²). This will require the removal of the existing warehouse building. In turn, an extension to the existing retail showroom is proposed by way of a drive-through showroom (5394 m²), dispatch area (2000 m²) and associated storage yard.

SUBDIVISION

Council at its meeting of 11 March 1994 (PD061) approved a proposed subdivision which involved an area of 1.7 ha being exercised from Lot 10 on RP 854946 and amalgamated with Lot 3 on RP 854946 (existing shopping centre site) to create a total site area of 9.328 ha for the shopping centre. The current proposal relates to this total area.

COMMERCIAL STRATEGY

Under the 1982 Town Plan, the site and land to the immediate north and west was designated partly a shopping and business centre designation and partly an open space area with a possible tourist facility growth area designation on the Strategic Plan Map. In 1986, approval was given to rezone 21.737 ha adjoining the centre from Light Industry to General Commercial to permit a major retail, commercial and recreational development (refer 663/84/48). This included a regional shopping centre of some 46,500 m² to be integrated

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with the existing centre. The development was to occur in two (2) stages but did not proceed.

At the time it was considered that the extension and upgrading of the existing Burleigh West Centre was a desirable alternative to the extension of the existing Burleigh Heads Centre due to the lack of land available in central Burleigh as well as traffic congestion and minimal surplus parking provision and that provision was made for a regional centre in Burleigh under the Strategic Plan. The proposal was seen as complementing the relationship of West Burleigh to Burleigh Heads i.e. a dual nodal regional centre for the Burleigh area which would form part of the overall hierarchy identified in both the City and Shire Strategic Plans.

The applicant's representative submits the previous proposal cannot be economically justified in today's climate having regard for the changes to the surrounding retail network which was not anticipated in 1986 e.g. expansion of the Pines Shopping Centre (now a sub-regional centre of approximately 28,000 m²), the Robina Town Centre (envisaged as having a retail component in the order of 52,000 m²), major extensions to Pacific Fair and new centres at Stephens (Treetops Plaza) and Mudgeeraba. It is further submitted that the catchment area for a regional centre of 46,500 m² was in 1986 considered to be soundly based for a regional centre anchored by a major department store. The total catchment population forecast exceeded the actual growth rate i.e. 8.3% compared with 6.4% up to 1991. The applicant believes that a more realistic trade area has now been defined having regard for the reduction in the size and nature of the extensions and other retail development firmly committed in the area. Trade area has been based on 1991 census collector district boundaries. The greatest proportion of trade will be drawn from the primary area defined as the Burleigh Heads / Burleigh Waters area extending upland to the Pacific Highway, north to Bond University and south to Tallebudgera Creek. The report states that the strong growth forecast to occur in the updated trade area suggests there will still be a need and demand for additional retail facilities in the area and that the proposal will not have any long term adverse economic impact.

'People Places and Planning' which provides the supporting data base for the preparation of the 1994 Scheme notes that Burleigh West at present contains a significant number of district centre elements. It acknowledges the capacity of existing zoned land which is undeveloped to provide for future commercial / retail needs and that opportunities exist to enhance the functions of existing commercial centres with such opportunities being realised with the existing zoned areas and in turn cites Burleigh West. These aspects are reinforced in the Commercial Strategy of the Strategic Plan which designates Burleigh West as a Regional Centre. When establishing this strategy, Council had due regard for the existence of actual and proposed regional shopping centres within the adjoining Albert Shire. The strategy also acknowledges that a regional hierarchy of commercial centres needs to be established through co-ordination between Gold Coast City Council and Albert Shire.

The current application accords with the Strategic Plan which acknowledges that Burleigh West will expand from its present role as a district centre

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to take on regional centre functions, having regard for the existing capacity of the General Commercial zone. The expansion is in accordance with regional centre objective "to consolidate and reinforce the role of regional centres as major locations of business activity and employment and to encourage the orderly growth of such centres".

All objectors raise concerns in respect to the need for additional retail facilities having regard for existing and proposed centres within the adjoining Albert Shire. Some of the relevant aspects which appear to have been overlooked by objectors are the existing capacity of the General Commercial zone which will enable the centre to ultimately develop as a regional centre and the commercial centres hierarchy within the new Strategic Plan. Further, it appears that the potential for expansion of the Burleigh West Shopping Centre may not have been fully considered when approvals were granted within Albert Shire for the expansion of existing centres and the establishment of new ones.

It is further noted that at the time of Council's assessment of objections and submissions on the 1994 Planning Scheme when it was in its draft form, a submission was made by Robina Planning Pty Ltd acting for Sanfam Pty Ltd in respect of the future development of the Burleigh West Shopping Centre site. The objector submitted that the Strategic Plan be amended to reflect their proposal to develop the balance of the Burleigh West Shopping Centre site with residential development ranging in densities from detached housing through to townhouse development. A final decision in respect to this application is yet to be made by Council (refer 663/93/76). Council considered the submission having regard for recent changes in respect to the Robina Town Centre. It was not considered appropriate that the options for higher order commercial and business opportunities at Burleigh West be lost.

Accordingly, it was considered that part of the site be retained as a regional centre with a reduction in the designated area reflecting the loss of catchment which will result from the construction of the Robina Town Centre. Therefore, the objectors concerns have been somewhat alleviated by the reduction in the size of the regional centre designation on the Strategic Plan as the ultimate size of the centre will be somewhat less than that capable of being achieved under the present zoning and previous Town Plan.

TRAFFIC AND ACCESS

Access to the site is proposed to remain at the existing locations, namely:

- . left-in off Reedy Creek Road.
- . signalised access at West Burleigh Road/Reedy Creek Road/Tallebudgera Creek Road intersection.
- . signalised access at West Burleigh Road/Tabilban Street intersection.

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A traffic impact assessment has been prepared by Roger Brameld Consulting Pty Ltd. They consider that the overall impact of the generated traffic on the road network to the year 2006 is insignificant when compared to the base traffic on the roads excluding traffic associated with the centre. They intun state that there is no reason for the shopping centre to contribute to the overall upgrading of the road network, but in order to overcome all impacts of the shopping centre recommend:

- (i) increasing the length of the right turn pocket by 20 metres.
- (ii) provide an additional short northbound lane through the intersection.

However, they further state that the usefulness of these works is dependent on West Burleigh Road being upgraded to four lanes, noting there is already two (2) northbound lanes past the site.

The following comments are made by Council's Traffic Engineer in respect of the proposal. The additional reports / reference referred to in his reference for the adjacent proposed residential development (file 663/93/76) have been included as vide items.

*** REFERENCE TRAFFIC ENGINEER (IM) (08/04/94)

This report should be read in conjunction with the reports on the adjacent proposed residential development on file 663/93/76.

The proposal is to redevelop the shopping centre and increase its total use area from 12,811 m² to 23,732 m² and expand the retail showroom. A traffic report, prepared by Brameld Consulting, was submitted in support of the application.

Recent negotiations with Roger Brameld and Sinclair Knight, the consultant for the adjacent residential development, have been directed to overcoming future access problems at the intersection of West Burleigh Road and Tabilban Street, at which both developments would gain access to West Burleigh Road. The Brameld report is in part superseded by the work which has been carried out to produce a satisfactory layout for the junction of the shopping centre northern access road and the residential development access road.

It is proposed that the intersection of the shopping centre northern access road and the residential development access road be located approximately 80m to the west of the West Burleigh Road/Tabilban Street intersection. At this location the two intersections would be expected to operate at a satisfactory level without queuing problems.

The relocation of the shopping centre access road junction has an impact upon the parking layout (3499 SK-20B) submitted in the consultants report. It will be necessary to redesign the northern section of the shopping centre car park to comply with the modified access and reassess the parking spaces provided.

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The parking area is also affected by the Queensland Transport road widening requirements which cuts through the drive through at the Hungry Jacks food outlet. The parking area may be affected by the need to take into account the possibility of a reciprocal access easement to the adjacent site to the south in West Burleigh Road.

The other site access is at the West Burleigh Road/Reedy Creek Road/Tallebudgera Creek intersection. At this location there is a short two-way service road between the site boundary and the carriageway of Reedy Creek Road. The intersection of this road and the shopping centre access road will require some channelisation to improve the shopping centre approach to the traffic signals.

The report discusses the provision of bus and taxi facilities for the centre. It was suggested that a Taxi lay-by could be provided on the site in front of the shops. At this stage it is not proposed to provide a bus stop within the site although this could be looked at later.

The consultant carried out a car parking accumulation survey on Thursday afternoon, 9 December 1993 and Saturday morning, 11 December 1993. The peak accumulation occurred on the Saturday morning between 11.00 am and 11.30 am. Using these results and surveys quoted at other coastal centres it was suggested that a parking supply of 5.8 spaces per 100 m². However, I see no need to vary from Council's policy of 6 spaces per 100 m².

It is not known whether or not the development of the shopping centre will precede the development of the adjacent residential development. Consequently both developments should be conditioned to provide road widening in West Burleigh Road (Tabilban Street to Tallebudgera Creek Road) for an additional traffic lane in each direction, including tapers and modifications to turn bays. The works are to be carried out to the satisfaction of the Director, Roads and Transport and the District Manager, Queensland Transport.

The car parking layout is to be designed in accordance with Planning Policy No. 1 and the parking layout is to show how the proposed modification to the northern access road impacts upon the parking layout and parking supply. The parking layout is also to show the proposed modifications to the Hungry Jacks drive through.

The developer is to make a contribution to traffic management works in Tabilban Street if, in the opinion of the Director Roads and Transport, it becomes necessary to intervene to discourage through traffic from that street as a consequence of the additional development.

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*** FURTHER REFERENCE ACTING SENIOR STRATEGIC PLANNER (DG) (13/05/94)

COMMENT

From the above it is noted that:

- (1) The car park layout will need to be modified in part due to changes to the northern access to accommodate the adjacent residential development and changes to the drive-through facility of Hungry Jacks as a result of future road widening.
- (2) Channelisation will be required to improve the shopping centre approach to the traffic signals at the West Burleigh Road/Reedy Creek Road/Tallebudgera Creek intersection.
- (3) The approval should be conditioned to provide road widening in West Burleigh Road (Tabilban Street to Tallebudgera Creek Road) for an additional traffic lane in each direction, including tapers and modifications to turn bays.
- (4) A bond should be lodged to cover future traffic management works within Tabilban Street.

Since the above, Queensland Department of Transport has recently completed preliminary layouts to define the extent of works for the upgrading of West Burleigh Road and Reedy Creek Road and associated intersections and has identified the extent of works that adjoining landowners should be required to undertake at a rezoning, subdivision or development stage. A condition of approval should require that roadworks be designed and constructed generally in accordance with the Queensland Transport Plan No. 102 SK3 dated 16 May 1994 to the satisfaction of The Queensland Department of Transport - Main Roads, and Council's Director of Roads and Transport.

CAR PARKING

An assessment of car parking for the centre extending over Lot 3 on RP 172762 was undertaken in conjunction with Building Application 92/7009 which involved limited extensions to the centre which have now been completed. This assessment excluded the Campbells showroom/warehouse facilities and was as follows:

| | |
|----------------------------------|------------|
| Existing shopping centre | 840 |
| Family restaurant (Hungry Jacks) | <u>14</u> |
| | 854 spaces |

The current application including existing Campbells showroom attracts additional car parking as follows:

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Discount Department Store

Retail area (5088m²) 339.2
(1 per 15m² space)

Storage area (1420m²) 28.4

Specialty Stores (1902m²) 126.8
(including ancillary storage areas)
(1 space per 15m²)

Existing Retail Showroom (1990m²) 66.33
(1 space per 30 m²)

Proposed drive-through showroom (3958m²) 131.93
(excluding driveway/vehicle setdown area)
(1 space per 30m²)

Dispatch area/storage yard (6445m²) 128.9
(1 space pr 50m²)

821.56

Say 822 spaces

Having regard for the existing centre, the total development requires 1676 spaces. Provision is made on site for 1333 spaces i.e. a shortfall of 343 spaces. The applicant has prepared a submission which attempts to justify why the proposed number of spaces will be adequate.

The applicant's traffic consultant carried out a car parking accumulation survey on Thursday afternoon, 9 December 1993 and Saturday morning, 11 December 1993. (It is noted from the traffic generation assessment that Friday afternoons and Saturday mornings are peak shopping periods and not Thursday afternoon). The peak accumulation occurred on the Saturday morning between 11:00 am and 11:30 am i.e. 643 spaces. The applicant states that this is only 84% of the number of spaces derived from parking supply ratios i.e. Scheme car parking rates. However, it is noted that there are some discrepancies in respect of car parking required by the existing centre (compared with Building Application No. 92/7009) and car parking rates as stipulated in the Scheme. Examples, a retail rate of six (6) spaces per 100 m² i.e. one space per 16.67 m² compared with a Scheme rate of one space per 15 m² represents a significant variation when considering the level of retail space within the centre, the area nominated for timber yard / storage area has been notably underestimated when compared with that highlighted on site plans. A rate of one space per 100m² has been nominated in contrast to the Scheme warehouse / bulk storage rate of one space per 50m². Using their survey results and surveys quoted from other coastal centres i.e. The Sands at Maroochydore and Pacific Fair, they have suggested a retail parking rate of 5.8 spaces per 100m² i.e. 1 space per 17.24m². In summary, they believe that a total provision of between 1200 spaces and 1300 spaces would therefore be appropriate for the

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subject centre to cater for the peak periods during the Christmas holidays and that this compares favourably with the 1333 spaces proposed.

Council's Traffic Engineer has indicated that there is no need to vary Council's normal rates in this instance. Furthermore, a comparison with more tourist orientated shopping centres is misleading having regard for the nature and location of the Burleigh West Shopping Centre. Burleigh West essentially caters for permanent residents, having regard for zonings and land use patterns within the catchment area. This is also reflected in the Strategic Plan in which there is only a limited area designated for mixed resident and tourist accommodation. Tourists within these areas are more likely to patronise coastal centres, in particular central Burleigh Heads. It is also noted that the public transport system within the vicinity of Burleigh West is not as efficient as the coastal strip which services centres such as Pacific Fair. The applicant's traffic assessment states that it is not proposed to provide a bus stop on the site at this stage and that provision could be made if it is determined by bus operators that one is required. In support of the centre's extensions, considerable expansion of the local population will occur overtime e.g. the adjoining Sanfam site and additional adjacent land within Albert Shire which further emphasises that patrons will be reliant upon the private vehicle.

The current car parking rates stipulated in the Town Plan are further justified in the light that when preparing the 1994 Scheme, detailed consideration was given to car parking rates for particular uses having regard for, amongst other things, a comprehensive document prepared by Sinclair Knight and Partners which investigated car parking rates for various uses within Local Authorities throughout Queensland. The method of deriving the Scheme rates has been soundly based and there is no need to deviate from them in this instance.

Should Council approve the application, appropriate conditions should be imposed which require full compliance with Scheme provisions in respect to car parking with the exception that there may be some scope to vary the rate applied to certain outdoor storage areas. There should therefore be some flexibility incorporated into the condition in respect to car parking numbers, having regard for the exact area to be allocated for storage purposes, the types of goods stored and nature of the storage operations.

OTHER DEVELOPMENT PARAMETERS

Building Scale

The proposal complies with Scheme requirements in respect of height and plot.

Landscaping

The applicant has indicated that their landscape strategy is to retain the native woodland character and supplement the existing planting along the road frontage. Native vegetation will be used throughout the car park area with a rainforest theme adjacent to buildings. The proposed adjacent residential development will be responsible for achieving adequate

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buffering by way of extensive landscaping within the 20 metre wide buffer on that site.

The Scheme requires that at least 10% of the site be landscaped with at least half of this requirement being landscaped. The approved landscape plan for the existing centre indicated compliance with the 10% requirement. The current proposal seeks to modify the landscape requirement to 9%. They consider that the proposed development will adequately meet landscaping objectives of the 1994 Planning Scheme.

A relaxation in landscaping to 9% of the site is considered reasonable on the basis that existing dominant landscape features i.e. trees adjacent to the street frontage and along the entry driveways into the centre will be retained and that these areas will be further upgraded. It is noted however, that part of the site designated as landscaping along the northern boundary is likely to be eliminated as a result of the relocation of the shopping centre access road as detailed in Council's Traffic Engineer's reference. Revised plans indicating modified access and reprovision of car parking should also demonstrate reprovision of areas designated for landscaping.

Building Setbacks and Site Cover

The applicant states site cover is in the order of 32% which contrasts significantly with the maximum 80% requirement.

The Scheme stipulates a minimum setback to street frontages of 2 metres. Car parking is set back a minimum of two (2) metres while building setbacks are extensive e.g. the retail showroom is setback over 14 metres from the street and the main building is setback beyond the front car park area.

The building is set back 13 metres from the north western boundary. Car parking and manoeuvring areas at present extend to this boundary. Plans accompanying the application indicate a two metre high screen fence along this boundary. While the adjoining land is currently zoned General Commercial, a rezoning to a residential zoning appears imminent. Planting within the 20 metre wide buffer on the adjoining land and other appropriate measures to be undertaken by the developers of the subject site and adjacent land will minimise the impact of the shopping centre development.

Loading Facilities

It appears that adequate onsite provision is made for the loading and unloading of goods. An acoustic assessment has been prepared. While this report states that the developer of the subject site is clearly responsible for meeting noise level guidelines for non-residential premises and the developer of the adjacent site would be responsible for meeting noise level guidelines for residential premises, it does include an assessment of the impact of loading and unloading areas on land to the north west should such land be developed for residential purposes. In conclusion, the report recommends in addition to an acoustic fence along the north western property boundary, that limiting loading and unloading to between the hours of 7:00am and 7:00 pm would not lead to an adverse impact. Should the

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current application be approved, it should be appropriately conditioned to satisfy this requirement prior to the occupation of the adjoining land for residential use.

REFUSE FACILITIES

The proposal can be appropriately conditioned to ensure compliance with Council requirements for the storage and removal of refuse.

NOISE IMPACT

For noise impact from loading facilities, refer comments above. In addition, the noise impact from air conditioning and any refrigeration units must be taken into account. The acoustic assessment recommends suitable selection and location of air conditioning units to ensure no adverse impact on adjacent land to the north west. A condition of approval should require such to be to the satisfaction of Council's Environmental Protection Section.

A further recommendation of the acoustic report is the erection of a two metre acoustic fence along the north west property boundary of the subject site. It is however noted in the latest submission from the applicants of the adjacent Special Residential rezoning (folio 9417684, file 663/93/76) that their acoustic consultant has recommended a barrier of three metres in height which will give a visual as well as an acoustical protection. They further state that their consultant has recommended noise control at the source paid for by Sanfam. Both the shopping centre development and proposed residential development should be subject to the provision of a three metre high acoustical barrier along the common boundary. However, the requirement imposed on the shopping centre should be dependent upon the residential development proceeding.

CONCLUSION

The proposal to extend the Burleigh West Shopping Centre has considerable merit in that it represents an expansion from its present role as a district centre to one which takes on more regional centre functions in accordance with the Strategic Plan. While objectors are concerned that there is no need for increased shopping facilities in this locality, their claims cannot be adequately substantiated having regard for the current zoning of the land, the centre's position in the retail hierarchy and the likelihood of the adjacent land to the north west being developed for residential purposes thereby representing a significant reduction in the amount of General Commercial zoned land in the area.

The proposal does represent a substantial shortfall in car parking and revised plans should be submitted demonstrating satisfactory compliance with Scheme requirements in this regard. Further, revised plans will need to indicate changes to the shopping centre northern access road and the proposed residential development access and the reprovision of car parking and landscaping lost as a result of the changes to access and changes to the southern access as a result of future road widening requirements.

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Approval will need to be subject to road works in accordance with QLD Department of Transport requirements.

Specific conditions will also be necessary to minimise noise impact should the adjoining land be developed for residential purposes.

A relaxation of onsite landscaping to 9% of the site area is acceptable provided existing landscaped areas are upgraded.

*** OFFICER RECOMMENDATION

It is recommended

- (A) Council in determining this matter has had due regard to the information supplied by the applicant as part of the application, the submissions made by the objectors and has also relied on reports prepared in relation to this matter.
- (B) The applicant (and the objectors) be notified, as required under the provisions of "The Local Government (Planning & Environment) Act, that the application to extend a shopping centre development on the land as described herein be approved subject to the conditions listed below:

DETAILS OF PREMISES

| | |
|---|---|
| PROPERTY DESCRIPTION: | LOT 3 ON RP 172762, LOT 2 ON RP 157976, PART OF LOT 1 ON RP 174866 AND PART OF LOT 10 ON RP 96788, PARISH OF GILSTON AND MUDGEERABA, COUNTY OF WARD |
| POSTAL ADDRESS: | WEST BURLEIGH ROAD & REEDY CREEK ROAD, WEST BURLEIGH |
| AREA OF LAND: | 9.328 HECTARES |
| USE OF THE PREMISES AT THE TIME OF THE APPLICATION: | SHOPPING CENTRE, SHOWROOM WAREHOUSE AND VACANT LAND |
| APPROVED USE/S AS GRANTED IN THIS CONSENT: | EXTENSION TO EXISTING SHOPPING CENTRE DEVELOPMENT |

CONDITIONS ATTACHED TO THE COUNCIL APPROVAL

APPROVED PLANS

- (1) The development shall be in accordance with the plans (and elevations) submitted by the applicant (Plan/Drawing No. SK-20B & SK-21 prepared by Thomson Adsett & Partners Pty Ltd, Brisbane dated 26 January 1994 and 11 January 1994) (as amended by the conditions of the approval).

The development shall comply with the relevant Planning Scheme requirements and the following development parameters:

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- (a) Site Coverage shall not exceed Approx. 32%
- (b) Maximum Number of Storeys Two (2) storeys
- (c) Approved Uses Shopping Centre Development including outdoor storage associated with the retail showroom component

BUILDING AND DEVELOPMENT COMPLIANCE

- (2) Submission to and approval by Council of satisfactory building plans and specifications in accordance with the Building Act, Council's By-laws where applicable and the City of Gold Coast Planning Scheme. These building plans are to accord with the plan approved in this Approval. The building is to be constructed in accordance with the approved building plans prior to the commencement of the use.
- (3) Provision of fire services in accordance with the Building Act.
- (4) Compliance with the Health Acts and all Regulations made thereunder.
- (5) Registration of the premises under the Workplace Health and Safety Act.
- (6) Compliance with Paragraph 1 of Council's Policy on the reflectivity of glass in buildings.
- (7) The provisions of the Consent Approval are to be effected prior to the commencement of the specific use as granted by the said Approval.
- (8) Removal of the existing Campbell's Warehouse building on the site before the commencement of the specific use as granted by the said approval.
- (9) Compliance with "The Food Hygiene Regulations of 1989" and Council's Code of "General Standards for the Construction and Alteration of Food Premises" and requirements in connection with the installation of equipment and appliances. Plans are to be submitted to Council's Health Section in triplicate and approved prior to the commencement of any work.

NOISE & AMENITY CONTROL

- (10) An acoustic fence three (3) metres high shall be erected along the north western boundary to the satisfaction of the Director Development and Environment Planning. Such fencing is required if the adjoining land is rezoned for residential development and shall be completed prior to the occupation of the adjacent land for residential use.
- (11) Any noise generated is to comply with the provisions of By-law 270 of Chapter 11 of Council's By-laws and The Noise Abatement Act and the requirements of any other Authorities.
- (12) Compliance with the recommendations of the applicant's acoustic assessment prepared by Kamst and Simpson Environmental and Acoustical Consultants dated 31 December 1993 unless otherwise detailed in this approval.
- (13) The selection and location of any air conditioning and/or refrigeration units shall be to the satisfaction of Council's Environmental Protection Section.

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- (14) Hours for loading and unloading of goods shall be limited to between the hours of 7:00AM and 7:00PM unless otherwise approved by Council.
- (15) All service equipment and refrigeration units are to be positioned and housed so as not to cause nuisance or disturbance to persons or property not connected with the development and to the reasonable satisfaction of the Planning and Development Manager.
- (16) There is to be no interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.
- (17) The topmost storey of all buildings including the roof and any service equipment or plant rooms shall be designed and treated so as to visually integrate with and complement the design and finish of the rest of the building, to the reasonable satisfaction of the Planning and Development Manager.
- (18) An acoustic fence three (3) metres high shall be erected along the north western boundary to the satisfaction of the Planning and Development Manager. Such fencing is required if the adjoining land is rezoned for residential development and shall be completed prior to the occupation of the adjacent land for residential use.

LIGHTING DEVICES - GENERAL

- (19) Any lighting device is to be so positioned and shielded as not to cause any glare nuisance to any nearby residential occupation or passing motorist.

ADVERTISING DEVICES

- (20) Any advertising device is to comply with Chapter 13 of Council's By-laws.

LANDSCAPING

- (21) The open space and setback areas are to be landscaped in accordance with a properly prepared planting plan to be submitted to and approved by the Planning and Development Manager prior to the issue of a building approval. Where building approval is not required, the planting plan is to be submitted and approved prior to the commencement of the said use. Such landscaping is to be completed in accordance with the approved planting plan prior to the premises being occupied and maintained at all times thereafter to the reasonable satisfaction of the Planning and Development Manager. The plan is to include the location of any proposed advertising devices and certain information listed in provision 13.12.1.1 of the Planning Scheme.
- (22) A relaxation of landscaping to a minimum of 9% of the site area is approved subject to substantial upgrading of existing landscaped areas to the satisfaction of the Director of Development and Environment Planning. Any landscaping lost as a result of changes in access to the development shall be

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reprovided on site to the satisfaction of the Director of Development and Environment Planning.

REFUSE FACILITIES

- (23) Provision shall be made for the storage, removal and screening of refuse in accordance with the Council's By-laws and to the satisfaction of the Chief Health Surveyor, having regard to the purpose of Clause 12.7.11 of the Planning Scheme.

BUILDING PERFORMANCE AND SAFETY STANDARDS

- (24) Public toilet facilities shall be provided in accordance with the requirements of the Building Code of Australia and to the satisfaction of the Planning and Development Manager, provided that the Council may relax this provision having regard to the existing provision of such facilities within the locality. These facilities shall be open and readily accessible to the general public during retail trading hours or such other hours as determined necessary by the Planning and Development Manager.

ELECTRICITY FACILITIES

- (25) Where the electricity authority requires provision of a transformer, such provision shall be made to the satisfaction of the electricity authority and the Planning and Development Manager. The transformer shall not be located within any areas required for landscaping unless approved by the Planning and Development Manager having regard to constraints on the location of the transformer elsewhere on the site. Should the Planning and Development Manager approve a transformer within an area required for landscaping, the area of the site occupied by the transformer, including the surrounding pad mount shall not be included as landscaping for the purpose of meeting Scheme provisions and the transformer shall be adequately screened by planting and fencing, to the satisfaction of the Planning and Development Manager.

SETBACK AND OPEN SPACE AREAS

- (26) The building is to be set back in accordance with plans submitted as part of the application, unless otherwise approved.
- (27) Open space or setback areas, arcades and plaza areas incorporated as part of the development shall not be used for commercial purposes without the prior approval of Council.

INFRASTRUCTURE AND CONSTRUCTION PROVISIONS EXTERNAL TO DEVELOPMENT SITESStormwater Drainage

- (28) Stormwater drainage that may discharge onto the site, from and traversing the site shall be collected on site in an underground drainage system and discharged into an approved stormwater drainage system. This system shall be constructed to a legal point of discharge at the time of development of

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the site, to the satisfaction of the Chief Engineer. Where required by the Chief Engineer, easements shall be provided within and or external to the site at no expense to the Council to ensure that a drainage path to the ultimate outlet of the catchment is obtained.

- (29) Development shall ensure minimal downstream siltation during construction by intercepting the flow from the sub catchment and returning that flow to the natural gullies and downstream gullies or stormwater drainage systems at a volume and velocity not exceeding the existing condition. In addition, the following provisions shall be met to the satisfaction of the Chief Engineer -
- construction of silt traps at the downstream end of the construction area; and
 - stabilisation of earth batters using quick growing vegetation techniques or turfing; and
 - re-aligned drainage channels shall be protected from scouring as construction proceeds; and
 - drainage channels shall be wide based, if possible; and
 - construction of temporary bunds throughout the site; and
 - the contract documentation shall include Quality Assurance Provisions in accordance with Australian Standard AS2900-1987.
- (30) Soil exposure during the construction phase shall be minimised and restoration of exposed areas shall be carried out to the satisfaction of the Chief Engineer within seven (7) days of such areas no longer forming part of the construction areas.

For the purpose of this Clause "construction area" means that part of the site which is required for the carrying out of development and storage of equipment and materials associated with the development.

Roadworks and Footway Areas

- (31) Prior to the issue of a Certificate of Classification the following shall be required to the satisfaction of Chief Engineer:
- an area of the site required for road widening purposes dedicated free of charge to the Crown; and
 - construction of road pavement, kerb and channel and pavement tapers; and
 - construction of medians or median breaks in the Road Reserve; and
 - provision of traffic control devices; and
 - any other road works necessitated by the development.

ROADWORKS AND FOOTPATH AREAS

- (32) The applicant shall provide detailed design drawings in accordance with preliminary layout No. 102 SK3 dated 16 May

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1994 prepared by The Queensland Department of Transport and shall complete all works to the satisfaction of the Queensland Department of Transport - Main Roads and Council's Director of Roads and Transport. Detailed drawings shall be prepared prior to the issue of a Building Application and work shall be completed prior to the issue of a Certificate of Classification for the development.

- (33) A portion of the site is to be dedicated as road reserve, free of cost to Council, for road widening purposes. The exact area and shape shall be to the reasonable satisfaction of the Chief Engineer and will be determined after discussions with Council's Traffic Engineering Section and / or The Queensland Department of Transport - Main Roads.
- (34) A bond for the sum of \$20,000.00 and subject to increase in accordance with any increases in the Consumer Price Index is to be lodged with Council to cover future traffic management works in Tabilban Street, prior to the issue of a Certificate of Classification for the development. Such amount shall be released two (2) years from the date of issue of a Certificate of Clearance if it has been determined by Council's Director of Roads and Transport that additional traffic works are not necessary as a result of the development. The Consumer Price Index (All Groups) Brisbane was 110.2 for the January / March quarter of 1994 and has a 1989/90 base of 100.
- (35) All pedestrian paved surfaces within the development are to have a minimum Polished Frictional Value of 40 as set down in the Australian Standard AS1141.42. All paving provided external to the site is to have a Polished Frictional Value of not less than 45 as set down in the Australian Standard AS1141.42.
- (36) The footpath and setback areas are to be kept clear of goods, signs and street furniture not approved by the Manager Health Building & By-laws and the Planning and Development Manager.
- (37) The applicant shall be responsible for all costs associated with the provision of traffic signals and the co-ordination of all associated traffic signals located on roadways or new signals to be located by the applicant within the vicinity of the site.
- (38) REPAIR TO EXISTING KERB AND CHANNEL AND REPLACEMENT OF EXISTING FOOTPATH WITH A PAVED FOOTPATH AREA - If damaged, the existing kerb and channel and footpath is to be replaced with new kerb and channel and paved footpath for the frontage of the site. The kerb and channel is to be on an alignment to match the existing. The footpath area is to be reconstructed to the satisfaction of the Chief Engineer. The applicant is to be responsible for costs involved with the provision of a paved footpath area. The paving material will extend from the property boundary to the property side of the kerb and channel on all street frontages of the subject site. The details of this paved footpath area are to be submitted in conjunction with the

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plans submitted to Council for Building Approval and are to be approved by Council prior the construction commencing on site.

- (39) Any drainage works or alterations to public utilities, road signage or traffic control devices necessitated by the works required shall be undertaken by the owner of the land at no cost to the Council and to the satisfaction of the Chief Engineer.
- (40) All works shall be carried out in accordance with the Council's design and specification and to the satisfaction of the Chief Engineer.
- (41) No fence, hoarding or other structure or plant growth shall exceed 750 mm in height within a truncated area on the corner of the allotment at any road intersection. This truncation shall be defined by a straight line connecting a point on each boundary that is six (6) metres from the intersection of those boundaries. Installation of any fencing material around this corner shall be in accordance with Chapter 14 of Council's By-Laws.

FILLING AND FLOOD LEVEL

- (42) Any filling of the site shall not cause ponding on adjoining sites.
- (43) Any filling of land shall be in accordance with the provisions of the Local Planning Policy "Foundation and Geotechnical Assessment" and shall be constructed in accordance with the provisions of that policy, to the reasonable satisfaction of the Chief Engineer and the Planning and Development Manager. All fill placed on the lands shall also be suitable for the purpose of providing a foundation for the proposed use of the land and shall be placed on the land and compacted in accordance with sound engineering practice.

The applicant shall, before Council issues a Certificate of Classification for the development lodge a certificate from a professional engineer (civil) registered in accordance with the Professional Engineers Act 1929-1973 addressed to Council and certifying that the engineer has been responsible for the inspection of the construction of the filling and any roadworks, the installation of any pipe work and drainage works and other development and civil engineering works for the development. Such certificate shall be in a form prescribed by the Chief Engineer or the Chief Executive Officer and shall be to the effect that all stages of construction were inspected by such engineer and certifying that all materials, components and works have been constructed in accordance with the approved drawings, amendments and specifications and conform with the requirements of the design and all relevant standards and codes and have been constructed in accordance with sound engineering practice.

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PAVED SURFACES

- (44) Standards of construction of internal accessways shall be based on the bearing capacity of the soil and the anticipated traffic volume and shall be designed and constructed to the satisfaction of the Chief Engineer.
- (45) Public Property
All paving provided external to the site is to have a Polished Frictional Value of not less than 45, as set down in AS1141.42.

PERMANENT ACCESS AND PROVISION FOR TRAFFIC

- (46) Access to site, vehicular parking and loading bay requirements are to be in accordance with Council's parking policy and any relevant standard drawings. Alterations of access alignments may be necessary and shall be determined following discussions with Council's Traffic Section and to the reasonable satisfaction of the Chief Engineer. Should such alterations be considered necessary, the applicant shall modify all design plans accordingly prior to submission for building approval.
- (47) Access to the site and any road works or associated facility design is to be to the approval of the Queensland Department of Transport - Main Roads.
- (48) Fire Brigade standing areas and associated hydrant stands shall only be provided on driveways into the development. No separate special cross-over is to be provided for Fire Brigade vehicles.

CONSTRUCTION ACCESS AND PROVISION FOR TRAFFIC

- (49) Access to site during construction shall be in accordance with the Local Planning Policy 'Requirements for Construction for Development Sites'.
- (50) Unloading, storage or movement of construction material or equipment shall take place within the site unless otherwise approved by the Chief Engineer.

CAR PARKING AND LOADING FACILITIES

- (51) Provision of off-street car parking spaces in accordance with Clause 13.5.1 of the Planning Scheme and access and layout design to be provided and constructed in accordance with the Local Planning Policy 'Off Street Vehicle Parking Requirements' Australian Standards AS-2890.1 and AS-1428.1 amended from time to time, to the reasonable satisfaction of the Planning and Development Manager. Should the development be designed in such a manner as to reduce the amount of required car parking, the required amount of car parking may upon application to the Planning and Development Manager, be amended accordingly.

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- (52) Car parking for the drive through show room is required at the rate of one space per 30 square metres excluding those areas shown as driveway/vehicle setdown. Car parking for the dispatch area and storage yard is required at the rate of one space per 50 square metres, unless otherwise approved.
- (53) The car park area is to be set back two (2) metres from the street frontage boundaries.
- (54) The car parking layout is to be designed in accordance with Planning Policy No. 1 and the parking layout is to show how the proposed modification to the northern access road impacts upon the parking layout and parking supply. The parking layout is also to show the proposed modifications to the Hungry Jacks drive through.
- (55) Car parking bays and aisle widths to be in accordance with Class 3 of the Australian Standard Code 2890.1-1986.
- (56) As the development exceeds more than twenty (20) car parking spaces, bicycle parking shall be provided in accordance with the provisions of the Local Planning Policy "Off-Street Vehicle Parking Requirements".
- (57) Where in accordance with the Local Planning Policy "Off-Street Vehicle Parking Requirements", car parking is necessary for disabled persons then such car parking and access thereto shall be provided in accordance with the provisions of the Local Planning Policy "Off-Street Vehicle Parking Requirements", Australian Standards AS2890.1 and AS1428.1 and to the satisfaction of the Chief Engineer.
- (58) Provision of a loading area, together with associated driveways, shall be developed in accordance with the Local Planning Policy "Off-Street Vehicle Parking Requirements" to the reasonable satisfaction of the Chief Engineer.
- (59) All car parking and loading area/areas shall be freely and readily accessible for vehicular use and be designed to enable all vehicles entering and leaving the site to do so in a forward direction.
- (60) All car parking and loading areas shall be kept and used exclusively for parking and associated manoeuvring and be maintained to the satisfaction of the Planning and Development Manager.
- (61) All car parking and loading areas shall be constructed, drained, sealed, marked and maintained to the satisfaction of the Chief Engineer.

WATER SUPPLY & SEWERAGE AND WASTE DISPOSAL

- (62) Provision of water supply and sewerage to the reasonable satisfaction of the Chief Engineer and in accordance with the Sewerage and Water Supply Act and relevant Local Planning Policies.

The owner of the land shall be responsible for all costs involved with the connection to the existing Council water supply main and the sterilisation of any new water supply mains. These works shall be carried out by Council.

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- (63) The development shall be provided with Fire Hydrant installation conforming with the provisions of the Australian Standard AS2419 (as amended from time to time).
- (64) Disposal of waste classified as Trade Waste under the Sewerage and Water Supply Act and Council Sewerage By-Laws will be subject to special consideration, including the provision of interceptors to the satisfaction of the Chief Engineer. The interceptor trap shall be so positioned to be easily cleaned and accessible to the satisfaction of the Chief Engineer.
- (65) Any existing or proposed drainage receiving the kitchen or cooking area discharge is to have a Grease Interceptor Trap provided. The Interceptor Trap is to be positioned to be accessible and easily cleaned.
- (66) The existing Council water main / sewer traversing the site will be subject to Local Planning Policy "Structures near Council's Services". At the time of Building Application, a security bond will be assessed if required by the policy, for protection of the service. Where the service is to be relocated clear of a proposed building, or re-laid under a proposed building in cast iron cement lined or ductile iron cement lined pipe, then the bond will represent the estimated value of the work plus 20%. The bond will be required to be paid prior to construction commencing and shall be in the form of cash or unconditional bank bond. Where a service is to be relocated an easement shall be created over that service and dedicated in favour of Council, prior to the approval of a Building Application on the subject site.
- (67) Where a service is to be relocated, an easement shall be created over that service and dedicated in favour of Council, prior to the approval of a Building Application on the subject site.
- (68) Provision of a garbage service and pathological waste collection service to the reasonable satisfaction of the Manager Health Building & By-laws.
- (69) The installation of X-Ray equipment is to be to the satisfaction of the Radiation Protection Division of the Queensland Health Department.
- (70) The owner of the land is to provide in accordance with Council's By-laws and Policies, adequate storage facilities for Council's garbage waste disposal and recycling bins. The storage area is to be adequately screened from view to the satisfaction of the Planning and Development Manager.

HEADWORKS CONTRIBUTIONS

- (71) WATER SUPPLY AND SEWERAGE COMPONENT 2 HEADWORKS
In accordance with the Planning Scheme and Local Planning Policy "Development Charges for Water Supply and Sewerage Service" contributions are payable towards Water Supply and Sewerage Headworks (Component 2).

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The determination of the final amount of the contribution referred to in this condition will be deferred until the approval by Council of a building application and payment of the contribution shall then be made to Council at the time of such approval. The determination of the amount of the contribution at that time will be based on the following rates:

| | |
|--------------|---|
| Water Supply | \$279.00 per Equivalent Population/Person |
| Sewerage | \$410.00 per Equivalent Population/Person |

The above rates are valid for the period of this approval only and subject to increases in the Consumer Price Index (All Groups) Brisbane which was 110.8 for the April/June quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

- (72) PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS
The contributions are payable to Council by the owner of the land in cash or bank cheque within seven (7) days of the commencement of the construction of the building work and that no plumbing and drainage inspections will be undertaken until payment is received.

ALTERATION TO UTILITY MAINS

- (73) Any alterations to public utility mains, services or installations rendered necessary by a development shall be undertaken by the owner of the land, at no cost to the Council, and to the satisfaction of the Chief Engineer.

SUBDIVISION OF LAND

- (74) Amalgamation of the existing allotments into one allotment as approved at Council's meeting of 11 March 1994 (PDO61) and the issue of a new Certificate of Title to cover the new allotment as created, this action is required prior to the issue of a Certificate of Classification or prior to the commencement of the development whichever is the sooner.

ENGINEERING DESIGN AND CONSTRUCTION

- (75) (a) Engineering plans and specifications for the work set out in conditions contained herein are to be approved by the Chief Engineer prior to construction commencing. Approval by the Chief Engineer does not warrant that such plans and specification have been checked in detail, nor does it absolve the Applicant from complying with all the conditions of this approval and / or relevant Council By-Laws and policies and / or relevant statutes and / or statutory regulations in the execution and / or performance of the said works. Neither the Council nor the Chief Engineer accepts any

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- responsibility for the accuracy of such plans and specifications as approved.
- (b) All material supplied and all work performed by the Applicant pursuant to this approval shall be to the reasonable satisfaction of the Chief Engineer and shall comply in all respects with the provisions of all relevant statutes, statutory regulations, By-laws and / or Policies. The Chief Engineer may, by himself or his nominated delegate, supervise and test and generally may inspect all materials and work but no supervision, testing or inspection shall relieve the Applicant of any obligation imposed upon such applicant, pursuant to this clause or any other clause of this approval.
- (c) MAINTENANCE - All works which, at the completion of the development, will become the responsibility of Council, shall be subject to a maintenance period and provision of security for the maintenance period in accordance with Council's subdivision By-Laws and policies.
- (d) SUPERVISION - All internal roadworks, sewerage, water supply and stormwater drainage is to be constructed under the supervision of a qualified Engineer who is to certify that these works have been constructed under his direct supervision and that they comply with the approved drawings and specifications.
- (e) Prior to the commencement of any work arising out of conditions listed above, written advice of intention to proceed with the work is to be given to Council. The advice shall include the name of the responsible supervisor with whom Council's inspecting officer will make contact.

A PERFORMANCE BOND

- (76) A performance bond of \$30,000.00 shall be lodged and the Applicant shall enter into an Agreement with Council for the performance by the Applicant of the Applicant's obligation contained and implied in this approval. The security and the agreement shall be lodged with Council prior to the commencement of construction. This security will be released after the conditions listed above have been completed and any filling conditions completed and compaction results submitted, all to the satisfaction of the Chief Engineer.

NUISANCE

- (77) The Applicant is to ensure that a "smoke and dust nuisance" is not created in the development of this proposal. Attention is drawn to Chapter 8 of Council's By-laws in regard to this matter. Open burning off of any material shall not be permitted on the subject site. All waste material, including cleared vegetation, shall be transported from the site and disposed of in a satisfactory manner. The applicant is to apply to Council and receive in writing from Council an approved site to dispose of this waste material. The requirements of By-law 270 of Chapter 11 in regard to noise nuisances shall apply to this development, and in addition,

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construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday to Saturday unless otherwise approved by the Chief Engineer.

TREE PRESERVATION

(78) Any tree with a girth of 400 mm or more at waist height shall not be removed without first obtaining the consent of the Chief Engineer. Exceptions will be made in the case of trees within an approved future road reserve or where necessary to install water and sewerage works, drainage lines, etc. Prior to any design or construction work commencing, arrangements shall be made with the Environmental Officer for an inspection to identify trees which are to be preserved. The results of this inspection will be valid only for the duration of this approval, and a fresh inspection will be required for any future approval.

Observance of Chapter 37 of Council's By-laws in regard to the preservation of trees.

- (C) Council note a meeting has been arranged between the applicant's representatives and the Development & Environment Planning Committee. This meeting has been arranged for Tuesday 24 May 1994.

*** RECOMMENDATION

- (A) That Council note a meeting was held between the Planning & Development Committee and the applicant's representatives on Tuesday 24 May 1994 and the further submission was made in respect to a relaxation of car parking. This submission is contained on file.
- (B) The recommendation of the Acting Senior Town Planner be adopted.
- (C) Council in determining this matter has had due regard to the information supplied by the applicant and has also relied on reports prepared in relation to this matter.

*** ITEM 40

CM03/06/94(PD040)

APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL
ZONE

| | |
|----------------------|--|
| FILE REFERENCE(S) | 663/094/020 |
| APPLICATION NUMBER | 940020 |
| PREVIOUS DECISION(S) | CM14/07/89(PD023) CM25/01/91(PD022) |
| VIDE ITEM(S) | MAP(S) TABLE(S) |

PROPOSED DEVELOPMENT : SEVENTY-FIVE (75) X TWO (2) STOREY THREE (3) BEDROOM TOWNHOUSES

APPLICANT : HALLGAP PTY LTD

OWNER : DONALD JULIAN DIXON

SITE LOCATION : LOT 12 COOMBABAH ROAD, RUNAWAY BAY

EXISTING ZONING : FUTURE URBAN

PROPOSED ZONING : SPECIAL RESIDENTIAL

AREA : 3.0608 HECTARES

RPD : LOT 12 ON REGISTERED PLAN 194711, PARISH OF BARROW, COUNTY OF WARD

OBJECTION(S) : NIL

*** CURRENT AGENDA MATERIAL*** CORRESPONDENCE VALGE ARCHITECTS (FOLIO 9415106) (11/04/94)

In reference to the above Project, we submit, on behalf of our Client - Hallgap Pty Ltd - our submission for Council's consideration for the contribution of monies in lieu of the dedication of land for park as denoted by Clause 4.12.2.1 of Councils Planning Scheme.

We submit for consideration the contribution be made for utilisation directly for the upgrading and beautification of the adjoining Council property RP194707 (area approx. 8197 sq.m.) whereby this property could then accommodate a lawn area, bicycle track, pathways and seating areas and the like inclusive of low level lighting.

We would suggest that by the upgrading of this triangular shaped parcel of land it would be in the best interests of the surrounding public and would further enhance the amenity of the neighbourhood and environs.

Accordingly, we trust that Council will consider this submission together with our previously submitted application for the rezoning and should Council have any queries or require any further information regarding our application please do not hesitate to contact the writer.

*** REFERENCE ASSISTANT PLANNING OFFICER (AS) (18/05/94)PROPOSAL

An application has been lodged with Council to exclude a parcel of land from the Future Urban Zone and include it within the Special Residential Zone.

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APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

The 3.0608 hectare allotment is located within Runaway Bay and fronts both Oxley Drive and Coombabah Road. The subject land is further bounded by residential duplex dwelling allotments to the west and north and a Council Reserve to the south-east.

It is proposed to construct seventy-five (75) by three (3) bedroom townhouses upon the land.

ADVERTISING

The application appears to have been advertised in accordance with Section 4 of the Local Government (Planning & Environment) Act.

No objections to the application were received.

PLANNING CONSIDERATIONS

| | |
|------------------|-----------------------|
| Existing Zoning: | Future Urban |
| Proposed Zoning: | Special Residential |
| Strategic Plan: | Semi-detached Housing |

The subject site is presently zoned Future Urban and is intended to function as a holding zone until the land is rezoned and developed for urban purposes in accordance with the Strategic Plan. The subject site and surrounding residential area is designated for semi-detached housing within the City's Strategic Plan. The proposed form of townhouse development is permissible provided the site area is large enough to accommodate such integrated low density residential development and the development is in character with the surrounding residential area.

The application seeks to have the land rezoned to Special Residential. This zone is intended to cater for specific residential developments which demonstrate special merit and have development characteristics which are regarded as desirable and providing particular benefit to the community. It is intended that such development is in keeping with the intent and densities of the surrounding residential zone. Subsequently, this development has been assessed against Section 4.12 of the Scheme provisions in respect of townhouse development in the Residential-Dwelling Zone and Residential-Duplex Dwelling Zone - refer Table of Development attached as a Vide Item.

The proposal generally complies with these Scheme provisions except for the following:

Site Density

The density of development should conform to that of the surrounding residential area. The maximum density within the Residential-Duplex Dwelling Zone is 25 units per hectare or 1 unit per 400 square metres of net site area. Provision 4.12.2.1 requires either a 10% park dedication from the total site area or, at Council's discretion, a cash-in-lieu payment (10% of the land's UCV) may be accepted. In both instances, 10% of the site area is to be subtracted from the site area plus other land required for easement dedication and road widening etc. to give the net

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APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

site area. It would appear that this 10% park dedication has not been allowed for within the site density calculations.

A total of seventy-five (75) units are proposed which is greater than the maximum site yield of sixty-nine (69) units worked out with the 10% dedication. The applicant/developer will need to reduce the number of units to conform with Scheme requirements.

Building Aesthetics

The unit layout as proposed creates a number of aesthetic problems. Visually, the development appears to be very regimented and sterile in terms of building form. The four (4) unit per block standard design will produce a barrack style development which would not create an appealing environment for residents. This linear layout of buildings needs to be varied by offsetting units, varying their design and avoiding gun barrel style access drives. In blocks of two (2) or more attached units, a minimum offset of 1 metre between units should be provided to break up the visual bulk of the building and vary its facade. A varied layout of buildings and a variance in building form will contribute in a positive manner to the amenity of the development.

PARK PROVISION

Instead of dedicating 10% of the site area to Council for public park purposes, the applicant wishes to provide a cash-in-lieu contribution which is proposed to be used to upgrade the Council reserve buffering the development to the south-east - refer correspondence (folio 9415106).

A similar group housing rezoning recently approved by Council to the south of Coombabah Road (Council Meeting 11/03/94 (PD017)), it was determined that the applicant dedicate the 10% land rather than provide a cash contribution to upgrade the forced sewer main reserve which buffered the subject property to the east.

It would certainly be more advantageous for Council to obtain the land as park dedication to ensure adequate open space exists that can support the growing recreational demands of an increasing population within the Pine Ridge Road area.

The dedicated park area would best be located along the south-eastern boundary of the subject site adjoining the existing Council reserve (Lot 11 on Registered Plan 194707). This would increase the area of this reserve by approximately 38% and provide a potentially larger area of useable open space.

CONCLUSION

The proposed development is in keeping with the Strategic Plan's aims and objectives for Semi-detached Housing Preferred Dominant Land Use. The layout of development, however, is visually and physically undesirable and does not satisfy the building aesthetic objectives contained within Section 4.12 and 4.14 of the Planning Scheme.

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APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

This and the previously mentioned issues have been raised with the applicant and if approved an amended plan of development will need to be submitted which conforms to Scheme requirements.

The minor shortfalls of the application have been specifically addressed within the attached conditions.

*** OFFICER RECOMMENDATION

It is recommended

- (A) Council in determining this matter has had due regard to the information supplied by the applicant as part of the application and has also relied on reports prepared in relation to this matter.
- (B) The applicant be notified, as required under the provisions of "The Local Government (Planning & Environment) Act, that the application to rezone the land as described herein be approved subject to the conditions listed below:

DETAILS OF PREMISES

| | |
|--|--|
| PROPERTY DESCRIPTION: | LOT 12 ON REGISTERED PLAN 194711, PARISH OF BARROW, COUNTY OF WARD |
| POSTAL ADDRESS: | LOT 12 COOMBABAH ROAD, RUNAWAY BAY |
| AREA OF LAND: | 3.0608 HECTARES |
| ZONE TO WHICH THE LAND IS PROPOSED TO BE EXCLUDED: | FUTURE URBAN |
| ZONE INTO WHICH THE LAND IS PROPOSED TO BE INCLUDED: | SPECIAL RESIDENTIAL |
| USE OF THE PREMISES AT THE TIME OF THE APPLICATION: | VACANT LAND |
| APPROVED USE/S AS GRANTED IN THIS APPROVAL: | TOWNHOUSE DEVELOPMENT IN ACCORDANCE WITH SECTION 4.12 OF PLANNING SCHEME |

CONDITIONS ATTACHED TO THE COUNCIL APPROVAL

APPROVED PLANS

- (1) A revised plan of development is to be submitted that conforms to the following conditions of approval. This plan is to be submitted to Council and approved prior to the application being forwarded to the Chief Executive for gazettal.

The development shall comply with the relevant Planning Scheme requirements and the following development parameters:

- (a) Site Coverage shall not exceed 40%
- (b) Dwelling Unit Density shall not exceed 25 units/ha
- (c) Maximum Number of Storeys Two (2) storeys
- (d) Maximum Number of Units 69 Units
- (e) Approved Uses Townhouse Development

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APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

- (f) All buildings shall be set back a minimum of 6 metres from all frontages.
- (g) The following building setbacks shall be provided to the side and rear site boundaries -
 - (i) Five (5) metres to the outermost projection of the building.

BUILDING AND DEVELOPMENT COMPLIANCE

- (2) Submission to and approval by Council of satisfactory building plans and specifications in accordance with the Building Act, Council's By-laws where applicable and the City of Gold Coast Planning Scheme. These building plans are to accord with the plan approved in this Approval. The building is to be constructed in accordance with the approved building plans prior to the commencement of the use.
- (3) Provision of fire services in accordance with the Building Act.
- (4) The provisions of the Rezoning Approval / Consent Approval are to be effected prior to the commencement of the specific use as granted by the said Approval.

Building Aesthetics

- (5) Where buildings comprise more than two (2) attached dwelling units, no more than two (2) such units shall have external walls which are either in same vertical plane or are offset by less than 1 metres.
- (6) The design and layout of the development on the site is to be to the satisfaction of the Development & Environment Planning Director.

NOISE & AMENITY CONTROL

- (7) Any noise generated is to comply with the provisions of By-law 270 of Chapter 11 of Council's By-laws and The Noise Abatement Act and the requirements of any other Authorities.
- (8) There is to be no interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.
- (9) A screen fence 1.8 metres high shall be erected on all side and rear boundaries to the satisfaction of the Planning and Development Manager.

LIGHTING DEVICES - GENERAL

- (10) Any lighting device is to be so positioned and shielded as not to cause any glare nuisance to any nearby residential occupation or passing motorist.

STREET LIGHTING

- (11) Any proposed lighting to be provided within the Road Reserve area or other public areas under Council's control shall be of a design and standard and contain appropriate fittings which are S.F.Q.E.B. approved and comply with the necessary Australian Standards. In addition, the proposed lighting

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APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

device is to be of a design and standard approved by S.E.Q.E.B. for on-going maintenance by S.E.Q.E.B..

LANDSCAPING

- (12) The landscaping is to be established and maintained to the reasonable satisfaction of the Planning and Development Manager at all times.
- (13) The open space and setback areas are to be landscaped in accordance with a properly prepared planting plan to be submitted to and approved by the Planning and Development Manager prior to the issue of a building approval. Where building approval is not required, the planting plan is to be submitted and approved prior to the commencement of the said use. Such landscaping is to be completed in accordance with the approved planting plan prior to the premises being occupied and maintained at all times thereafter to the reasonable satisfaction of the Planning and Development Manager. The plan is to include the location of any proposed advertising devices and certain information listed in provision 13.12.1.1 of the Planning Scheme.
- (14) The particular flora species to be utilised and the landscaped areas are to be native species endemic to the area and are to be in accordance with Council's adopted Policies.
- (15) The required landscaped open space shall be distributed about the premises and developed as follows -
- (a) the landscaped open space shall be kept clear of all obstacles including clothes hoists, driveways and parking spaces.
 - (b) the landscaped open space excluding private court yard areas shall be available for the use of all residents of the development. In addition, the landscaped open space shall be capable of landscaped and shall be suitable for recreational use whether it is provided at ground level or not.
 - (c) a landscaped open space area at least 6.0 metres in width shall be provided adjoining any frontage. As part of this provision an area an average of 3.0 metres wide with a minimum width of 1.5 metres adjoining all frontages shall be landscaped in the following manner to the satisfaction of the Planning and Development Manager:
 - (i) at least 50 percent of the area shall be capable of deep planting and may be included in that area required by (iv) above; and

REFUSE FACILITIES

- (16) Provision shall be made for the storage and suitable access for the removal of refuse in accordance with the Refuse Management Regulations and the Council's By-laws and to the satisfaction of the Chief Health Surveyor.

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APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

If the refuse storage area is to be located within the six (6) metre setback to the frontage the following provisions are met to the satisfaction of the Planning and Development Manager -

- (a) the refuse storage area shall be no closer than three (3) metres to any frontage and no closer than 1.5 metres to any other site boundary; and
- (b) the refuse storage area shall be enclosed on three (3) sides with a screen wall extending 0.2 metres above the height of the refuse receptacles; and
- (c) the refuse storage area shall be screened by dense planting and mounding.

AUSTRALIA POST

- (17) The applicant is to contact Australia Post to ascertain requirements in relation to siting of letter boxes for the development. The representative for contact is the Postmaster at the Southport Post Office.

ELECTRICITY FACILITIES

- (18) Where the electricity authority requires provision of a transformer, such provision shall be made to the satisfaction of the electricity authority and the Planning and Development Manager. The transformer shall not be located within any areas required for landscaping unless approved by the Planning and Development Manager having regard to constraints on the location of the transformer elsewhere on the site. Should the Planning and Development Manager approve a transformer within an area required for landscaping, the area of the site occupied by the transformer, including the surrounding pad mount shall not be included as landscaping for the purpose of meeting Scheme provisions and the transformer shall be adequately screened by planting and fencing, to the satisfaction of the Planning and Development Manager.

TELECOMMUNICATION SERVICES

- (19) The applicant shall demonstrate, to the Council's satisfaction, that the supply of Telecommunication services will be connected to each and every dwelling unit within the proposed development within the time period specified by the Council approval.

The applicant shall negotiate with the Communication Agency for the provision of telephone services to all proposed dwelling units within the development and any conditions or requirements imposed by the Communication Agency shall form part of this approval.

The applicant is to indicate on the telecommunication facilities drawings the preferred location as suggested by the Communication Agency future public telephone locations.

Prior to Council issuing a Certificate of Classification for the development, the applicant is to produce documentary

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evidence that satisfactory arrangements have been reached with the Communication Agency for the provision of telecommunication services.

ADVERTISING DEVICES

- (20) Any advertising device is to comply with Chapter 13 of Council's By-laws.
- (21) The location, size, type and content of any advertising sign or device is to be submitted to Council for approval under the provisions of the Signs By-law. In assessing such applications, particular regard will be given to preserving the amenity of the area.

INFRASTRUCTURE AND CONSTRUCTION PROVISIONS EXTERNAL TO DEVELOPMENT SITES

Stormwater Drainage

- (22) Stormwater drainage that may discharge onto the site, from and traversing the site shall be collected on site in an underground drainage system and discharged into an approved stormwater drainage system. This system shall be constructed to a legal point of discharge at the time of development of the site, to the satisfaction of the Chief Engineer. Where required by the Chief Engineer, easements shall be provided within and or external to the site at no expense to the Council to ensure that a drainage path to the ultimate outlet of the catchment is obtained.
- (23) The owner of the land shall submit a stormwater drainage report, prior to the issue of Building approval, prepared by persons suitably qualified and experienced, investigating the requirements after development of those properties that naturally discharge on to Lot 12 on R.P.194711.

The report should also address the increased rainfall run-off associated with future development, possible drainage paths to approved outlets, and the adequacy of the existing drainage line under Oxley Drive.

- (24) Development shall ensure minimal downstream siltation during construction by intercepting the flow from the sub catchment and returning that flow to the natural gullies and downstream gullies or stormwater drainage systems at a volume and velocity not exceeding the existing condition. In addition, the following provisions shall be met to the satisfaction of the Chief Engineer -
- (a) construction of silt traps at the downstream end of the construction area; and
 - (b) stabilisation of earth batters using quick growing vegetation techniques or turfing; and
 - (c) re-aligned drainage channels shall be protected from scouring as construction proceeds; and
 - (d) drainage channels shall be wide based, if possible; and

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APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

- (e) construction of temporary bunds throughout the site; and
- (f) the contract documentation shall include Quality Assurance Provisions in accordance with Australian Standard AS2900-1987.

- (25) Soil exposure during the construction phase shall be minimised and restoration of exposed areas shall be carried out to the satisfaction of the Chief Engineer within seven (7) days of such areas no longer forming part of the construction areas.

For the purpose of this Clause "construction area" means that part of the site which is required for the carrying out of development and storage of equipment and materials associated with the development.

Roadworks and Footway Areas

- (26) The applicant shall construct kerb and channel, pave and seal the full length of Coombabah Road up to and including the cul-de-sac, at no cost to Council. The applicant shall submit detailed design plans for all construction work on Coombabah Road to Council's Traffic Section for approval, prior to the commencement of construction on the subject site.
- (27) The applicant shall construct "splitter islands" on Pine Ridge Road to control vehicles entering and leaving Coombabah Road, at no cost to Council. The applicant shall submit detailed design plans for all construction work to Council's Traffic Section for approval prior to the commencement of construction on the subject site.
- (28) Any existing kerb and channel which is damaged or is required by the Chief Engineer to be replaced for the frontage of the site shall be on an alignment both horizontal and vertical to match the existing kerb and channel or any future kerb and channel design approved by the Chief Engineer.
- (29) All pedestrian paved surfaces within the development are to have a minimum Polished Frictional Value of 40 as set down in the Australian Standard AS1141.42. All paving provided external to the site is to have a Polished Frictional Value of not less than 45 as set down in the Australian Standard AS1141.42.
- (30) A formed footway shall be provided for the full length of all frontages of the site, to the satisfaction of the Chief Engineer. The owner of the land shall be responsible for all costs associated with such reconstruction which shall be in accordance with the Council's specifications and drawings. Where paving is to be provided this material shall have a Polished Frictional Value of not less than 45, as established in Australian Standard AS1141.42.

The footway fronting Oxley Drive shall be 2 metres wide minimum and shall extend from the northern boundary of Lot 12 on R.P.194711 to the southern boundary of Lot 11 on R.P.194707.

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APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

- (31) Any drainage works or alterations to public utilities, road signage or traffic control devices necessitated by the works required shall be undertaken by the owner of the land at no cost to the Council and to the satisfaction of the Chief Engineer.
- (32) All works shall be carried out in accordance with the Council's design and specification and to the satisfaction of the Chief Engineer.
- (33) Vehicular access is to be provided in a manner satisfactory to the Chief Engineer. The minimum requirement will consist of construction using reinforced concrete in accordance with Council's standard drawing No. 52790B.

DESIGN, CONSTRUCTION AND CERTIFICATION OF INTERNAL ROADWORKS

- (34) For all roadway and accessway design and construction to be provided in cluster housing developments, group title developments or any developments that provide for private "internal to the site" roadways, the street or roadway design and construction requirements as provided for in the Australian Model Code for Residential Development Edition 2, in particular, the Performance Criteria and Deemed to Comply Criteria as contained within Element B5, B6, B7 and B8 of Part B (Elements of Criteria) AMCORD, shall be complied with to the satisfaction of the Chief Engineer.
- (35) The applicant is required to supply a Certificate to Council, at the completion of the works, prepared by a suitably qualified person. The certificate is to clearly identify that the design, supervision and construction of the works were in accordance with the relevant provisions of the Australian Model Code for Residential Development Edition 2 and any relevant standards.

FILLING AND FLOOD LEVEL

- (36) Any filling of the site shall not cause ponding on adjoining sites.
- (37) The site is to be filled above the highest recorded flood level or design flood level to the reasonable satisfaction of the Chief Engineer. All filling is to be carried out in accordance with Local Planning Policy 'Foundation and Geotechnical Assessment'.

PAVED SURFACES

- (38) Private Property
To protect pedestrians from accidents, all external paving within the site, together with all floor surfaces to public access areas within a building, which includes arcades, foyers, lobbies and the like, shall have a minimum Polished Frictional Value of 40, as set down in Australian Standard AS1141.42.

In relation to paving materials and floor surfaces within private property, the Chief Building Surveyor shall have discretionary power to dispense with the requirements for a polishing test stipulated in AS1141.41, for hard materials

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such as marble, which are unlikely to be readily polished by pedestrian traffic.

Where the Chief Building Surveyor is of the opinion that a particular installation within private property warrants dispensation from the above requirements, he may refer the matter to Council for determination.

- (39) Public Property
All paving provided external to the site is to have a Polished Frictional Value of not less than 45, as set down in AS1141.42.

PERMANENT ACCESS AND PROVISION FOR TRAFFIC

- (40) Access to site, vehicular parking and loading bay requirements are to be in accordance with Council's parking policy and any relevant standard drawings. Alterations of access alignments may be necessary and shall be determined following discussions with Council's Traffic Section and to the reasonable satisfaction of the Chief Engineer. Should such alterations be considered necessary, the applicant shall modify all design plans accordingly prior to submission for building approval.
- (41) Fire Brigade standing areas and associated hydrant stands shall only be provided on driveways into the development. No separate special cross-over is to be provided for Fire Brigade vehicles.

CONSTRUCTION ACCESS AND PROVISION FOR TRAFFIC

- (42) Access to site during construction shall be in accordance with the Local Planning Policy 'Requirements for Construction for Development Sites'.
- (43) Unloading, storage or movement of construction material or equipment shall take place within the site unless otherwise approved by the Chief Engineer.
- (44) Unloading, storage or movement of construction material or equipment shall take place within the site in accordance with the Local Planning Policy 'Requirements for Construction on Development Sites'.

CAR PARKING AND LOADING FACILITIES

- (45) Provision of off-street car parking spaces in accordance with Clause 13.5.1 of the Planning Scheme and access and layout design to be provided and constructed in accordance with the Local Planning Policy 'Off Street Vehicle Parking Requirements' Australian Standards AS-2890.1 and AS-1428.1 amended from time to time, to the reasonable satisfaction of the Planning and Development Manager. Should the development be designed in such a manner as to reduce the amount of required car parking, the required amount of car parking may upon application to the Planning and Development Manager, be amended accordingly.
- (46) Car parking bays and aisle widths to be in accordance with Class 3 of the Australian Standard Code 2890.1-1986.

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- (47) Where car parking is required for visitors to any development pursuant to the provisions of the Planning Scheme, such car parking shall be provided in accordance with the following:
- (a) be freely accessible to visitors at all hours with no encumbrance, fee or charge; and
 - (b) have no gateways, doors or similar devices which would restrict vehicular access by visitors; and
 - (c) have no signs displayed restricting the use of visitor spaces or reserving the use of such spaces for a particular person.
- (48) All car parking and loading area/areas shall be freely and readily accessible for vehicular use and be designed to enable all vehicles entering and leaving the site to do so in a forward direction.
- (49) All car parking and loading areas shall be kept and used exclusively for parking and associated manoeuvring and be maintained to the satisfaction of the Planning and Development Manager.
- (50) All car parking and loading areas shall be constructed, drained, sealed, marked and maintained to the satisfaction of the Chief Engineer.

WATER SUPPLY & SEWERAGE AND WASTE DISPOSAL

- (51) Provision of water supply and sewerage to the reasonable satisfaction of the Chief Engineer and in accordance with the Sewerage and Water Supply Act and relevant Local Planning Policies.

The owner of the land shall be responsible for all costs involved with the connection to the existing Council water supply main and the sterilisation of any new water supply mains. These works shall be carried out by Council.

Easements shall be provided over the existing sewers in Lot 12 on R.P.194711 at no expense to the Council to ensure the proper maintenance of the service.

- (52) The development shall be provided with Fire Hydrant installation conforming with the provisions of the Australian Standard AS2419 (as amended from time to time).
- (53) It is in the applicant's interest to ensure that each lot on the Group Title Development is metered for water supply as well as a meter for the whole parcel of land. Relevant easements are required over the water mains serving the lots. These easements are not necessarily in favour of Council.
- (54) The existing Council water main / sewer traversing the site will be subject to Local Planning Policy "Structures near Council's Services". At the time of Building Application, a security bond will be assessed if required by the policy, for protection of the service. Where the service is to be relocated clear of a proposed building, or re-laid under a proposed building in cast iron cement lined or ductile iron

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- cement lined pipe, then the bond will represent the estimated value of the work plus 20%. The bond will be required to be paid prior to construction commencing and shall be in the form of cash or unconditional bank bond.
- Where a service is to be relocated an easement shall be created over that service and dedicated in favour of Council, prior to the approval of a Building Application on the subject site.
- (55) Where a service is to be relocated, an easement shall be created over that service and dedicated in favour of Council, prior to the approval of a Building Application on the subject site.

HEADWORKS CONTRIBUTIONS

(56) WATER SUPPLY AND SEWERAGE COMPONENT 1

In accordance with the Planning Scheme and Local Planning Policy "Development Charges for Water Supply and Sewerage Service" contributions are payable towards Water Supply and Sewerage Headworks (Component 1).

These contributions are based on the equivalent population proposed in excess of that allowed for the zone within which the land the subject of this approval is located. The contributions have been determined from information supplied with the application and Council records, the principal particulars of which are as follows:

| | | |
|--|----------------------------|-----------|
| Water Supply | (Account No. 6635) 165 e.p | \$ 59,070 |
| Sewerage | (Account No. 6637) 215 e.p | \$ 71,165 |
| Total Component 1 Headworks Contribution | | \$130,235 |

The above rates are valid for the period of this approval only and subject to increase in accordance with any increases in the Consumer Price Index (All Groups) Brisbane which was 110.8 for the April/June quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

Prior to this approval for rezoning being forwarded to the Chief Executive of the Department of Housing, Local Government and Planning an agreement on terms and conditions to be determined by the Chief Executive Officer whereby the applicant for rezoning agrees to make payment of the Water Supply and Sewerage Component 1 Headworks contribution referred to above shall be signed by the applicant and lodged with the Council as security for compliance with the applicant's obligations to make the above contribution. Prior to referred of the application for rezoning to the Chief Executive of the Department of Housing, Local Government and Planning the applicant shall also lodge an unconditional and unequivocal bank bond or guarantee on terms and from an

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APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

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institution acceptable to the Chief Executive Officer for the amount of the total Component 1 Headworks contribution.

The agreement and the security referred to above shall only be released to the applicant or as directed by the applicant upon payment of the contribution (together with any CPI increases calculated in accordance with the index referred to above) in cash or by bank cheque payable to the Council.

In the event of a sale of the lands the subject of this rezoning approval Council may at its discretion on completion of the sale release the applicant from all obligations under the agreement and release the security referred to above upon lodgement of a substitute agreement on terms determined by the Chief Executive Officer executed by the purchaser of the land and the lodgement of a replacement security, the amount of which shall be determined by the Chief Executive Officer after taking into account any increases in the index referred to above.

The determination of the final amount of the contribution referred to in this condition will be deferred until the approval by Council of an application for permissible development or permitted development subject to conditions, as the case may be, and payment of the contribution shall then be made to Council at the time of such approval by it or such other date as may be determined by it at the time of such approval. The determination of the amount of the contribution at that time will be based on the following rates:

| | |
|--------------|-----------------------------|
| Water Supply | \$358 per Equivalent Person |
| Sewerage | \$331 per Equivalent Person |

The above rates are valid for the period of this approval only and subject to increase in accordance with any increases in the Consumer Price Index (All Groups) Brisbane which was 110.8 for the April/June quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

(57) WATER SUPPLY AND SEWERAGE COMPONENT 2 HEADWORKS

In accordance with the Planning Scheme and Local Planning Policy "Development Charges for Water Supply and Sewerage Service" contributions are payable towards Water Supply and Sewerage Headworks (Component 2).

These contributions are based on the equivalent population proposed in excess of that allowed for the zone within which the land the subject of this approval is located.

The determination of the final amount of the contribution referred to in this condition will be deferred until the

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APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

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approval by Council of a building application, permissible development application, application for permitted development subject to conditions or application for subdivision, as the case may be, and payment of the contribution shall then be made to Council at the time of such approval by it or such other date as may be determined by it at the time of such building approval, approval for permissible development, approval for permitted development subject to conditions or subdivision approval, as the case may be. The determination of the amount of the contribution at that time will be based on the following rates;

| | |
|--------------|--|
| Water Supply | \$279 per Equivalent Population/Person |
| Sewerage | \$410 per Equivalent Population/Person |

The above rates are valid for the period of this approval only and subject to increases in the Consumer Price Index (All Groups) Brisbane which was 110.8 for the April/June quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

- (58) PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS
The contributions are payable to Council by the owner of the land in cash or bank cheque within seven (7) days of the commencement of the construction of the building work and that no plumbing and drainage inspections will be undertaken until payment is received.

ALTERATION TO UTILITY MAINS

- (59) Any alterations to public utility mains, services or installations rendered necessary by a development shall be undertaken by the owner of the land, at no cost to the Council, and to the satisfaction of the Chief Engineer.

GEOTECHNICAL CONSIDERATIONS

- (60) All development shall comply with the Local Planning Policy "Foundation and Geotechnical Assessment".

ENGINEERING DESIGN AND CONSTRUCTION

- (61) (a) Engineering plans and specifications for the work set out in conditions contained herein are to be approved by the Chief Engineer prior to construction commencing. Approval by the Chief Engineer does not warrant that such plans and specification have been checked in detail, nor does it absolve the Applicant from complying with all the conditions of this approval and / or relevant Council By-Laws and policies and / or relevant statutes and / or statutory regulations in the execution and / or performance of the said works. Neither the Council nor the Chief Engineer accepts any

ITEM 40 CONTINUED...
APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

- responsibility for the accuracy of such plans and specifications as approved.
- (b) All material supplied and all work performed by the Applicant pursuant to this approval shall be to the reasonable satisfaction of the Chief Engineer and shall comply in all respects with the provisions of all relevant statutes, statutory regulations, By-laws and/or Policies. The Chief Engineer may, by himself or his nominated delegate, supervise and test and generally may inspect all materials and work but no supervision, testing or inspection shall relieve the Applicant of any obligation imposed upon such applicant, pursuant to this clause or any other clause of this approval.
- (c) MAINTENANCE - All works which, at the completion of the development, will become the responsibility of Council, shall be subject to a maintenance period and provision of security for the maintenance period in accordance with Council's subdivision By-Laws and policies.
- (d) SUPERVISION - All internal roadworks, sewerage, water supply and stormwater drainage is to be constructed under the supervision of a qualified Engineer who is to certify that these works have been constructed under his direct supervision and that they comply with the approved drawings and specifications.
- (e) Prior to the commencement of any work arising out of conditions listed above, written advice of intention to proceed with the work is to be given to Council. The advice shall include the name of the responsible supervisor with whom Council's inspecting officer will make contact.

PARK PROVISION

- (62) The applicant is to provide ten percent (10%) of the land as park provision. This area of land is to be located adjoining the north-western boundary of the existing park reserve (Lot 11 on R.P.194707) boarding the subject site to the south-east. The park area shall be transferred to Council in Fee Simple and shall be developed to a condition fit for the purpose for which it will be surrendered, and shall be selectively cleared, graded, filled, grassed, planted, etc, under the direction of and to the reasonable requirements of the Director Parks and Gardens.

COMPLETION OF PARK WORKS

- (63) Council will not issue a Certificate of Compliance for the site until such time as all park areas have been completed to the requirements herein contained to the satisfaction of the Director Parks and Gardens and Planning and Development Manager in consultation with the Division Councillor.

TREE PRESERVATION

- (64) Any tree with a girth of 400 mm or more at waist height shall not be removed without first obtaining the consent of the Chief Engineer. Exceptions will be made in the case of trees

ITEM 40 CONTINUED...
APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

within an approved future road reserve or where necessary to install water and sewerage works, drainage lines, etc. Prior to any design or construction work commencing, arrangements shall be made with the Environmental Officer for an inspection to identify trees which are to be preserved. The results of this inspection will be valid only for the duration of this approval, and a fresh inspection will be required for any future approval.

Observance of Chapter 37 of Council's By-laws in regard to the preservation of trees.

CONTRIBUTION FOR DESIGN OF INFRASTRUCTURE

- (65) To ensure that provision is made for the design of infrastructure that ultimately comes under Council's control both external and internal to development sites, the applicant is to contribute eighty dollars (\$80.00) per proposed unit as covered by the application to Council. The contribution will be utilised by Council as a pro rata contribution towards the cost of completing infrastructure design for the particular development area. The contribution is to be paid to Council prior to the issue of a Building Approval for any structure proposed to be erected on the site.

PREREQUISITE PRIOR TO APPLICATION BEING FORWARDED TO THE DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND PLANNING AND REVOCATION OF APPROVAL CONDITIONS

- (66) Prior to the matter being forwarded to the Chief Executive of the Department of Housing, Local Government and Planning for approval, the applicant within two (2) years of the date of the Council decision is to lodge with Council:
- (a) A cash bond or bank guarantee to the sum equivalent to the contributions required by the conditions of approval contained herein. The cash bond or bank guarantee is to be returned to the applicant if the application is not approved by the Governor-in-Council.
- (b) A legal Agreement on terms and conditions satisfactory to the Chief Executive Officer, ensuring compliance with the conditions relating to water supply and sewerage headworks contributions contained herein. This Agreement is to be binding on all successors in Title.
- (c) Three coloured copies of the Plan of Development amended where necessary to comply with the conditions of approval.

Should the applicant fail to comply with the provisions herein contained within the time period of two (2) years from the date of the Council decision, Council will take action to rescind the decision to approve the proposed rezoning without further notice, unless the applicant can give reasons satisfactory to Council why such rescission should not take place.

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ITEM 40 CONTINUED...
APPLICATION FOR REZONING AT LOT 12 COOMBABAH ROAD TO SPECIAL RESIDENTIAL ZONE

*** RECOMMENDATION

That the recommendation of the Assistant Planning Officer be adopted.

*** ITEM 41

CM03/06/94(PD041)

APPLICATION FOR TOWN PLANNING CONSENT BY THE ISSUE OF A TOWN PLANNING CONSENT PERMIT TO CARRY OUT AN EXTENSION TO AN EXISTING LICENSED CLUBHOUSE FACILITY TO ACCOMMODATE FOR NEW LOUNGE AND KITCHEN - "PIZZEY PARK" COMPLEX, PACIFIC AVENUE, MIAMI

| | |
|---------------------------|--|
| FILE REFERENCE(S) | 818/094/050 |
| APPLICATION NUMBER | 940050 |
| VIDE ITEM(S) | MAP(S) |
| PROJECT NAME | : BURLEIGH HEADS RUGBY LEAGUE FOOTBALL CLUB EXTENSIONS |
| PROJECT ADDRESS | : "PIZZEY PARK" COMPLEX, PACIFIC AVENUE, MIAMI |
| REAL PROPERTY DESCRIPTION | : LOT 1 ON REGISTERED PLAN 811097, PARISH OF GILSTON, COUNTY OF WARD |
| OWNER | : GOLD COAST CITY COUNCIL |
| APPLICANT | : BURLEIGH HEADS RUGBY LEAGUE FOOTBALL CLUB INC |
| PROPOSED DEVELOPMENT | : EXTENSION OF EXISTING LICENSED CLUB FACILITIES FOR NEW LOUNGE AND KITCHEN FACILITIES |
| SITE AREA | : LEASED LAND ON 31.830 HECTARE SITE |
| ZONING OF THE LAND | : PUBLIC OPEN SPACE - GENERAL |
| CLASSIFICATION | : EXTENSION TO EXISTING CLUBHOUSE |
| DATE RECEIVED | : 31/03/94 |
| DATE ADVERTISED | : 06/04/94 |
| OBJECTION(S) | : NIL |

*** CURRENT AGENDA MATERIAL

*** CORRESPONDENCE CHIEF EXECUTIVE OFFICER'S LETTER TO BURLEIGH HEADS RUGBY LEAGUE FOOTBALL CLUB INC (11/03/94)

I refer to your letter of 11 February 1994 making application to Council for an extension of the leased area and advise that Council at its meeting of 11 March 1994 resolved the following:

"Council grant its consent as owner of the land for the purpose of advertising the proposal of the Burleigh Heads Rugby League Football Club Inc applying for an extension of the lease in accordance with the Town Planning Scheme."

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APPLICATION FOR TOWN PLANNING CONSENT BY THE ISSUE OF A TOWN PLANNING CONSENT PERMIT TO CARRY OUT AN EXTENSION TO AN EXISTING LICENSED CLUBHOUSE FACILITY TO ACCOMMODATE FOR NEW LOUNGE AND KITCHEN - "PIZZEY PARK" COMPLEX, PACIFIC AVENUE, MIAMI

It is advised that the Club should contact Council's Mr John Kling of the Planning and Development Department (telephone 816 239) regarding the procedure for advertising the proposal of the Club to extend the clubhouse.

The approval granted by Council to date is only for the Club's application to be advertised under Council's Town Planning Scheme and is not to be construed as approval of the extension of the Lease area or for any construction to take place. After the application has been advertised the matter will again be considered by Council for determination.

*** REFERENCE ASSISTANT PLANNING OFFICER (LMD) (12/05/94)

PROPOSAL

Application has been made to extend an existing indoor recreation club at Pacific Avenue, Miami. The proposed development is to increase the floor area from approximately 476 square metres to an area of 694 square metres (an increase of 218 square metres). The extensions are to include a new lounge area and kitchen facilities. Under the 1994 Strategic Plan the preferred dominant land use is open space.

The land is currently zoned Public Open Space - General. The intent of this zone is to provide open space areas which are available for the use of the general public for active and passive recreational pursuits. Other development permissible in open space areas may include formal indoor and outdoor recreational activities as well as building and structures which facilitate public use or enjoyment of the open space. The proposed development will be in accordance with the intent/objectives of this particular zone.

STATUTORY ADVERTISING

The proposal has been publicly advertised in accordance with Section 4 of the Local Government (Planning & Environment) Act. No objections were received during the advertising period.

CAR PARKING REQUIREMENTS

A total of 25 line marked car parking spaces exist at the front of the clubhouse facilities. In accordance with the proposed extension of floor space, equalling 218 square metres, a total of fifteen (15) additional car parking spaces are required. This requirement is in accordance with the car parking ratio for indoor recreation purposes, namely licensed club, at the rate of one space per 15 square metres of total use area. Thirty one (31) additional spaces have been provided.

*** REFERENCE DEVELOPMENT ENGINEER (MG) (19/05/94)

The proposed car parking arrangement generally complies with the requirements of Planning Policy 1.0 except:

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- (1) Bays 35 and 36 do not have the required aisle width of 6.2 metres immediately behind the bays, to Clause 1.3.4.1.
- (2) Bays 40 and 41 are at 45° to bays 42-49 and may produce a hazardous situation where two cars may back into each other.

The removal of these four bays will mean the proposal will provide an additional 27 parking bays, where only fifteen are required.

*** REFERENCE ASSISTANT PLANNING OFFICER (LMD) (12/05/94)

Discussions were held with Council's Property Manager and no objections were raised regarding the extension of the lease area.

GENERAL COMMENT

The application has been assessed in accordance with the planning intentions for the subject area, which seek to promote the use of open space areas for outdoor/indoor recreational purposes. It is recommended that consent be granted to the application, subject to appropriate conditions.

*** OFFICER RECOMMENDATION

It is recommended

- (A) Council in determining this matter has had due regard to the information supplied by the applicant as part of the application and has also relied on reports prepared in relation to this matter.
- (B) The applicant be notified, as required under the provisions of "The Local Government (Planning & Environment) Act, that the application to extend an existing indoor recreation on land as described herein be approved subject to the conditions listed below:

DETAILS OF PREMISES

| | |
|--|---|
| PROPERTY DESCRIPTION: | LOT 1 ON REGISTERED PLAN 811097, PARISH OF GILSTON, COUNTY OF WARD |
| POSTAL ADDRESS: | "PIZZEY PARK" COMPLEX, PACIFIC AVENUE, MIAMI |
| AREA OF LAND: | LEASED LAND ON 31.830 HECTARE SITE |
| USE OF THE PREMISES AT THE TIME OF THE APPLICATION: | INDOOR/OUTDOOR RECREATION |
| APPROVED USE/S AS GRANTED IN THIS CONSENT: | EXTENSION OF EXISTING CLUBHOUSE |

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CONDITIONS ATTACHED TO THE COUNCIL APPROVAL

APPROVED PLANS

- (1) The development shall be in accordance with the plans (and elevations) submitted by the applicant (submitted by Marshall Bornhorst Pty Ltd dated February 1994) (as amended by the conditions of the approval).

The development shall comply with the relevant Planning Scheme requirements and the following development parameters:

- (a) Building Extension 218 square metres
- (b) Maximum Height of Building three (3) metres
- (c) Maximum Number of Storeys one (1)
- (d) Car Parking additional 15 spaces required

LEASE

- (2) Subject to all Town Planning requirements being met by the club, it is recommended that:
 - (a) an extension of the leased area be approved from 476 square metres to 694 square metres.
 - (b) the present lease be cancelled and a new lease issued to cover the extended area.
 - (c) all costs associated with survey, preparation of documents, registration etc., to be at the club's expense.

BUILDING AND DEVELOPMENT COMPLIANCE

- (3) Submission to and approval by Council of satisfactory building plans and specifications in accordance with the Building Act, Council's By-laws where applicable and the City of Gold Coast Planning Scheme. These building plans are to accord with the plan approved in this Approval. The building is to be constructed in accordance with the approved building plans prior to the commencement of the use.
- (4) Provision of fire services in accordance with the Building Act.

NOISE & AMENITY CONTROL

- (5) Any noise generated is to comply with the provisions of By-law 270 of Chapter 11 of Council's By-laws and The Noise Abatement Act and the requirements of any other Authorities.
- (6) All service equipment and refrigeration units are to be positioned and housed so as not to cause nuisance or disturbance to persons or property not connected with the development and to the reasonable satisfaction of the Planning and Development Manager.
- (7) The development shall be designed and constructed to a high standard, incorporating materials which complement the existing development in the area and to the satisfaction of the Planning and Development Manager.

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LIGHTING DEVICES - GENERAL

For the purpose of conditions that relate to lighting devices, a light shall be deemed to create a nuisance when the level of illumination measured at or above ground level at a distance of 1.5 metres outside the boundary of the site exceeds eight (8) lux.

- (8) Any lighting device is to be so positioned and shielded as not to cause any glare nuisance to any nearby residential occupation or passing motorist.

LANDSCAPING

- (9) The landscaping is to be established and maintained to the reasonable satisfaction of the Planning and Development Manager at all times.
- (10) Provision shall be made for the storage, removal and screening of refuse in accordance with the Council's By-laws and to the satisfaction of the Chief Health Surveyor, having regard to the purpose of Clause 12.7.11 of the Planning Scheme.

ADVERTISING DEVICES

- (11) The location, size, type and content of any advertising sign or device is to be submitted to Council for approval under the provisions of the Signs By-law. In assessing such applications, particular regard will be given to preserving the amenity of the area.

INFRASTRUCTURE AND CONSTRUCTION PROVISIONS EXTERNAL TO DEVELOPMENT SITES

General Provision

- (12) Council approves the payment by the owner of the land the subject of the application to the Council before commencement of construction specifically referred to in this approval, such sum as is required by the Council for the provision of those external works. Where such payment is accepted, the Council shall carry out the works and account for all costs within such time as is agreed between the Council and the owner of the land.

Where the actual cost to the Council of the above works exceeds the sum approved, the Council may recover the difference from the owner of the land as a debt due and owing to the Council.

Where the actual cost to the Council of the above works is less than the sum approved, the Council shall refund the difference to the owner of the land.

Stormwater Drainage

- (13) Stormwater drainage that may discharge onto the site, from and traversing the site shall be collected on site in an underground drainage system and discharged into an approved

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stormwater drainage system. This system shall be constructed to a legal point of discharge at the time of development of the site, to the satisfaction of the Chief Engineer. Where required by the Chief Engineer, easements shall be provided within and or external to the site at no expense to the Council to ensure that a drainage path to the ultimate outlet of the catchment is obtained.

- (14) Development shall ensure minimal downstream siltation during construction by intercepting the flow from the sub catchment and returning that flow to the natural gullies and downstream gullies or stormwater drainage systems at a volume and velocity not exceeding the existing condition. In addition, the following provisions shall be met to the satisfaction of the Chief Engineer -
- (a) construction of silt traps at the downstream end of the construction area; and
 - (b) stabilisation of earth batters using quick growing vegetation techniques or turfing; and
 - (c) re-aligned drainage channels shall be protected from scouring as construction proceeds; and
 - (d) drainage channels shall be wide based, if possible; and
 - (e) construction of temporary bunds throughout the site; and
 - (f) the contract documentation shall include Quality Assurance Provisions in accordance with Australian Standard AS2900-1987.
- (15) Soil exposure during the construction phase shall be minimised and restoration of exposed areas shall be carried out to the satisfaction of the Chief Engineer within seven (7) days of such areas no longer forming part of the construction areas.

For the purpose of this Clause "construction area" means that part of the site which is required for the carrying out of development and storage of equipment and materials associated with the development.

ROADWORKS AND FOOTPATH AREAS

- (16) All pedestrian paved surfaces within the development are to have a minimum Polished Frictional Value of 40 as set down in the Australian Standard AS1141.42. All paving provided external to the site is to have a Polished Frictional Value of not less than 45 as set down in the Australian Standard AS1141.42.
- (17) The footpath and setback areas are to be kept clear of goods, signs and street furniture not approved by the Manager Health Building & By-laws and the Planning and Development Manager.

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PERMANENT ACCESS AND PROVISION FOR TRAFFIC

- (18) Access to site, vehicular parking and loading bay requirements are to be in accordance with Council's parking policy and any relevant standard drawings.

CONSTRUCTION ACCESS AND PROVISION FOR TRAFFIC

- (19) Access to site during construction shall be in accordance with the Local Planning Policy 'Requirements for Construction for Development Sites'.
- (20) Unloading, storage or movement of construction material or equipment shall take place within the site unless otherwise approved by the Chief Engineer.
- (21) Unloading, storage or movement of construction material or equipment shall take place within the site in accordance with the Local Planning Policy 'Requirements for Construction on Development Sites'.

CAR PARKING AND LOADING FACILITIES

- (22) Provision of off-street car parking spaces in accordance with Clause 13.5.1 of the Planning Scheme and access and layout design to be provided and constructed in accordance with the Local Planning Policy 'Off Street Vehicle Parking Requirements' Australian Standards AS-2890.1 and AS-1428.1 amended from time to time, to the reasonable satisfaction of the Planning and Development Manager. Should the development be designed in such a manner as to reduce the amount of required car parking, the required amount of car parking may upon application to the Planning and Development Manager, be amended accordingly.
- (23) Car parking bays and aisle widths to be in accordance with Class 3 of the Australian Standard Code 2890.1-1986.
- (24) Where car parking is required for visitors to any development pursuant to the provisions of the Planning Scheme, such car parking shall be provided in accordance with the following:
- (a) be freely accessible to visitors at all hours with no encumbrance, fee or charge; and
 - (b) have no gateways, doors or similar devices which would restrict vehicular access by visitors; and
 - (c) have no signs displayed restricting the use of visitor spaces or reserving the use of such spaces for a particular person.
- (25) Provision of a loading area, together with associated driveways, shall be developed in accordance with the Local Planning Policy "Off-Street Vehicle Parking Requirements" to the reasonable satisfaction of the Chief Engineer.
- (26) All car parking and loading area/areas shall be freely and readily accessible for vehicular use and be designed to enable all vehicles entering and leaving the site to do so in a forward direction.
- (27) All car parking and loading areas shall be kept and used exclusively for parking and associated manoeuvring and be

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maintained to the satisfaction of the Planning and Development Manager.

- (28) All car parking and loading areas shall be constructed, drained, sealed, marked and maintained to the satisfaction of the Chief Engineer.

WATER SUPPLY & SEWERAGE AND WASTE DISPOSAL

- (29) Provision of water supply and sewerage to the reasonable satisfaction of the Chief Engineer and in accordance with the Sewerage and Water Supply Act and relevant Local Planning Policies.

The owner of the land shall be responsible for all costs involved with the connection to the existing Council water supply main and the sterilisation of any new water supply mains. These works shall be carried out by Council.

- (30) Disposal of waste classified as Trade Waste under the Sewerage and Water Supply Act and Council Sewerage By-Laws will be subject to special consideration, including the provision of interceptors to the satisfaction of the Chief Engineer. The interceptor trap shall be so positioned to be easily cleaned and accessible to the satisfaction of the Chief Engineer.
- (31) Any existing or proposed drainage receiving the kitchen or cooking area discharge is to have a Grease Interceptor Trap provided. The Interceptor Trap is to be positioned to be accessible and easily cleaned.

HEADWORKS CONTRIBUTIONS

- (32) WATER SUPPLY AND SEWERAGE COMPONENT 2 HEADWORKS
In accordance with the Planning Scheme and Local Planning Policy "Development Charges for Water Supply and Sewerage Service" contributions are payable towards Water Supply and Sewerage Headworks (Component 2).

These contributions are based on the equivalent population proposed in excess of that allowed for the zone within which the land the subject of this approval is located.

The determination of the final amount of the contribution referred to in this condition will be deferred until the approval by Council of a building application, permissible development application, application for permitted development subject to conditions or application for subdivision, as the case may be, and payment of the contribution shall then be made to Council at the time of such approval by it or such other date as may be determined by it at the time of such building approval, approval for permissible development, approval for permitted development subject to conditions or subdivision approval, as the case may be. The determination of the amount of the contribution at that time will be based on the following rates;

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|--------------|---|
| Water Supply | \$279.00 per Equivalent Population/Person |
| Sewerage | \$410.00 per Equivalent Population/Person |

The above rates are valid for the period of this approval only and subject to increases in the Consumer Price Index (All Groups) Brisbane which was 110.8 for the April/June quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

- (33) PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS
The contributions are payable to Council by the owner of the land in cash or bank cheque within seven (7) days of the commencement of the construction of the building work and that no plumbing and drainage inspections will be undertaken until payment is received.

GEOTECHNICAL CONSIDERATIONS

- (34) All development shall comply with the Local Planning Policy "Foundation and Geotechnical Assessment".

ENGINEERING DESIGN AND CONSTRUCTION

- (35) (a) Engineering plans and specifications for the work set out in conditions contained herein are to be approved by the Chief Engineer prior to construction commencing. Approval by the Chief Engineer does not warrant that such plans and specification have been checked in detail, nor does it absolve the Applicant from complying with all the conditions of this approval and / or relevant Council By-Laws and policies and / or relevant statutes and / or statutory regulations in the execution and / or performance of the said works. Neither the Council nor the Chief Engineer accepts any responsibility for the accuracy of such plans and specifications as approved.
- (b) All material supplied and all work performed by the Applicant pursuant to this approval shall be to the reasonable satisfaction of the Chief Engineer and shall comply in all respects with the provisions of all relevant statutes, statutory regulations, By-laws and / or Policies. The Chief Engineer may, by himself or his nominated delegate, supervise and test and generally may inspect all materials and work but no supervision, testing or inspection shall relieve the Applicant of any obligation imposed upon such applicant, pursuant to this clause or any other clause of this approval.
- (c) MAINTENANCE - All works which, at the completion of the development, will become the responsibility of Council, shall be subject to a maintenance period and provision

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- of security for the maintenance period in accordance with Council's subdivision By-Laws and policies.
- (d) SUPERVISION - All internal roadworks, sewerage, water supply and stormwater drainage is to be constructed under the supervision of a qualified Engineer who is to certify that these works have been constructed under his direct supervision and that they comply with the approved drawings and specifications.
- (e) Prior to the commencement of any work arising out of conditions listed above, written advice of intention to proceed with the work is to be given to Council. The advice shall include the name of the responsible supervisor with whom Council's inspecting officer will make contact.
- (36) Construction work is permitted only during the hours of 7:00 am to 6:00 pm Monday to Saturday.

NUISANCE

- (37) The Applicant is to ensure that a "smoke and dust nuisance" is not created in the development of this proposal. Attention is drawn to Chapter 8 of Council's By-laws in regard to this matter. Open burning off of any material shall not be permitted on the subject site. All waste material, including cleared vegetation, shall be transported from the site and disposed of in a satisfactory manner. The applicant is to apply to Council and receive in writing from Council an approved site to dispose of this waste material. The requirements of By-law 270 of Chapter 11 in regard to noise nuisances shall apply to this development, and in addition, construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday to Saturday unless otherwise approved by the Chief Engineer.

PERFORMANCE SECURITY AND TIME OF APPROVAL

- (38) The relevant conditions are to be satisfactorily completed prior to the use commencing in the premises or prior to the issue of any Certificate of Classification that may be required to be issued in relation to this building or structure.

*** RECOMMENDATION

That the recommendation of the Assistant Planning Officer be adopted.

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*** ITEM 42

CM03/06/94(PD042)

APPLICATION TO AMEND A PLANNING SCHEME BY REZONING LAND FROM RESIDENTIAL-DWELLING HOUSE ZONE TO RESIDENTIAL-TOWNHOUSE ZONE - 106 POHLMAN STREET, LABRADOR

| | |
|-------------------------------|---|
| FILE REFERENCE(S) | 663/094/025 |
| APPLICATION NUMBER | 940025 |
| VIDE ITEM(S) | MAP(S) |
| PROJECT ADDRESS | : 106 POHLMAN STREET, LABRADOR |
| REAL PROPERTY DESCRIPTION | : LOT 25 ON REGISTERED PLAN 28685, PARISH OF NERANG, COUNTY OF WARD |
| OWNER | : HV ARNOLD AND SON PTY LTD AND SHARI PTY LTD |
| APPLICANT | : MR G HANSEN, C/- JONES FLINT AND PIKE |
| PROPOSED DEVELOPMENT | : TOWNHOUSES |
| SITE AREA | : 1012 SQUARE METRES |
| ZONING OF THE LAND - EXISTING | : RESIDENTIAL-DWELLING HOUSE |
| - PROPOSED | : RESIDENTIAL-TOWNHOUSE |
| CLASSIFICATION | : TOWNHOUSE |
| DATE RECEIVED | : 08/03/94 |
| DATE ADVERTISED | : 11/03/94 |
| OBJECTION(S) | : TWO (2) LETTERS WERE RECEIVED |
| OBJECTOR(S) | : G WHEATLEY, DE LOVE |

*** CURRENT AGENDA MATERIAL*** REFERENCE PLANNING OFFICER (LMCEC) (19/05/94)PROPOSAL

It is proposed to rezone the subject site from the Residential-Dwelling House Zone to the Residential-Townhouse Zone.

The plans of layout lodged with the application show that it is proposed to erect four (4) townhouses.

ADVERTISING

It appears that the application has been advertised in accordance with the provisions of the Local Government (Planning & Environment) Act.

OBJECTIONS

Two (2) letters of objection were received:

- (1) The proposed increase in density will affect the amenity of the area.
- (2) That the capacity of the existing sewerage system is inadequate for the proposed increase in density.

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ITEM 42

CONTINUED...

APPLICATION TO AMEND A PLANNING SCHEME BY REZONING LAND FROM RESIDENTIAL-DWELLING HOUSE ZONE TO RESIDENTIAL-TOWNHOUSE ZONE - 106 POHLMAN STREET, LABRADOR

REPRESENTATIONS

- (1) The proposal is consistent with the Strategic Plan.

The development will have to comply with relevant provisions of the Town Plan.

- (2) Adequate conditions will be imposed to ensure that the sewerage system is adequate.

TOWN PLANNING CONSIDERATIONS

- (1) Strategic Plan

The proposed rezoning is consistent with the intent.

- (2) Development Provisions

Detailed plans of layout were lodged as part of this application.

The plans were deficient in the following way:

1. side and rear boundary clearances from a habitable room;
2. landscaped open space;
3. building aesthetics (design of facade to Pohlman Street and length of wall).

In the conditions of approval, reference has not been made to the plans of layout. This is consistent with Council's practice.

The development will have to comply with the provisions of the Town Plan at the time of lodgement of the building approval.

Any request for a relaxation can be considered by the Director of Development and Environment Planning at the time of lodgement of the building approval.

*** OFFICER RECOMMENDATIONIt is recommended

- (A) Council in determining this matter has had due regard to the information supplied by the applicant as part of the application, the submissions made by the objectors and has also relied on reports prepared in relation to this matter.
- (B) The applicant and the objectors be notified, as required under the provisions of "The Local Government (Planning & Environment) Act, that the application to rezone the land to the Townhouse Zone as described herein be approved subject to the conditions listed below:

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ITEM 42

CONTINUED...

APPLICATION TO AMEND A PLANNING SCHEME BY REZONING LAND FROM RESIDENTIAL-DWELLING HOUSE ZONE TO RESIDENTIAL-TOWNHOUSE ZONE - 106 POHLMAN STREET, LABRADOR

DETAILS OF PREMISES

| | |
|--|---|
| PROPERTY DESCRIPTION: | LOT 25 ON REGISTERED PLAN 28685, PARISH OF NERANG, COUNTY OF WARD |
| POSTAL ADDRESS: | 106 POHLMAN STREET, SOUTHPORT |
| AREA OF LAND: | 1012 SQUARE METRES |
| ZONE TO WHICH THE LAND IS PROPOSED TO BE EXCLUDED: | RESIDENTIAL-DWELLING HOUSE |
| ZONE INTO WHICH THE LAND IS PROPOSED TO BE INCLUDED: | RESIDENTIAL-TOWNHOUSE |
| USE OF THE PREMISES AT THE TIME OF THE APPLICATION: | SINGLE FAMILY DWELLING |
| APPROVED USE/S AS GRANTED IN THIS APPROVAL: | FOUR (4) TOWNHOUSES |

CONDITIONS ATTACHED TO THE COUNCIL APPROVAL

- (1) The development shall be in accordance with the relevant Planning Scheme provisions applicable to the Residential - Townhouse Zone and the proposed use at the time of lodgement of the Building Application. The density of the development is to be calculated at one (1) unit per 250 square metres of gross site area. The plans as lodged with the application do not form part of this approval.

Stormwater Drainage

- (2) Stormwater drainage that may discharge onto the site, from and traversing the site shall be collected on site in an underground drainage system and discharged into an approved stormwater drainage system. This system shall be constructed to a legal point of discharge at the time of development of the site, to the satisfaction of the Chief Engineer. Where required by the Chief Engineer, easements shall be provided within and or external to the site at no expense to the Council to ensure that a drainage path to the ultimate outlet of the catchment is obtained.
- (3) Development shall ensure minimal downstream siltation during construction by intercepting the flow from the sub catchment and returning that flow to the natural gullies and downstream gullies or stormwater drainage systems at a volume and velocity not exceeding the existing condition. In addition, the following provisions shall be met to the satisfaction of the Chief Engineer -

- construction of silt traps at the downstream end of the construction area; and
- stabilisation of earth batters using quick growing vegetation techniques or turfing; and
- re-aligned drainage channels shall be protected from scouring as construction proceeds; and
- drainage channels shall be wide based, if possible; and

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CONTINUED...

APPLICATION TO AMEND A PLANNING SCHEME BY REZONING LAND FROM RESIDENTIAL-DWELLING HOUSE ZONE TO RESIDENTIAL-TOWNHOUSE ZONE - 106 POHLMAN STREET, LABRADOR

- construction of temporary bunds throughout the site; and
 - the contract documentation shall include Quality Assurance Provisions in accordance with Australian Standard AS2900-1987.
- (4) Soil exposure during the construction phase shall be minimised and restoration of exposed areas shall be carried out to the satisfaction of the Chief Engineer within seven (7) days of such areas no longer forming part of the construction areas.
- For the purpose of this Clause "construction area" means that part of the site which is required for the carrying out of development and storage of equipment and materials associated with the development.
- (5) A 3.0 metre wide easement shall be dedicated at the rear of Lot 25 on Registered Plan 28685 for future Council stormwater works.
- (6) All necessary easements are to be acquired and a Title Office dealing number provided to Council prior to the application being forwarded to the Minister.

ROADWORKS AND FOOTPATH AREAS

- (7) Any existing kerb and channel which is damaged or is required by the Chief Engineer to be replaced for the frontage of the site shall be on an alignment both horizontal and vertical to match the existing kerb and channel or any future kerb and channel design approved by the Chief Engineer.
- (8) All redundant access crossings are to be removed and replaced with integral concrete kerb and channel. Footpath, grass verge, traffic and parking regulations shall be reinstated and restored. The work shall be completed in accordance with Council's requirements.
- (9) Any drainage works or alterations to public utilities, road signage or traffic control devices necessitated by the works required shall be undertaken by the owner of the land at no cost to the Council and to the satisfaction of the Chief Engineer.
- (10) All works shall be carried out in accordance with the Council's design and specification and to the satisfaction of the Chief Engineer.

FILLING AND FLOOD LEVEL

- (11) Any filling of the site shall not cause ponding on adjoining sites.
- (12) The site is to be filled above the highest recorded flood level or design flood level to the reasonable satisfaction of the Chief Engineer. All filling is to be carried out in accordance with Local Planning Policy 'Foundation and Geotechnical Assessment'.
- (13) The applicant is to ensure that the development levels are safe against local flooding or drainage problems. A report by

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CONTINUED...

APPLICATION TO AMEND A PLANNING SCHEME BY REZONING LAND FROM RESIDENTIAL-DWELLING HOUSE ZONE TO RESIDENTIAL-TOWNHOUSE ZONE - 106 POHLMAN STREET, LABRADOR

competent consultants, to the satisfaction of Council's Chief Engineer, is to be provided examining flood and stormwater levels as affected by run-off from upstream and water levels which will occur downstream. (Council does not have flood level records relevant to this site).

WATER SUPPLY & SEWERAGE AND WASTE DISPOSAL

- (14) Provision of water supply and sewerage to the reasonable satisfaction of the Chief Engineer and in accordance with the Sewerage and Water Supply Act and relevant Local Planning Policies.

The owner of the land shall be responsible for all costs involved with the connection to the existing Council water supply main and the sterilisation of any new water supply mains. These works shall be carried out by Council.

- (15) A 3.0 metre wide easement shall be dedicated over the existing sewer in Lot 25 on Registered Plan 28685 for future Council sewer maintenance.

HEADWORKS CONTRIBUTIONS

(16) WATER SUPPLY AND SEWERAGE COMPONENT 1

In accordance with the Planning Scheme and Local Planning Policy "Development Charges for Water Supply and Sewerage Service" contributions are payable towards Water Supply and Sewerage Headworks (Component 1).

These contributions are based on the equivalent population proposed in excess of that allowed for the zone within which the land the subject of this approval is located. The contributions have been determined from information supplied with the application and Council records, the principal particulars of which are as follows:

| | | |
|--|--------------------------|-----------|
| Water Supply | (Account No. 6635) 4 e.p | \$1432.00 |
| Sewerage | (Account No. 6637) 4 e.p | \$3641.00 |
| Total Component 1 Headworks Contribution | | \$5073.00 |

The above rates are valid for the period of this approval only and subject to increase in accordance with any increases in the Consumer Price Index (All Groups) Brisbane which was 110.8 for the April/June quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

Prior to this approval for rezoning being forwarded to the Chief Executive of the Department of Housing, Local Government and Planning an agreement on terms and conditions to be determined by the Chief Executive Officer whereby the applicant for rezoning agrees to make payment of the Water Supply and Sewerage Component 1 Headworks contribution

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CONTINUED...

APPLICATION TO AMEND A PLANNING SCHEME BY REZONING LAND FROM RESIDENTIAL-DWELLING HOUSE ZONE TO RESIDENTIAL-TOWNHOUSE ZONE - 106 POHLMAN STREET, LABRADOR

referred to above shall be signed by the applicant and lodged with the Council as security for compliance with the applicant's obligations to make the above contribution. Prior to referred of the application for rezoning to the Chief Executive of the Department of Housing, Local Government and Planning the applicant shall also lodge an unconditional and unequivocal bank bond or guarantee on terms and from an institution acceptable to the Chief Executive Officer for the amount of the total Component 1 Headworks contribution.

The agreement and the security referred to above shall only be released to the applicant or as directed by the applicant upon payment of the contribution (together with any CPI increases calculated in accordance with the index referred to above) in cash or by bank cheque payable to the Council.

In the event of a sale of the lands the subject of this rezoning approval Council may at its discretion on completion of the sale release the applicant from all obligations under the agreement and release the security referred to above upon lodgement of a substitute agreement on terms determined by the Chief Executive Officer executed by the purchaser of the land and the lodgement of a replacement security, the amount of which shall be determined by the Chief Executive Officer after taking into account any increases in the index referred to above.

The determination of the final amount of the contribution referred to in this condition will be deferred until the approval by Council of an application for permissible development or permitted development subject to conditions, as the case may be, and payment of the contribution shall then be made to Council at the time of such approval by it or such other date as may be determined by it at the time of such approval. The determination of the amount of the contribution at that time will be based on the following rates:

| | |
|--------------|--------------------------------|
| Water Supply | \$358.00 per Equivalent Person |
| Sewerage | \$331.00 per Equivalent Person |

The above rates are valid for the period of this approval only and subject to increase in accordance with any increases in the Consumer Price Index (All Groups) Brisbane which was 110.8 for the April/June quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

(17) WATER SUPPLY AND SEWERAGE COMPONENT 2 HEADWORKS

In accordance with the Planning Scheme and Local Planning Policy "Development Charges for Water Supply and Sewerage

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APPLICATION TO AMEND A PLANNING SCHEME BY REZONING LAND FROM RESIDENTIAL-DWELLING HOUSE ZONE TO RESIDENTIAL-TOWNHOUSE ZONE - 106 POHLMAN STREET, LABRADOR

Service" contributions are payable towards Water Supply and Sewerage Headworks (Component 2).

These contributions are based on the equivalent population proposed in excess of that allowed for the zone within which the land the subject of this approval is located.

The determination of the final amount of the contribution referred to in this condition will be deferred until the approval by Council of a building application, permissible development application, application for permitted development subject to conditions or application for subdivision, as the case may be, and payment of the contribution shall then be made to Council at the time of such approval by it or such other date as may be determined by it at the time of such building approval, approval for permissible development, approval for permitted development subject to conditions or subdivision approval, as the case may be. The determination of the amount of the contribution at that time will be based on the following rates;

| | |
|--------------|---|
| Water Supply | \$358.00 per Equivalent Population/Person |
| Sewerage | \$331.00 per Equivalent Population/Person |

The above rates are valid for the period of this approval only and subject to increases in the Consumer Price Index (All Groups) Brisbane which was 110.8 for the April/June quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

- (18) PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS
The contributions are payable to Council by the owner of the land in cash or bank cheque within seven (7) days of the commencement of the construction of the building work and that no plumbing and drainage inspections will be undertaken until payment is received.

ALTERATION TO UTILITY MAINS

- (19) Any alterations to public utility mains, services or installations rendered necessary by a development shall be undertaken by the owner of the land, at no cost to the Council, and to the satisfaction of the Chief Engineer.

NUISANCE

- (20) The Applicant is to ensure that a "smoke and dust nuisance" is not created in the development of this proposal. Attention is drawn to Chapter 8 of Council's By-laws in regard to this matter. Open burning off of any material shall not be permitted on the subject site. All waste material, including cleared vegetation, shall be transported from the site and

ITEM 42 CONTINUED...
APPLICATION TO AMEND A PLANNING SCHEME BY REZONING LAND FROM RESIDENTIAL-DWELLING HOUSE ZONE TO RESIDENTIAL-TOWNHOUSE ZONE - 106 POHLMAN STREET, LABRADOR

disposed of in a satisfactory manner. The applicant is to apply to Council and receive in writing from Council an approved site to dispose of this waste material. The requirements of By-law 270 of Chapter 11 in regard to noise nuisances shall apply to this development, and in addition, construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday to Saturday unless otherwise approved by the Chief Engineer.

CASH IN LIEU OF PARK PROVISION

- (21) The applicant is to provide a cash contribution in lieu of park provision. This contribution is to be equivalent to 10% of the Unimproved Capital Value of the land.

The contribution is to be paid to Council prior to Council issuing a Certificate of Classification, a final Building Clearance sealing a Building Units Plan or Group Titles Plan or occupation of the building whichever occurs at the earlier (Account No. 6634).

That a notation be placed on Council's Rate Search Information indicating the requirement of this condition.

TREE PRESERVATION

- (22) Any tree with a girth of 400 mm or more at waist height shall not be removed without first obtaining the consent of the Chief Engineer. Exceptions will be made in the case of trees within an approved future road reserve or where necessary to install water and sewerage works, drainage lines, etc. Prior to any design or construction work commencing, arrangements shall be made with the Environmental Officer for an inspection to identify trees which are to be preserved. The results of this inspection will be valid only for the duration of this approval, and a fresh inspection will be required for any future approval. In particular, the Poinciana tree (delonix Regia) is to be retained.

Observance of Chapter 37 of Council's By-laws in regard to the preservation of trees.

CONTRIBUTION FOR DESIGN OF INFRASTRUCTURE

- (23) To ensure that provision is made for the design of infrastructure that ultimately comes under Council's control both external and internal to development sites, the applicant is to contribute eighty dollars (\$80.00) per proposed unit as covered by the application to Council. The contribution will be utilised by Council as a pro rata contribution towards the cost of completing infrastructure design for the particular development area. The contribution is to be paid to Council prior to the issue of a Building Approval for any structure proposed to be erected on the site.

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APPLICATION TO AMEND A PLANNING SCHEME BY REZONING LAND FROM RESIDENTIAL-DWELLING HOUSE ZONE TO RESIDENTIAL-TOWNHOUSE ZONE - 106 POHLMAN STREET, LABRADOR

PREREQUISITE PRIOR TO APPLICATION BEING FORWARDED TO THE DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND PLANNING AND REVOCATION OF APPROVAL CONDITIONS

(24) Prior to the matter being forwarded to the Chief Executive of the Department of Housing, Local Government and Planning for approval, the applicant within two (2) years of the date of the Council decision is to lodge with Council:

- (a) A cash bond or bank guarantee to the sum equivalent to the contributions required by the conditions of approval contained herein. The cash bond or bank guarantee is to be returned to the applicant if the application is not approved by the Governor-in-Council.
- (b) A legal Agreement on terms and conditions satisfactory to the Chief Executive Officer, ensuring compliance with the conditions relating to water supply and sewerage headworks contributions contained herein. This Agreement is to be binding on all successors in Title. The Agreement shall be prepared by solicitors acting for Council at the applicant's cost and expense. In the event that the rezoning approval contained herein does not proceed to gazettal, then the applicant shall be responsible for all of the Council's legal fees in relation to the negotiations and preparation of the above legal agreement and any associated documentation. The applicant is required to submit the information required for the preparation of the legal agreement on the appropriate "Request for a Development Agreement".
- (c) Three coloured copies of the Plan of Development amended where necessary to comply with the conditions of approval.

Should the applicant fail to comply with the provisions herein contained within the time period of two (2) years from the date of the Council decision, Council will take action to rescind the decision to approve the proposed rezoning without further notice, unless the applicant can give reasons satisfactory to Council why such rescission should not take place.

(C) The comments on the objections contained in the reference be adopted as Council's representations on these objections in its application to the Minister.

*** RECOMMENDATION

That the recommendation of the Planning Officer be adopted.

*** ITEM 43 CM03/06/94(PD043)

MODIFICATION OF SITE COVERAGE AND SETBACK PROVISIONS - DUPLEX DWELLING - 249 STANHILL DRIVE, SURFERS PARADISE

| | | |
|---------------------------------|---|--|
| FILE REFERENCE(S) | : | 04-08460-0000-5 |
| | : | 825/094/036 |
| APPLICATION NUMBER | : | 940036 |
| PROJECT ADDRESS | : | 249 STANHILL DRIVE, SURFERS PARADISE |
| REAL PROPERTY DESCRIPTION OWNER | : | LOT 460 ON REGISTERED PLAN 93882 ROBERT MCCALLUM AND HEATHER KELSALL |
| APPLICANT | : | MR AND MRS JOHN MCCALLUM, C/- MORTON PERLMAN SVENSON |
| PROPOSED DEVELOPMENT | : | TO ERECT A DUPLEX DWELLING |
| SITE AREA | : | 506 SQUARE METRES |
| ZONING OF THE LAND | : | RESIDENTIAL-DUPLEX DWELLING |
| BUILDING HEIGHT | : | TWO (2) STOREYS |
| DEVELOPMENT CONTROL PLAN | : | CHEVRON ISLAND |
| DATE RECEIVED | : | 12/05/94 |

*** CURRENT AGENDA MATERIAL

*** REFERENCE TECHNICAL OFFICER PLANNING & DEVELOPMENT (SF) (20/05/94)

SITE COVERAGE PROVISION

Application has been made for modification of Part 4.11.2.2 of the Town Planning Scheme which prescribes that the site coverage of a duplex dwelling shall not exceed 40% provided that Council may permit the site coverage to be increased to 50% where such an increase would not conflict with the purpose of Part 4.11.2 i.e. to facilitate a pleasant living environment by the provision of adequate open space around buildings.

The proposal is to erect a two (2) storey duplex dwelling at 249 Stanhill Drive, Surfers Paradise. The submission indicates a gross floor area of approximately 450 square metres and a site coverage of 225 square metres or 43.8% hence this application.

Both dwelling units have access to a communal open space of 100 square metres at the rear of the dwelling units.

It is considered that the proposal does not conflict with Scheme provisions as adequate open space has been provided, therefore a modification of this provision is considered warranted.

Plans submitted with the application indicate a pergola structure with tilt a door to the front property boundary. It is not Council Policy to approve a structure in the six (6) metre setback area unless there are extenuating circumstances. In this instance, the structure should be deleted from the approval.

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ITEM 43 CONTINUED...
MODIFICATION OF SITE COVERAGE AND SETBACK PROVISIONS - DUPLEX DWELLING -
249 STANHILL DRIVE, SURFERS PARADISE

*** REFERENCE SENIOR BUILDING SURVEYOR (JR) (18/05/94)

SETBACK PROVISION

The applicant has requested a relaxation for a number of items relating to Building Application 94/2009. These include site cover and waterfront setback. Another item that needs relaxation is the construction of a pergola within the 6m front setback area. This is not mentioned in the applicant's letter. Site cover is being actioned by Planning and Development. The building has been designed for a 6.5m setback from the waterfront boundary. The site is zoned Residential - Duplex and fronts onto a Canal - River frontage which has a setback of 7.3m from the revetment wall. The minimum 6m from the front boundary alignment has been achieved except for the proposed pergola in this setback area.

Regarding the waterfront setback, the two adjacent properties maintain the 7.3m setback and even though the proposal would protrude about 800mm past the 7.3m setback line, the proposal would not unduly obstruct the outlook from the adjoining properties.

Pursuant to Bylaw 9.9 of the Standard Building Bylaws 'Concession for Siting Requirements' the Local Authority may modify the siting requirements if the applicant can satisfy the Local Authority that -

because of the levels, depth, shape or condition of the allotment or adjoining allotments; or

because of the nature of the proposed building or other structure or adjoining buildings; or

because of any other reason the Local Authority may consider relevant;

the proposed building or structure will not do any of the following -

unduly obstruct the natural light and ventilation of adjoining allotments;

unduly interfere with the privacy of adjoining allotments;

unduly restrict the areas suitable for landscaping; or unduly obstruct the outlook from adjoining allotments.

The proposed pergola in the front 6m setback area is to be deleted from this application and will be addressed at a later date once further information is received.

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ITEM 43 CONTINUED...
MODIFICATION OF SITE COVERAGE AND SETBACK PROVISIONS - DUPLEX DWELLING -
249 STANHILL DRIVE, SURFERS PARADISE

*** OFFICER RECOMMENDATION

It is recommended that Planning and Development Committee form the opinion that as the proposed siting of the two storey duplex building at a distance of 6.5m from the river revetment wall in lieu of 7.3m will not unduly do any of the following -

- (1) obstruct the natural light and ventilation of the adjoining allotments;
- (2) interfere with the privacy of adjoining allotments;
- (3) obstruct the outlook from adjoining allotments;

the 6.5m setback from the revetment wall be approved.

*** REFERENCE TECHNICAL OFFICER PLANNING & DEVELOPMENT (SF) (20/05/94)

*** OFFICER RECOMMENDATION

It is recommended that the applicant be advised that:

- (A) Approval is granted for modification of the site coverage provision in accordance with plans lodged with this application. The area of the eaves within 600 millimetres of the external perimeter of the roof shall be excluded from site coverage calculations.
- (B) The pergola in the six (6) metre setback is not approved.
- (C) The 6.5 metre setback from the revetment wall be approved.

*** RECOMMENDATION

That the recommendation of the Technical Officer - Planning and Development be adopted.

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*** ITEM 44

CM03/06/94(PD044)

APPLICATION FOR TOWN PLANNING CONSENT BY THE ISSUE OF A TOWN PLANNING CONSENT PERMIT TO CARRY OUT THE ERECTION OF A SIX (6) STOREY MULTI-UNIT BUILDING WITHIN A THREE (3) STOREY HEIGHT CONTROL PRECINCT - 20-22 MARINE PARADE, MIAMI

| | |
|---------------------------|--|
| FILE REFERENCE(S) | 818/094/053 |
| APPLICATION NUMBER | 940053 |
| VIDE ITEM(S) | MAP(S) |
| PROJECT ADDRESS | : 20-22 MARINE PARADE, MIAMI |
| REAL PROPERTY DESCRIPTION | : LOTS 21 AND 22 ON REGISTERED PLAN 3147, PARISH OF GILSTON, COUNTY OF WARD |
| OWNER | : SWEDPAC PTY LTD |
| APPLICANT | : SWEDPAC PTY LTD |
| PROPOSED DEVELOPMENT | : SIX (6) STOREY MULTI-UNIT BUILDING |
| SITE AREA | : 1134 SQUARE METRES |
| ZONING OF THE LAND | : RESORT RESIDENTIAL 1 |
| RESIDENTIAL DENSITY | : D2 (D2) |
| BUILDING HEIGHT | : H3 (H7) |
| CLASSIFICATION | : MULTI-UNIT BUILDING |
| DATE RECEIVED | : 08/04/94 |
| DATE ADVERTISED | : 07/04/94 |
| OBJECTION(S) | : FIVE (5) LETTERS WERE RECEIVED (ONE WAS RECEIVED AFTER CLOSING DATE) |
| OBJECTOR(S) | : J & D NOWLAND, J & P GORDON, C & A BRYANT, L & P TETLY-JONES (LATE OBJECTION: MA BOURKE) |

*** CURRENT AGENDA MATERIAL

*** REFERENCE ASSISTANT PLANNING OFFICER (SM) (18/05/94)

The proposal is to erect a six (6) storey building within an area where the permitted height is three (3) storeys and the maximum permissible height is seven (7) storeys. The site is located on Marine Parade at Miami and comprises two (2) allotments situated overlooking the beachfront.

Marine parade is aligned with a mix of dwelling houses and multi-unit building exists to the direct north of the site. To the south, adjacent to the site, is a multi-unit building being constructed.

The current proposal will have a minimal impact on the three storey height provision when viewed from the street frontage. The two topmost storeys comprise the penthouse which allows the building to taper as it becomes higher. The newly constructed multi-unit building to the north has a very elongated street frontage which will assist in alleviating the impact of the proposal.

DESIGN PARAMETERS

The design parameters effected by the additional three storeys are plot ratio, site coverage and shadows.

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CONTINUED...

APPLICATION FOR TOWN PLANNING CONSENT BY THE ISSUE OF A TOWN PLANNING CONSENT PERMIT TO CARRY OUT THE ERECTION OF A SIX (6) STOREY MULTI-UNIT BUILDING WITHIN A THREE (3) STOREY HEIGHT CONTROL PRECINCT - 20-22 MARINE PARADE, MIAMI

Plot Ratio

The plot ratio of the building is 1:0534 which is the maximum permitted plot for a six (6) storey building. This represents an increase of 0.15:1 compared with an as of right three (3) storey building. Having regard for site coverage and the visual appearance of the building, this increase does not result in an excessive building bulk and is in keeping with the character of the area.

Site Cover

The proposal indicates a site coverage of thirty-six percent (36%) which is below the maximum permitted site coverage of forty percent (40%) for an as of right six (6) storey development.

Shadow

The building has been specifically designed to comply with all shadow requirements. The proposed tapering of the building assists in minimising the effect of the shadow cast by the development on the surrounding area.

Objections

Five (5) letters of objection were received within the statutory advertising period and one (1) letter was received after the closing date. The main points raised were:

- (1) Increase in height.
- (2) Increased shadows on adjoining properties.
- (3) Increase in traffic in an already busy and narrow road.
- (4) Out of character to surrounds.
- (5) Increase in noise.
- (6) Contrary to Town Plan.
- (7) Invasion of Privacy.
- (8) Loss of Norfolk Pines on the site.

GENERAL COMMENT

The additional three storeys does not result in an increase in the residential density. It is noted that the two topmost storeys only comprise one (1) unit. As a result of this, there will be no increase in traffic and the visual impact will be minimal.

From assessment of the plans and the artist's impression, the building appears to be of a high standard of urban design and will be a positive contribution towards the urban character developing in the area as a result of more recent multi-unit developments.

It is likely that multi-unit buildings will continue to be developed along Marine Parade with a range of building heights up to seven storeys when adequate compliance with Scheme provisions is demonstrated.

ITEM 44 CONTINUED...
APPLICATION FOR TOWN PLANNING CONSENT BY THE ISSUE OF A TOWN PLANNING CONSENT PERMIT TO CARRY OUT THE ERECTION OF A SIX (6) STOREY MULTI-UNIT BUILDING WITHIN A THREE (3) STOREY HEIGHT CONTROL PRECINCT - 20-22 MARINE PARADE, MIAMI

The first four (4) storeys, which contribute to the main bulk of the building, complements the heights of the buildings on either side of the site. The upper two levels with a reduced site cover assists in eliminating the flat bulkiness of three (3) storey development and uniformity in the skyline thereby creating variation and interest.

It is considered that the proposal does not have any detrimental impact on the surrounding area. Visually the three (3) additional storeys will have little impact due to the tapering effect of the building and objector's claims of increases in traffic, noise and shadows will not be contentious issues. Conditions have been imposed in relation to the additional three storeys.

*** OFFICER RECOMMENDATION

It is recommended

- (A) Council in determining this matter has had due regard to the information supplied by the applicant as part of the application, the submissions made by the objectors and has also relied on reports prepared in relation to this matter.
- (B) The applicant and the objectors be notified, as required under the provisions of "The Local Government (Planning & Environment) Act, that the application to erect a six (6) storey multi-unit building on land as described herein be approved subject to the conditions listed below:

DETAILS OF PREMISES

| | |
|---|--|
| PROPERTY DESCRIPTION: | LOTS 21 AND 22 ON REGISTERED PLAN 3147, PARISH OF GILSTON, COUNTY OF WARD |
| POSTAL ADDRESS: | 20-22 MARINE PARADE, MIAMI |
| AREA OF LAND: | 1134 SQUARE METRES |
| USE OF THE PREMISES AT THE TIME OF THE APPLICATION: | VACANT |
| APPROVED USE/S AS GRANTED IN THIS CONSENT: | MULTI-UNIT BUILDING (FIVE (5) X THREE (3) BEDROOM, FOUR (4) X TWO (2) BEDROOM UNITS) |

CONDITIONS ATTACHED TO THE COUNCIL APPROVAL

APPROVED PLANS

- (1) The development shall be in accordance with the plans (and elevations) submitted by the applicant (Plan/Drawing No. CA 1-14 submitted by MPS Architects dated March 1994) (as amended by the conditions of the approval).

The development shall comply with the relevant Planning Scheme requirements and the following development parameters:

ITEM 44 CONTINUED...
APPLICATION FOR TOWN PLANNING CONSENT BY THE ISSUE OF A TOWN PLANNING CONSENT PERMIT TO CARRY OUT THE ERECTION OF A SIX (6) STOREY MULTI-UNIT BUILDING WITHIN A THREE (3) STOREY HEIGHT CONTROL PRECINCT - 20-22 MARINE PARADE, MIAMI

- (a) Site Coverage shall not exceed 36%
- (b) Plot Ratio shall not exceed 1.0534
- (c) Maximum Height of Building 18.5 metres
- (d) Maximum Number of Storeys six (6) storeys
- (e) Maximum Number of Units nine (9)
- (f) Maximum Number of Bedrooms twenty-three (23)

BUILDING AND DEVELOPMENT COMPLIANCE

- (2) Submission to and approval by Council of satisfactory building plans and specifications in accordance with the Building Act, Council's By-laws where applicable and the City of Gold Coast Planning Scheme. These building plans are to accord with the plan approved in this Approval. The building is to be constructed in accordance with the approved building plans prior to the commencement of the use.
- (3) Provision of fire services in accordance with the Building Act.
- (4) Compliance with Provision 4.16 of the Town Planning Scheme, unless otherwise detailed in this approval.
- (5) Compliance with the Health Acts and all Regulations made thereunder.
- (6) The provisions of the Consent Approval are to be effected prior to the commencement of the specific use as granted by the said Approval.

NOISE & AMENITY CONTROL

- (7) Any noise generated is to comply with the provisions of By-law 270 of Chapter 11 of Council's By-laws and The Noise Abatement Act and the requirements of any other Authorities.
- (8) There is to be no interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.
- (9) The topmost storey of all buildings including the roof and any service equipment or plant rooms shall be designed and treated so as to visually integrate with and complement the design and finish of the rest of the building, to the reasonable satisfaction of the Planning and Development Manager.

ROADWORKS AND FOOTPATH AREAS

- (10) Vehicular access is to be provided in a manner satisfactory to the Chief Engineer. The minimum requirement will consist of construction using reinforced concrete in accordance with Council's standard drawing No. 52790B.

WATER SUPPLY & SEWERAGE AND WASTE DISPOSAL

- (11) Provision of water supply and sewerage to the reasonable satisfaction of the Chief Engineer and in accordance with the Sewerage and Water Supply Act and relevant Local Planning Policies.

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ITEM 44 CONTINUED...
APPLICATION FOR TOWN PLANNING CONSENT BY THE ISSUE OF A TOWN PLANNING CONSENT PERMIT TO CARRY OUT THE ERECTION OF A SIX (6) STOREY MULTI-UNIT BUILDING WITHIN A THREE (3) STOREY HEIGHT CONTROL PRECINCT - 20-22 MARINE PARADE, MIAMI

The owner of the land shall be responsible for all costs involved with the connection to the existing Council water supply main and the sterilisation of any new water supply mains. These works shall be carried out by Council.

- (12) The development shall be provided with Fire Hydrant installation conforming with the provisions of the Australian Standard AS2419 (as amended from time to time).
- (13) The existing Council water main / sewer traversing the site will be subject to Local Planning Policy "Structures near Council's Services". At the time of Building Application, a security bond will be assessed if required by the policy, for protection of the service. Where the service is to be relocated clear of a proposed building, or re-laid under a proposed building in cast iron cement lined or ductile iron cement lined pipe, then the bond will represent the estimated value of the work plus 20%. The bond will be required to be paid prior to construction commencing and shall be in the form of cash or unconditional bank bond. Where a service is to be relocated an easement shall be created over that service and dedicated in favour of Council, prior to the approval of a Building Application on the subject site.
- (14) An easement shall be created over the existing sewer and dedicated in favour of Council, prior to the approval of a Building Application on the subject site.

HEADWORKS CONTRIBUTIONS

- (15) WATER SUPPLY AND SEWERAGE COMPONENT 2 HEADWORKS
In accordance with the Planning Scheme and Local Planning Policy "Development Charges for Water Supply and Sewerage Service" contributions are payable towards Water Supply and Sewerage Headworks (Component 2).

These contributions are based on the equivalent population proposed in excess of that allowed for the zone within which the land the subject of this approval is located.

The determination of the final amount of the contribution referred to in this condition will be deferred until the approval by Council of a building application, permissible development application, application for permitted development subject to conditions or application for subdivision, as the case may be, and payment of the contribution shall then be made to Council at the time of such approval by it or such other date as may be determined by it at the time of such building approval; approval for permissible development, approval for permitted development subject to conditions or subdivision approval, as the case may be. The determination of the amount of the contribution at that time will be based on the following rates;

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ITEM 44 CONTINUED...
APPLICATION FOR TOWN PLANNING CONSENT BY THE ISSUE OF A TOWN PLANNING CONSENT PERMIT TO CARRY OUT THE ERECTION OF A SIX (6) STOREY MULTI-UNIT BUILDING WITHIN A THREE (3) STOREY HEIGHT CONTROL PRECINCT - 20-22 MARINE PARADE, MIAMI

| | |
|--------------|---|
| Water Supply | \$279.00 per Equivalent Population/Person |
| Sewerage | \$410.00 per Equivalent Population/Person |

The above rates are valid for the period of this approval only and subject to increases in the Consumer Price Index (All Groups) Brisbane which was 110.8 for the April/June quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

- (16) PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS
The contributions are payable to Council by the owner of the land in cash or bank cheque within seven (7) days of the commencement of the construction of the building work and that no plumbing and drainage inspections will be undertaken until payment is received.

TREE PRESERVATION

- (17) Any tree with a girth of 400 mm or more at waist height shall not be removed without first obtaining the consent of the Chief Engineer. Exceptions will be made in the case of trees within an approved future road reserve or where necessary to install water and sewerage works, drainage lines, etc. Prior to any design or construction work commencing, arrangements shall be made with the Environmental Officer for an inspection to identify trees which are to be preserved. The results of this inspection will be valid only for the duration of this approval, and a fresh inspection will be required for any future approval.

Observance of Chapter 37 of Council's By-laws in regard to the preservation of trees.

- (18) Prior to lodgement of building application, the applicant/developer shall have discussions with Council's Parks and Landscape Department in respect of the retention of the existing Norfolk Pines on the site.
- (C) A notation be placed on Council's rate search information advising of condition (18) above.

*** RECOMMENDATION

That the recommendation of the Assistant Planning Officer be adopted.

*** ITEM 45

CM03/06/94(PD045)

APPLICATION FOR MODIFICATION OF SCHEME PROVISIONS - 47 BAUER STREET, SOUTHPORT

| | | |
|---------------------------|---|---|
| FILE REFERENCE(S) | : | 04-00037-0000-5 825/094/018 |
| PREVIOUS DECISION(S) | : | CM20/05/94(PD029) |
| PROJECT ADDRESS | : | 47 BAUER STREET, SOUTHPORT |
| REAL PROPERTY DESCRIPTION | : | LOT 30 ON REGISTERED PLAN 110058, PARISH OF NERANG, COUNTY OF WARD |
| OWNER | : | SUNIRA INVESTMENTS PTY LTD |
| APPLICANT | : | R C STEVENS |
| PROPOSED DEVELOPMENT | : | MULTI-UNIT BUILDING |
| SITE AREA | : | 1,492 SQUARE METRES |
| ZONING OF THE LAND | : | RESIDENTIAL - MULTI-UNIT ZONE D2 H7 |

*** PREVIOUS AGENDA MATERIAL

*** REFERENCE TECHNICAL OFFICER - PLANNING AND DEVELOPMENT (SF) (05/05/94)

Application has been made for modification of Scheme Provisions and a determination of natural ground level in conjunction with a proposed three (3) storey multi unit building.

CAR PARKING

The current Town Plan requires car parking provision at the following rate:

- 3 units at 1.6 spaces = 4.8 spaces
- 12 Units at 1.5 spaces = 18 TOTAL RESIDENT SPACES = 23 spaces = 27
- Visitors bays 15 x 0.25 = 3.75 or 4 spaces

The previous Town Plan required car parking at the following rate:

- 15 units = 22 spaces, plus, 1 visitors bay = 23 spaces

A site inspection in conjunction with the City Arborist revealed that in order that the *Callitris columellaris* (Bribie Island Pine) be retained in its present position, the applicant was requested to relocate the access driveway. The relocation of the tree results in a shortfall of car parking spaces under the provisions of the 1994 Town Plan. However, the proposal complies with the requirements of the previous Scheme.

Having regard to Council's policy to preserve substantial existing trees where possible, a modification of this provision is considered warranted.

ITEM 45

CONTINUED...

APPLICATION FOR MODIFICATION OF SCHEME PROVISIONS - 47 BAUER STREET, SOUTHPORT

LENGTH OF WALL PROVISION

Part 4.16.9.4 of the Scheme requires that the horizontal length of wall in one plane irrespective of projections or setbacks shall not be greater than 15 metres but provides that this requirement may be modified by the Planning and Development Manager where the length of wall does not exceed 20 metres or by Council when this length of wall exceeds 20 metres.

The plans indicate the following:

- Southern elevation 20.4 metres and 18.4 metres on separate plane.
- Northern elevation 22.7 metres.

The submission does not include a southern elevation in order that the visual impact can be assessed. The northern elevations indicates that the building has architectural merit and that the length of wall is broken up by the inclusion of balconies, gables and vertical window panels.

A modification of the length of wall provision is considered warranted subject to the treatment of the southern elevation being to the reasonable satisfaction of the Development and Environment Planning Department.

2.1. SHADOW PROVISION

Part 4.16.6 provides that a building shall not cast a shadow in any direction which is more than twice the width of the shadow cast in any other direction but provides that Council may relax this provision when the shadow cast is more than three times the width of the shadow cast in any other direction.

The subject development has a shadow ratio of 5.6:1. However, the intrusion onto the adjoining property is minimal as can be seen from the site plan Sheet 1 of 2 Drawing 7.4/048.94 and a modification is therefore considered warranted.

NATURAL GROUND DETERMINATION

Part 13.10 provides that the Development and Environment Planning Director may approve a change to the ground level provided there is no adverse effect on the adjoining site.

In this instance further discussion is required to reduce the impact on the adjoining southern property.

TREE PRESERVATION

The following memo was received from the City Arborist which is submitted for Council's consideration and determination:

"An inspection of the site reveals an old, large *Callitris columellaris* (Bribie Island Pine) located on the from property line along Bauer Street and three (3) *Delonix regia* (Poinciana) trees on the property. Two (2) of

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ITEM 45 CONTINUED...
APPLICATION FOR MODIFICATION OF SCHEME PROVISIONS - 47 BAUER STREET, SOUTHPORT

the Poincianas are large, beautiful specimens with the third one being a small juvenile specimen.

Discussions between the multi units architect and Council staff resulted in recommendations by the City Arborist that the driveway design be altered so the Callitris may remain "in site" and that the Poincianas be transplanted or relocated wither on site or to the most suitable and nearest Council land if an on site location is not possible. The recommendations to transplant were made only if building design alterations are not possible to allow the trees to remain "in site".

The designer/architect has asked if Council would contribute toward the cost of transplantation of the Poincianas so he can advise the owner(s). Please note that there is no obligation for Council nor the Division Councillor to make any contributions as state, however, to preserve the trees it may be to be considered.

No definitive estimates have been determined or presented to date but any Council concessions and/or relaxations, if applicable, may be considered as part of any contributions toward the private tree works.

Will you consider contributing any funding toward the relocation/transplantation of the Poincianas, if necessary? Please note that the property owner(s) may be within their rights to do what they please with the trees if their 'as of right' building application is approved regardless of any consideration of the trees."

*** OFFICER RECOMMENDATION

It is recommended the applicant be advised that:

- (A) Approval is granted for modification of the car parking and shadow provision in accordance with plans lodged with this application.
- (B) Approval is granted for modification of the length of wall provision subject to the treatment of the southern elevation being to the reasonable satisfaction of the Development and Environment Planning Director.
- (C) Having regard to the impact on the adjoining southern property, the natural ground determination will be to the reasonable satisfaction of the Development and Environment Planning Director.

COUNCIL DECISION CM20/05/94(PD029)

That the recommendation of the Technical Officer - Planning and Development be adopted.

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ITEM 45 CONTINUED...
APPLICATION FOR MODIFICATION OF SCHEME PROVISIONS - 47 BAUER STREET, SOUTHPORT

*** CURRENT AGENDA MATERIAL

*** REFERENCE TECHNICAL OFFICER PLANNING & DEVELOPMENT (SF) (26/05/94)

Council at its meeting held on 20 May 1994 (PD029) resolved to modify Scheme provisions in relation to a proposed multi-unit building. Incorporated into the item was a report by the City Arborist which was not considered by Council. The matter is referred to Council having regard to the following report by the City Arborist.

*** REFERENCE CITY ARBORIST (JH) (26/04/94)

"An inspection of the site reveals an old, large Callitris columellaris (Bribie Island Pine) located on the from property line along Bauer Street and three (3) Delonix regia (Poinciana) trees on the property. Two (2) of the Poincianas are large, beautiful specimens with the third one being a small juvenile specimen.

Discussions between the multi units architect and Council staff resulted in recommendations by the City Arborist that the driveway design be altered so the Callitris may remain "in site" and that the Poincianas be transplanted or relocated wither on site or to the most suitable and nearest Council land if an on site location is not possible. The recommendations to transplant were made only if building design alterations are not possible to allow the trees to remain "in site".

The designer/architect has asked if Council would contribute toward the cost of transplantation of the Poincianas so he can advise the owner(s). Please note that there is no obligation for Council nor the Division Councillor to make any contributions as state, however, to preserve the trees it may be to be considered.

No definitive estimates have been determined or presented to date but any Council concessions and/or relaxations, if applicable, may be considered as part of any contributions toward the private tree works.

Will you consider contributing any funding toward the relocation/transplantation of the Poincianas, if necessary? Please note that the property owner(s) may be within their rights to do what they please with the trees if their 'as of right' building application is approved regardless of any consideration of the trees."

*** REFERENCE TECHNICAL OFFICER PLANNING OFFICER (SF) (26/05/94)

*** OFFICER RECOMMENDATION

It is recommended that having regard to the nature of the request by the applicant, the matter be further considered by Council.

*** RECOMMENDATION

That the applicant be invited to discuss the matter of retention and possible relocation of trees on a "without prejudice" basis with the Planning and Development Committee on Tuesday 7 June, 1994.

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*** ITEM 46

CM03/06/94(PD046)

MODIFICATION OF SCHEME PROVISIONS - CAR PARKING - 1921 GOLD COAST HIGHWAY, BURLEIGH HEADS

| | |
|-------------------|--|
| FILE REFERENCE(S) | 08-00584-0000-2 PT2 |
| APPLICANT | : BODY CORPORATE AUSSIE RESORT |
| OWNER | : THE PROPRIETORS AUSSIE RESORT |
| ADDRESS | : 1921 GOLD COAST HIGHWAY, BURLEIGH HEADS |
| PROPOSAL | : TO UTILISE FIVE (5) CAR PARKING SPACES FOR STORAGE AND RECREATIONAL FACILITIES |
| RPD | : BUP 6426 |
| SITE AREA | : 3031 SQUARE METRES |
| ZONE | : RESIDENTIAL MULTI UNIT |

*** CURRENT AGENDA MATERIAL

*** REFERENCE TECHNICAL OFFICER, PLANNING & DEVELOPMENT (SF) (20/05/94)

Application has been made for modification of Part 13.5 of the Town Planning Scheme which relates to car parking provision.

As a result of an inspection a building application was lodged for the unlawful enclosure of two car parking spaces for use as a storage area (B/A 93/3512) at the Aussie Resort.

The Aussie Resort is mainly a holiday destination for people on package tours and consists of 59 units with only three units which are owner occupied including the manager's unit.

At an extra ordinary General Meeting of "The Proprietors (being one person) Aussie Resort Building Units Plan No. 6436" held at Surfers Paradise on 8 July 1985 an alteration was made to the by-laws and it was resolved that:

"2. By adding the following By-Law:-

23. The Proprietor for the time being of Lot 1 shall have the exclusive use and enjoyment of those portions of the common property shown on the attached plan outlined in black and enumerated 1 and 2 for car parking purposes only and those portions outlined in black and enumerated 49, 50, 51, 52 and 53 for the purposes of either car parking or the provision of recreational facilities only."

The above resolution was a resolution without dissent as the development had a sole proprietor.

The car parking area is a common property area and any decision to utilise a common property area requires a resolution without dissent.

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ITEM 46

CONTINUED...

MODIFICATION OF SCHEME PROVISIONS - CAR PARKING - 1921 GOLD COAST HIGHWAY, BURLEIGH HEADS

In this instance the enclosure of the two car parking bays for storage purposes does not accord with the above resolution and it would appear has not been approved by the Proprietors of the Aussie Resort.

*** OFFICER RECOMMENDATION

It is recommended that the applicant be advised that:

- (A) Council is unable to determine a request for a modification of the car parking provision as there is not a resolution without dissent to enclose the car parking bays.
- (B) Should no resolution without dissent be submitted to Council within 90 days from the date of Council's decision, then the unlawful building work is to be removed and the car parking spaces are to be reinstated or utilised as a recreational facility only as per previous decision.
- (C) Council in determining this matter has had due regard to the information supplied by the applicant as part of the application and has also relied on reports prepared in relation to this matter.

*** RECOMMENDATION

That the recommendation of the Technical Officer - Planning and Development be adopted.

*** ITEM 47

CM03/06/94(PD047)

APPLICATION TO AMEND A PLANNING SCHEME BY COMPLIANCE WITH CONDITIONS OF REZONING RELATING TO ACCESS - 54-56 BRISBANE ROAD, LABRADOR

| | |
|----------------------|---|
| FILE REFERENCE(S) | 663/090/048 |
| PREVIOUS DECISION(S) | CM27/03/92(PD038) |
| PROPOSED DEVELOPMENT | : VEHICLE SALES PREMISES |
| APPLICANT | : A.F. BRODRIBB |
| OWNER | : A.M. SCHWEINSBERG |
| SITE LOCATION | : 54-56 BRISBANE ROAD, LABRADOR |
| EXISTING ZONING | : RESIDENTIAL B |
| PROPOSED ZONING | : VEHICLE SALES PREMISES |
| AREA | : 1118 SQUARE METRES |
| RPD | : LOTS 6 AND 7 ON REGISTERED PLAN 62181, PARISH OF BARROW, COUNTY OF WARD |

*** PREVIOUS AGENDA MATERIAL

*** REFERENCE DEPUTY PLANNING & DEVELOPMENT MANAGER (RC) (23/03/92)

Council at its meeting held on the 9th August, 1991 (PD022) resolved in relation to the conditional rezoning approval as follows:

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APPLICATION TO AMEND A PLANNING SCHEME BY COMPLIANCE WITH CONDITIONS OF REZONING RELATING TO ACCESS - 54-56 BRISBANE ROAD, LABRADOR

"(A) Action be taken to rescind Condition (13) of the Rezoning Approval and replace it with the following:

- (13) Land along the Brisbane Road frontages of the two sites 9 metres in depth is to be dedicated to Council for future road widening purposes. All costs relating to this dedication are to be borne by the applicant. The dedication is to be completed prior to a Certificate of Classification being issued. The applicant is permitted to use this land in conjunction with the vehicle sales premises in accordance with the conditions of the Rezoning Approval until such time as the land is required for road widening by the Department of Transport. The vehicle sales use is to be re-located by the owner/lessee at no cost to Council in accordance with Council's landscaping policy for vehicle sales premises at that time.

(B) Condition (34) of the approval conditions be deleted."

The applicant has prepared the Plan of Survey 835932 and has advised Council, via its consultant, that the Titles Office will not register the Plan of Survey because proposed Lots 16 and 17 do not have a dedicated road frontage and therefore, access to a dedicated road. The options available to Council in relation to this could be as follows:

1. Dedicate Lot 18 as road, or
2. Prepare appropriate easement documentation to grant Lots 16 and 17 access rights over Lot 18, or
3. Prepare appropriate Nomination of Trustees documents that includes the provisions for access to Lots 16 and 17 via the controlled access of Lot 18.

*** OFFICER RECOMMENDATION

It is recommended that

- (A) Action be taken to dedicate Lot 18 as road and the provisions of condition (13) be amended accordingly.
- (B) The Department of Transport be advised, Council approves the use of this area for landscaping and use in conjunction with the vehicles sales premises in accordance with the conditions of rezoning until such time as the land is required for constructed road purposes.

COUNCIL DECISION CM27/03/94 (PD038)

That the recommendation of the Deputy Planning and Development Manager be adopted.

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APPLICATION TO AMEND A PLANNING SCHEME BY COMPLIANCE WITH CONDITIONS OF REZONING RELATING TO ACCESS - 54-56 BRISBANE ROAD, LABRADOR

*** CURRENT AGENDA MATERIAL

*** CORRESPONDENCE BRODRIBB (INVESTMENTS) (FOLIO 9408854) (03/03/94)

Further to my telephone conversation with Noel Hodges of March 1, I am writing this letter as I feel that I have been harshly treated with my rezoning application for 54 and 56 Brisbane Road, Labrador.

The application was to convert from Res 'B' to 'Highway Development' for car yards, please refer File No. 663/90/48. The adjoining properties to mine on both sides are rezoned to car yards and I am the only land owner that the Council has made dedicate part of their land for future road widening.

I believe this is totally wrong and have been advised to seek from the Council a reversal of their decision and have the dedicated land returned to me. As you are fully aware this greatly decreases the value of my property.

Hoping for a swift, fair and unbiased decision.

*** REFERENCE PLANNING OFFICER (WPD) (24/05/94)

PREVIOUS DECISIONS

File 663/090/048

CM30/11/90 PD043
CM25/01/91 PD009
CM09/08/91 PD022
CM23/08/91 RM M
CM27/03/92 PD038

File 663/090/023

CM15/06/90 PD026
CM27/07/90 PD034
CM02/11/90 PD034

File 663/089/024

CM19/05/89 PD006
CM15/12/89 PD006

CM25/01/90 PD024
CM02/11/90 PD019
CM16/11/90 RM M

File 663/087/095

CM11/03/88 PD035
CM17/06/88 PD013

ITEM 47 CONTINUED...
APPLICATION TO AMEND A PLANNING SCHEME BY COMPLIANCE WITH CONDITIONS OF REZONING RELATING TO ACCESS - 54-56 BRISBANE ROAD, LABRADOR

Between Government Road and Billington Street, Labrador there are four properties fronting Brisbane Road (Gold Coast Highway) which were rezoned from the Residential B zone ;under the 1982 Planning Scheme between 1988 and 1991.

Details of these zonings are as follows:

| CASE NO. | ADDRESS | RPD | GAZETAL DATE | ZONE | FILE REF. |
|----------|---------------------------------|------------------|--------------|--|-------------|
| 1 | 60 Brisbane Road, Labrador | L4 RP 62181 | 24/09/88 | Special Facilities (Vehicle Sales Premises) | 663/087/095 |
| 2 | 58 Brisbane Road, Labrador | L5 RP 62181 | 10/03/90 | Special Facilities (Vehicle Sales Premises) | 663/089/024 |
| 3 | 50 & 52 Brisbane Road, Labrador | L8 & 9 RP 62181 | 04/05/91 | Highway Development | 663/090/023 |
| 4 | 54 & 56 Brisbane Road Labrador | L 6 & 7 RP 62181 | 26/10/91 | Special Facilities (Vehicles Sales Premises) | 663/090/048 |

Each of the applications was approved subject to conditions. Only the two most recent approvals were subjected to a requirement to dedicate part of the land for road widening purposes.

An appeal was lodged in the Local Government (Planning & Environment) Court by the applicant in Case No. 3.

Following "without prejudice" discussions between Council and the Appellant the appeal was decided by a Court Order which did not require dedication of land for road widening purposes. No buildings were allowed within 12 metres of the front boundary.

In the most recent case, which is that referred to by the writer, Council received a letter dated 7 August 1991 from him stating "I hereby agree to Council requirements regarding the abovementioned rezoning and agree to dedicate land as required by the Council for future road widening."

Council resolved at its meeting held on 27 March 1992 "that the Department of Transport be advised Council approves of the use of this area for landscaping and use in conjunction with the vehicle sales premises in

ITEM 47 CONTINUED...
APPLICATION TO AMEND A PLANNING SCHEME BY COMPLIANCE WITH CONDITIONS OF REZONING RELATING TO ACCESS - 54-56 BRISBANE ROAD, LABRADOR

accordance with the conditions of rezoning until such time as the land is required for constructed road purposes.

Registered Plan 835932 which cancelled Lots 6 and 7 on RP 62181 showed new Lots 16, 17 and 18. The reverse side of the plan is noted "Road Dedication L66994N Lot 18 is now road". This resulted from appropriate correspondence between the writer's solicitors and Council.

*** REFERENCE PLANNING OFFICER (WPD) (24/05/94)

*** OFFICER RECOMMENDATION

It is recommended that the writer be advised that as the subject land has now been formally dedicated as shown on Registered Plan 835932 it is not within Council's power to reverse its decision requiring the dedication as a condition of the rezoning approval.

*** RECOMMENDATION

That the recommendation of the Planning Officer be adopted.

*** ITEM 48 (CP)

CM03/06/94(PD048)

TOWN PLANNING SCHEME : APPLICATION FOR CONSENT TO ESTABLISH A NEW CHILD CARE CENTRE AND MODIFY AN EXISTING CHILD CARE CENTRE - 200 ASHMORE ROAD, BENOVA

FILE REFERENCE(S) 818/092/154
APPLICATION NUMBER 920154
PREVIOUS DECISION(S) CM27/11/92(PD013)
CONFIDENTIAL

PROPOSED DEVELOPMENT : ESTABLISH A NEW CHILD CARE CENTRE AND MODIFY AN EXISTING CHILD CARE CENTRE
APPLICANT : MONACE PTY LTD
OWNER : MONACE PTY LTD

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ITEM 48 CONTINUED...
TOWN PLANNING SCHEME : APPLICATION FOR CONSENT TO ESTABLISH A NEW CHILD CARE CENTRE AND MODIFY AN EXISTING CHILD CARE CENTRE - 200 ASHMORE ROAD, BENOWA

SITE LOCATION : 200 ASHMORE ROAD, BENOWA
RPD : LOTS 69, 70, 71 AND 72 ON RP 28647, PARISH OF NERANG, COUNTY OF WARD
ZONING : CURRENT SCHEME - RESIDENTIAL A; DRAFT SCHEME - RESIDENTIAL DWELLING HOUSE
AREA : 3571.4 SQUARE METRES
CLASSIFICATION : CHILD CARE CENTRE
DATE RECEIVED : 02/10/92
DATE ADVERTISED : 07/10/92
OBJECTIONS : NIL

*** PREVIOUS AGENDA MATERIAL

*** REFERENCE PLANNING OFFICER (ST) (09/11/92)

The proposal is to seek approval to establish a new child care centre and modify an existing child care centre at the above premises. The new centre will be located on the eastern side, while the child care centres exhibit the following characteristics:

| | Existing | Proposed | Total |
|---------------------------------------|--------------------|--------------------|---------------------|
| Total floor space (incl. shade areas) | 515 m ² | 525 m ² | 1040 m ² |
| Site coverage | - | - | 30% |
| Staff | 6 | 8 | 14 |
| Car parking required | 15 | 20 | 35 |
| Car parking provided | - | - | 36 |
| Building height | 1 storey | | |

With regard to the new centre the intention is to retain part of the existing timber dwelling house with a view to incorporating the design into a child care centre.

STATUTORY ADVERTISING

The public advertising of the proposal has been carried out in accordance with Section 4 of the Local Government (Planning and Environment) Act, 1990.

OBJECTIONS

No objections were received to the statutory advertising of the proposal.

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ITEM 48 CONTINUED...
TOWN PLANNING SCHEME : APPLICATION FOR CONSENT TO ESTABLISH A NEW CHILD CARE CENTRE AND MODIFY AN EXISTING CHILD CARE CENTRE - 200 ASHMORE ROAD, BENOWA

CAR PARKING

Assessment for car parking relates to both centres and in accordance with the Town Planning Scheme is calculated as follows:

- (a) one (1) space per two (2) employees (14 ÷ 2) = 7
(b) four (4) spaces for every space provided in (a) = 28

Car parking required = 35

Provision has been made on the submitted plans for thirty-six (36) vehicles which meet Council's requirements.

SETBACKS

Residential setbacks are to be maintained.

LANDSCAPING

It is considered that the proposed landscape treatment is satisfactory for the activity proposed.

ACCESS

Existing access points are to be utilised for the proposal, which will serve both centres. As long as the previous imposition of a twelve (12) metre on site queuing factor to the car parking provision is maintained no objection is raised to existing access.

DRAFT SCHEME

The property is zoned Residential Dwelling House under the provisions of the new Scheme. The new Scheme identifies specific development parameters for child care centres as well as increases in car parking provision. Objections have been received to these new parameters and as they have not been resolved to date, the provisions of the current Scheme should apply.

COMMENT

The proposed development is considered to be of a scale and character that blends into the existing residential locality. The layout is such that existing residential amenity will be retained and through the imposition of car parking provision in accordance with Scheme requirements and the provision of a twelve (12) metre queuing lane to the parking provision from access points, traffic movement will not be detrimentally affected along Benowa and Ashmore Roads.

The proposed use is a reasonable use of the site and warrants favourable consideration.

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*** OFFICER RECOMMENDATION

It is recommended the applicant be notified, as required under the provisions of "The Local Government (Planning & Environment) Act 1990 (as amended from time to time), that the application to issue a Town Planning Consent Permit for the premises and uses described herein be approved subject to the conditions listed below:

DETAILS OF PREMISES AND APPROVED USES

| | |
|---|---|
| PROPERTY DESCRIPTION: | LOTS 69, 70, 71 AND 72 ON REGISTERED PLAN 28647, PARISH OF NERANG, COUNTY OF WARD |
| POSTAL ADDRESS: | 200 ASHMORE ROAD, BENOVA |
| AREA OF LAND: | 3571.4 SQUARE METRES |
| USE OF PREMISES AT THE TIME OF THE APPLICATION: | CHILD CARE CENTRE AND RESIDENTIAL |
| APPROVED USE/S AS GRANTED IN THIS CONSENT: | TWO (2) CHILD CARE CENTRES |

CONDITIONS ATTACHED TO THE COUNCIL CONSENT

APPROVED PLANS

- (1) The development is to be generally in accordance with the plans (and elevations) submitted by the applicant (Drawing No. RD92129 prepared by Raymond Design received 6th October, 1992).

BUILDING AND DEVELOPMENT COMPLIANCE

- (2) Submission to and approval by Council of satisfactory building plans and specifications in accordance with the Building Act, Council's By-laws where applicable and the City of Gold Coast Town Planning Scheme. These plans are to generally accord with the plan approved in this Town Planning approval apart from where amendments are necessary to comply with the conditions of the approval. The building is to be constructed in accordance with the approved building plans prior to the commencement of the use approved in this Town Planning approval.
- (3) Provision of fire services in accordance with the Fire Safety Act.
- (4) Compliance with the Health Acts and all Regulations made thereunder.
- (5) Compliance with the requirements imposed by the Inspector of Shops and Factories.
- (6) The provisions of the Town Planning approval are to be effected prior to the commencement of the specific use as granted by the said permit.

NOISE & AMENITY CONTROL

- (7) Any noise generated is to comply with the provisions of By-law 270 of Chapter 11 of Council's By-laws and The Noise Abatement Act and the requirements of any other Authorities.
- (8) There is to be no interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.

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LIGHTING DEVICES

- (9) Any lighting device is to be so positioned and shielded as not to cause any glare nuisance to any nearby residential occupation or passing motorist.

LANDSCAPING

- (10) The landscaping is to be established and maintained to the reasonable satisfaction of the Planning and Development Manager at all times.
- (11) The open space and setback areas being landscaped in accordance with a properly prepared planting plan to be submitted to and approved by the Planning and Development Manager prior to the issue of a building approval. Where building approval is not required, the planting plan is to be submitted and approved prior to the commencement of the said use. Such landscaping is to be completed in accordance with the approved planting plan prior to the premises being occupied and maintained at all times thereafter to the reasonable satisfaction of the Planning and Development Manager. The plan is to include the location of any proposed advertising devices.

SETBACK AND OPEN SPACE AREAS

- (12) Provision of screen fences to side and rear boundaries to the satisfaction of the Planning and Development Manager.

ADVERTISING DEVICES

- (13) Any advertising device is to comply with Chapter 13 of Council's By-laws.
- (14) The location, size, type and content of any advertising sign or device is to be submitted to Council for approval under the provisions of the Signs By-law. In assessing such applications, particular regard will be given to preserving the amenity of the area.

STORMWATER DRAINAGE

- (15) Stormwater drainage from the site and traversing the site is to be collected on site in an underground drainage system and discharged into a satisfactory stormwater drainage system to be constructed to a legal point of discharge, at the time of development of the site. Any easements, necessary in the opinion of the Chief Engineer, are to be provided to ensure that a drainage path to the ultimate outlet of the catchment may be obtained.
- (16) Stormwater drainage easements will be required over the adjoining property through which the proposed drain line will be constructed.

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TOWN PLANNING SCHEME : APPLICATION FOR CONSENT TO ESTABLISH A NEW CHILD CARE CENTRE AND MODIFY AN EXISTING CHILD CARE CENTRE - 200 ASHMORE ROAD, BENOVA

ROADWORKS AND FOOTPATH AREAS

- (17) Where damaged the existing kerb and channel and footpath is to be replaced with new kerb and channel and paved footpath for the frontage of the site. The kerb and channel is to be on an alignment both horizontal and vertical to match the existing kerb and channel or any future kerb and channel design that Council may have for this vicinity. The paved footpath is to be constructed in accordance with Council's requirements.
- (18) All redundant access crossings are to be removed and replaced with integral concrete kerb and channel. Footpath, grass verge, traffic and parking regulations shall be reinstated and restored. The work shall be completed in accordance with Council's requirements.
- (19) All pedestrian paved surfaces within the development are to have a minimum Polished Frictional Value of 40 as set down in the Australian Standard AS1141.42. All paving provided external to the site is to have a Polished Frictional Value of not less than 45 as set down in the Australian Standard AS1141.42.
- (20) The frontage footpath is to be upgraded in a manner satisfactory to the Chief Engineer. The minimum requirement will consist of turfing with a concrete pathway constructed in accordance with Council's standard drawing No. 52790B (as amended from time to time).
- (21) Vehicular access is to be provided in a manner satisfactory to the Chief Engineer. The minimum requirement will consist of construction using reinforced concrete in accordance with Council's standard drawing No. 52790B.
- (22) A portion of the site is to be dedicated as road reserve, free of cost to Council, for road widening purposes. The exact area and shape shall be to the reasonable satisfaction of the Chief Engineer and will be determined after discussions with Council's Traffic Engineering Section and / or The Queensland Department of Transport - Main Roads.
- (23) No fence or landscaping shall exceed 1 metre in height within a truncated area on the corner of the allotment at any road intersection. This truncation shall be defined by a straight line connecting a point on each boundary that is 6 metres from the intersection of those boundaries. Installation of any fencing material around this corner shall be in accordance with Chapter 14 of Council's By-Laws.

PERMANENT ACCESS AND PROVISION FOR TRAFFIC

- (24) Access to site, vehicular parking and loading bay requirements are to be in accordance with Council's parking policy and any relevant standard drawings.
- (25) Access to the site and any road works or associated facility design is to be to the approval of the Queensland Department of Transport - Main Roads.
- (26) Due to the nature of the development and the traffic the development will generate, the applicant shall make a contribution of \$20,000 to upgrade the roadworks in this vicinity.

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CONSTRUCTION ACCESS AND PROVISION FOR TRAFFIC

- (27) Unloading, storage or movement of construction material or equipment shall take place on site in accordance with Council's Construction Access and Provision for Traffic at Development Site Policy.
- (28) Unloading, storage or movement of construction material or equipment shall take place on site unless otherwise approved by the Chief Engineer in accordance with Council's Construction Access and Provision for Traffic at Development Site Policy.

CAR PARKING

- (29) Provision of off-street car parking spaces in accordance with Town Planning Scheme requirements and Council's Car Parking Policy, and access thereto to be constructed in accordance with Paragraphs 17 to 20, Division II, Part VIII, of the Town Planning Scheme and to the reasonable satisfaction of the Planning and Development Manager. Should the development be designed in such a manner as to reduce the amount of required car parking, the required amount of car parking may upon application to the Planning and Development Manager, be amended accordingly.
- (30) Car parking provision is to be set back a minimum of 12 metres from all street frontages.
- (31) Car parking bays and aisle widths to be in accordance with Class 3 of the Australian Standard Code 2890.1-1986.

WATER SUPPLY & SEWERAGE AND WASTE DISPOSAL

- (32) Provision of water supply and sewerage to the reasonable satisfaction of the Chief Engineer and in accordance with the Sewerage and Water Supply Act and Council Policy.
- (33) The existing Council water main / sewer traversing the site will be subject to Council's policy "Structures near Council's Services". At the time of building application, a security bond will be assessed if required by the policy, for protection of the service. Where the service is to be relocated clear of a proposed building, or re-laid under a proposed building in cast iron cement lined or ductile iron cement lined pipe, then the bond will represent the estimated value of the work plus 20%. The bond will be required to be paid prior to construction commencing and shall be in the form of cash or unconditional bank bond.

(34) WATER SUPPLY AND SEWERAGE COMPONENT 2 HEADWORKS

In accordance with Council policy "Development Charges for Water Supply and Sewerage Services" contributions are applicable towards water supply and sewerage headworks (Component 2).

The contributions are based on the equivalent population proposed in excess of that either connected to water and sewerage or for which contributions towards headworks (Component 2) have been paid.

Council has resolved that the application and determination of these contributions will be deferred to the time of a Building Application.

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Where the determination of the contributions has been deferred, such determination is to be based on the following rates:

Water Supply \$269.00 per Equivalent Population / Person
Sewerage \$396.00 per Equivalent Population / Person

The above rates are valid for the period of this approval only and are subject to alteration in accordance with changes in the Consumer Price Index (All Groups) Brisbane which was 107.0 for the June quarter of 1992 (Note the C.P.I. figure quoted has a 1989/90 base of 100).

- (35) PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS
The contributions are payable to Council by the applicant in cash or bank cheque within seven (7) days of the commencement of the construction of the building work and that no plumbing and drainage inspections will be undertaken until payment is received.

SUBDIVISION OF LAND

- (36) Amalgamation of the existing allotments into one allotment and the issue of a new Certificate of Title to cover the new allotment as created, this action is required prior to the issue of a Certificate of Classification.

ENGINEERING DESIGN AND CONSTRUCTION

- (37) (i) Engineering plans and specifications for the work set out in conditions contained herein are to be approved by the Chief Engineer prior to construction commencing. Approval by the Chief Engineer does not warrant that such plans and specification have been checked in detail, nor does it absolve the Applicant from complying with all the conditions of this approval and / or relevant Council By-Laws and policies and / or relevant statutes and / or statutory regulations in the execution and / or performance of the said works. Neither the Council nor the Chief Engineer accepts any responsibility for the accuracy of such plans and specifications as approved.
- (ii) All material supplied and all work performed by the Applicant pursuant to this approval shall be to the reasonable satisfaction of the Chief Engineer and shall comply in all respects with the provisions of all relevant statutes, statutory regulations, By-laws and / or Policies. The Chief Engineer may, by himself or his nominated delegate, supervise and test and generally may inspect all materials and work but no supervision, testing or inspection shall relieve the Applicant of any obligation imposed upon such applicant, pursuant to this clause or any other clause of this approval.
- (iii) MAINTENANCE - All works which, at the completion of the development, will become the responsibility of Council, shall be subject to a maintenance period and provision of security for the maintenance period in accordance with Council's subdivision By-Laws and policies.

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- (iv) SUPERVISION - All internal roadworks, sewerage, water supply and stormwater drainage is to be constructed under the supervision of a qualified Engineer who is to certify that these works have been constructed under his direct supervision and that they comply with the approved drawings and specifications.
- (v) Prior to the commencement of any work arising out of conditions listed above, written advice of intention to proceed with the work is to be given to Council. The advice shall include the name of the responsible supervisor with whom Council's inspecting officer will make contact.
- (38) Construction work is permitted only during the hours of 7:00 am to 6:00 pm Monday to Saturday.

NUISANCE

- (39) The Applicant is to ensure that a "smoke and dust nuisance" is not created in the development of this proposal. Attention is drawn to Chapter 8 of Council's By-laws in regard to this matter. Open burning off of any material shall not be permitted on the subject site. All waste material, including cleared vegetation, shall be transported from the site and disposed of in a satisfactory manner, or burnt on-site using an approved method that will not produce smoke or ash. The applicant is to apply to Council and receive in writing from Council an approved site to dispose of this waste material. The requirements of By-law 270 of Chapter 11 in regard to noise nuisances shall apply to this development, and in addition, construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday to Saturday unless otherwise approved by the Chief Engineer.

TREE PRESERVATION

- (40) Any tree with a girth of 400 mm or more at waist height shall not be removed without first obtaining the consent of the Chief Engineer. Exceptions will be made in the case of trees within an approved future road reserve or where necessary to install water and sewerage works, drainage lines, etc. Prior to any design or construction work commencing, arrangements shall be made with the Environmental Officer for an inspection to identify trees which are to be preserved. The results of this inspection will be valid only for the duration of this approval, and a fresh inspection will be required for any future approval.

Observance of Chapter 37 of Council's By-laws in regard to the preservation of trees.

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CONTRIBUTION ROADWORKS

- (41) Prior to the Town Planning Permit being issued, the applicant is to bond with Council an amount of \$20,000.00. This payment is to be made to Council at the time of issue of the Building Approval of the proposed use and prior to Council issuing a Certificate of Classification for the proposed use.

COUNCIL DECISION CM27/11/92(PD013)

That the recommendation of the Planning Officer be adopted.

*** CURRENT AGENDA MATERIAL*** REFERENCE DIRECTOR, DEVELOPMENT AND ENVIRONMENT PLANNING (NH) (26/05/94)

The legal advice on the confidential pages indicates that it would be in Council's interest to resolve the interpretation of condition (36) as soon as possible due to the dispute between the present owners of these allotments.

*** OFFICER RECOMMENDATION

It is recommended that Council's solicitors be instructed to draft the appropriate application and supporting affidavits to have the proper construction of condition (36) of the Town Planning Permit 818/092/154 determined by the Local Government (Planning & Environment) Court.

*** RECOMMENDATION

- (A) That the recommendation of the Director Development & Environment Planning be adopted.
- (B) Council note that Councillor John Corby voted against this decision.

ITEM 48 - TOWN PLANNING SCHEME : APPLICATION FOR CONSENT TO ESTABLISH A NEW CHILD CARE CENTRE AND MODIFY AN EXISTING CHILD CARE CENTRE - 200 ASHMORE ROAD, BENOVA

File 818/092/154

That the recommendation be adopted subject to the following alteration.

- (B) Council's solicitors be further instructed to include in its application to the Local Government Court (Planning and Environment) provision for Lowy Pty Ltd and Monace Pty Ltd to make representations to the Court on their own initiatives.

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*** ITEM 49

CM03/06/94(PD049)

APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9) TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

| | |
|--------------------|-------------|
| FILE REFERENCE(S) | 818/094/065 |
| APPLICATION NUMBER | 940065 |
| VIDE ITEM(S) | MAP(S) |

| | | |
|-------------------------------|---|--|
| LOCATION OF SITE | : | LOT 8 MORALA AVENUE, RUNAWAY BAY |
| REAL PROPERTY DESCRIPTION | : | LOT 8 ON RP 194817 PARISH OF BARROW COUNTY OF WARD |
| OWNER | : | A V JENNINGS LTD |
| APPLICANT | : | PEPPERTIN PTY LTD |
| SITE AREA | : | 1.49 HECTARES |
| ZONING OF THE LAND - EXISTING | : | RESIDENTIAL DWELLING HOUSE |
| PROPOSED DEVELOPMENT | : | NINE (9) TOWNHOUSES |
| DATE RECEIVED | : | 29/04/94 |
| DATE ADVERTISED | : | 05/05/94 |
| OBJECTION(S) | : | ONE (1) LETTER WAS RECEIVED |
| OBJECTOR(S) | : | A & D SEARLE |

*** CURRENT AGENDA MATERIAL*** REFERENCE PLANNING OFFICER (LC) (26/05/94)PROPOSAL

It is proposed to seek Council's consent for the erection of nine (9) townhouses.

A request for the relaxation of the number of attached dwellings (4.12.12.1) is contained in the covering letter prepared by the applicant's consultants.

The applicant has also lodged a rezoning application (820/94/2) over the same site. This application is to rezone the land from the Residential Dwelling House Zone to the Residential - Duplex Zone.

This consent application is an interim measure to allow for construction to commence prior to the gazettal of the rezoning application.

ADVERTISING

It appears that the application has been advertised in accordance with the provisions of the Local Government (Planning & Environment) Act.

OBJECTIONS

One (1) letter of objection was lodged.

The main grounds was the incompatibility of the development with the adjoining three (3) storey multi unit. The development accords with the intent of the Strategic Plan. The provisions will ensure appropriate conditions can be applied.

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APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9)
TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

TOWN PLANNING CONSIDERATIONS

Strategic Plan

On the Strategic Plan the site is designated for semi detached housing.

A townhouse development is permitted at a density comparable to duplex housing.

The development is to accord with the provisions applicable to the Residential Dwelling zone.

Table of Development

A townhouse development is a permissible development in the Dwelling House zone, in accordance with Section 4.12.

PROVISIONS

The application has been assessed against the provisions contained in Part 4.12 (Provisions in Respect of Townhouse Development in the Residential Dwelling House zone) as follows:

| | Required | Proposed |
|-------------------------|---|----------------------------------|
| Site Area | 2000m ² | 1.49 ha |
| Density | 15 per hectare 20 per 13410 m ² | 9 |
| No of dwelling attached | 2 | 5 |
| Height | 2 | 2 |
| Amenity | adequate daylight privacy & minimises noise | OK |
| | Habitable room window 10 m | insufficient information |
| | Habitable room sill 1.6 | insufficient information |
| Site Cover | 40% | OK |
| Setbacks | Side & rear 5m Parking 6m Buildings 5m | OK OK No 3m |
| Landscaped Open Space | Communal space 15% | pool, tennis court and cabana |
| | Individual areas 50m ² courtyards | insufficient information |

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APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9)
TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

| | | |
|-------------------|---|-----------------------------|
| Refuse facilities | to be screened | insufficient information |
| Car parking | 2 spaces per unit, one covered for residents 1 per 2 for visitors 18 residents 5 visitors | |

REQUEST FOR RELAXATION OF NUMBER OF DWELLINGS ATTACHED

As noted above, the maximum number of attached units is 2.

In the Residential Duplex Zone, 4 units may be attached. This provision is relaxable.

In this application, there are two structures containing 4 and 5 townhouses.

Units 1 - 5 are in an arc and will probably not appear as a continuous building line. In the Residential Duplex Dwelling zone, such a relaxation would most likely be acceptable.

Units 8 and 9 are set back 6 metres from units 6 and 7. Given that the rezoning application has been lodged, it may be appropriate to consider the provisions of the Residential Duplex zone. It is recommended that the relaxation be granted on the basis that the "General Siting and Amenity Controls" and "Building Setbacks and Site Coverage" provisions.

TENNIS COURT

The plan of development includes a tennis court.

A private non illuminated tennis court is a permitted development in the Residential Dwelling House Zone.

Consequently, a separate application will be required to be lodged and the court cannot be approved as part of this application.

PARK

As part of the original subdivision for this area, park provision was calculated at 5% and was provided north of Runaway Bay Shopping Complex. On file 665/91/16, it was noted in Council's decision that there would be no further park provision requirement.

*** OFFICER RECOMMENDATION

It is recommended

(A) Council in determining this matter has had due regard to the information supplied by the applicant as part of the application, the submissions made by the objector and has also relied on reports prepared in relation to this matter.

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APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9)
TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

(B) The applicant and the objector be notified, as required under the provisions of "The Local Government (Planning & Environment) Act, that the application to erect nine (9) townhouses on the land as described herein be approved subject to the conditions listed below:

DETAILS OF PREMISES

| | |
|--|--|
| PROPERTY DESCRIPTION: | LOT 8 ON REGISTERED PLAN 194817, PARISH OF BARROW, COUNTY OF WARD |
| POSTAL ADDRESS: | LOT 8 MORALA AVENUE, RUNAWAY BAY |
| AREA OF LAND: | 1.49 HECTARES |
| USE OF THE PREMISES AT THE TIME OF THE APPLICATION: | VACANT |
| APPROVED USE/S AS GRANTED IN THIS CONSENT: | TOWNHOUSES |

CONDITIONS ATTACHED TO THE COUNCIL APPROVAL

APPROVED PLANS

(1) The development shall be in accordance with the plans (and elevations) submitted by the applicant (Plan/Drawing No. 94/168 submitted by Eurotec Design Studio dated February 1994) (as amended by the conditions of the approval).

The development shall comply with the relevant Planning Scheme requirements and the following development parameters:

- (a) Site Coverage shall not exceed 40%
- (b) Dwelling Unit Density shall not exceed . 15 dwelling units per hectare (net area)
- (c) Maximum Number of Storeys two (2)
- (d) Maximum Number of Units nine (9)
- (e) Landscaped Open Space 15%
- (f) Approved Uses townhouses
- (g) All buildings shall be set back a minimum of six (6) metres from all frontages.
- (h) The following building setbacks shall be provided to the side and rear site boundaries -
 - (i) five (5) metres to the outermost projection; and
 - (ii) a separation of five (5) metres (to the outermost projection) between units 5 and 6; and
 - (iii) no habitable room window shall be placed so that it directly faces or is within ten metres of a habitable room window of another dwelling unit; and
 - (iv) No habitable room window with a sill height less than 1.6 metres shall be placed so that it directly faces and is within three (3) metres of an accessway, footway or communal open space.

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APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9)
TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

BUILDING AND DEVELOPMENT COMPLIANCE

(2) Submission to and approval by Council of satisfactory building plans and specifications in accordance with the Building Act, Council's By-laws where applicable and the City of Gold Coast Planning Scheme. These building plans are to accord with the plan approved in this Approval. The building is to be constructed in accordance with the approved building plans prior to the commencement of the use.

Tennis Court

(3) No approval has been granted for the tennis court. A separate application is required to be lodged.

Boundary Setbacks and Screening

(4) All buildings, structures, car parking and storage areas shall be set back at least six (6) metres from any frontage. This setback area shall be densely planted with screen landscaping consistent with the purpose of Clause 4.12.4.3 of the Planning Scheme and to the satisfaction of the Planning and Development Manager.

(5) The development shall be screened by a solid fence along all side boundaries. The materials, height and location of this fence shall be to the satisfaction of the Planning and Development Manager.

Building Aesthetics

(6) The development shall be designed and constructed to a high standard, incorporating materials which complement the existing development in the area and to the satisfaction of the Planning and Development Manager.

Refuse Facilities

(7) Provision shall be made for the storage and suitable access for the removal of refuse in accordance with the Refuse Management Regulations and the Council's By-laws and to the satisfaction of the Chief Health Surveyor.

If the refuse storage area is to be located within the six (6) metre setback to the frontage the following provisions are met to the satisfaction of the Planning and Development Manager -

- (a) the refuse storage area shall be no closer than three (3) metres to any frontage and no closer than 1.5 metres to any other site boundary; and
- (b) the refuse storage area shall be enclosed on three (3) sides with a screen wall extending 0.2 metres above the height of the refuse receptacles; and
- (c) the refuse storage area shall be screened by dense planting and mounding.

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APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9)
TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

- (8) Provision shall be made for the storage, removal and screening of refuse in accordance with the Council's By-laws and to the satisfaction of the Chief Health Surveyor, having regard to the purpose of Clause 12.7.11 of the Planning Scheme.

Compliance with Planning Scheme Provisions

- (9) Having regard to the purpose of Clause 13.1.1 of the Planning Scheme, a building application shall not be approved for any development unless the development, including all buildings, structures, site works and the proposed use of the building complies with all relevant provisions of this Planning Scheme and, where applicable, the conditions of any consents, permissions or approvals granted pursuant to the Planning Scheme or of any rezoning approval or subdivision approval.
- (10) No person shall erect or commence to erect any building or other structure unless a building application has been approved and issued for the proposed development in accordance with provisions of Clause 13.1.1 of the Planning Scheme.

INFRASTRUCTURE AND CONSTRUCTION PROVISIONS

Stormwater Drainage

- (11) Stormwater drainage that may discharge onto the site, from and traversing the site shall be collected on site in an underground drainage system and discharged into an approved stormwater drainage system. This system shall be constructed to a legal point of discharge at the time of development of the site, to the satisfaction of the Chief Engineer. Where required by the Chief Engineer, easements shall be provided within and or external to the site at no expense to the Council to ensure that a drainage path to the ultimate outlet of the catchment is obtained.
- (12) Development shall ensure minimal downstream siltation during construction by intercepting the flow from the sub catchment and returning that flow to the natural gullies and downstream gullies or stormwater drainage systems at a volume and velocity not exceeding the existing condition. In addition, the following provisions shall be met to the satisfaction of the Chief Engineer -
- (a) construction of silt traps at the downstream end of the construction area; and
 - (b) stabilisation of earth batters using quick growing vegetation techniques or turfing; and
 - (c) re-aligned drainage channels shall be protected from scouring as construction proceeds; and
 - (d) drainage channels shall be wide based, if possible; and
 - (e) construction of temporary bunds throughout the site; and
 - (f) the contract documentation shall include Quality Assurance Provisions in accordance with Australian Standard AS2900-1987.

ITEM 49 CONTINUED...
APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9)
TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

- (13) Soil exposure during the construction phase shall be minimised and restoration of exposed areas shall be carried out to the satisfaction of the Chief Engineer within seven (7) days of such areas no longer forming part of the construction areas.

For the purpose of this Clause "construction area" means that part of the site which is required for the carrying out of development and storage of equipment and materials associated with the development.

Roadworks and Footway Areas

- (14) Any existing kerb and channel which is damaged or is required by the Chief Engineer to be replaced for the frontage of the site shall be on an alignment both horizontal and vertical to match the existing kerb and channel or any future kerb and channel design approved by the Chief Engineer.
- (15) All redundant vehicular invert crossings shall be removed and replaced with new concrete kerb and channel.
- (16) Any drainage works or alterations to public utilities, road signage or traffic control devices necessitated by the works required shall be undertaken by the owner of the land at no cost to the Council and to the satisfaction of the Chief Engineer.
- (17) All works shall be carried out in accordance with the Council's design and specification and to the satisfaction of the Chief Engineer.

Access and Provision for Traffic During Construction

- (18) Construction activities, including the storage of materials, shall not encroach on any footway or road. Prior to making an application for building approval discussions shall be held with the Council's Traffic Section and Building Section to ascertain any necessary requirements.
- (19) Access to the site during construction shall be in accordance with the local planning policy "Requirements for Construction on Development Sites."
- (20) Unloading, storage or movement of construction material or equipment shall take place within the site, unless otherwise approved by the Chief Engineer.

WATER SUPPLY & SEWERAGE AND WASTE DISPOSAL

- (21) Provision of water supply and sewerage to the reasonable satisfaction of the Chief Engineer and in accordance with the Sewerage and Water Supply Act and Council Policy.

The owner of the land shall be responsible for all costs involved with the connection to the existing Council water supply main and the sterilisation of any new water supply mains. These works shall be carried out by Council.

Council Meeting 3 June 1994
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ITEM 49 CONTINUED...
APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9)
TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

HEADWORKS CONTRIBUTIONS

(22) WATER SUPPLY AND SEWERAGE COMPONENT 2 HEADWORKS

In accordance with the Planning Scheme and local planning policy "Development Charges for Water Supply and Sewerage Service" contributions are payable towards Water Supply and Sewerage Headworks (Component 2).

These contributions are based on the equivalent population proposed in excess of that allowed for the zone within which the land the subject of this approval is located.

The determination of the final amount of the contribution referred to in this condition will be deferred until the approval by Council of a building application, permissible development application, application for permitted development subject to conditions or application for subdivision, as the case may be, and payment of the contribution shall then be made to Council at the time of such approval by it or such other date as may be determined by it at the time of such building approval, approval for permissible development, approval for permitted development subject to conditions or subdivision approval, as the case may be. The determination of the amount of the contribution at that time will be based on the following rates;

| | |
|--------------|---|
| Water Supply | \$279.00 per Equivalent Population/Person |
| Sewerage | \$410.00 per Equivalent Population/Person |

The above rates are valid for the period of this approval only and subject to increases in the Consumer Price Index (All Groups) Brisbane which was 110.8 for the April/June quarter of 1994. (The C.P.I. figure referred to above has a 1989/90 base of 100). In the event of a discontinuance or the cessation of publication of the above Index, such rates shall be increased in accordance with a substitute index selected by the Chief Executive Officer.

(23) PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS

The contributions are payable to Council by the owner of the land in cash or bank cheque within seven (7) days of the commencement of the construction of the building work and that no plumbing and drainage inspections will be undertaken until payment is received.

Alteration to Utility Mains

(24) Any alternations to public utility mains, services or installations rendered necessary by a development shall be undertaken by the owner of the land, at no cost to the Council, and to the satisfaction of the Chief Engineer.

Council Meeting 3 June 1994
Report of Planning & Development Committee Meeting 31 May 1994

ITEM 49 CONTINUED...
APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9)
TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

Filling and Flood Level

(25) All filling shall be carried out in accordance with the local planning policy "Foundation and Geotechnical Assessment" in accordance with the purpose of Clause 13.4.3 of the Planning Scheme.

Water Supply, Sewerage and Waste Disposal

(26) Adequate water reticulation shall be provided to the development to the satisfaction of the Chief Engineer and in accordance with the Sewerage and Water Supply Act and any relevant local planning policies.

The owner of the land shall be responsible for all costs involved with the connection to the existing Council water supply mains and the sterilisation of any new water supply mains. All sterilisation works shall be carried out by the Council.

(27) Adequate sewerage reticulation shall be provided to the development to the satisfaction of the Chief Engineer and in accordance with the Sewerage and Water Supply Act and any relevant local planning policy. The owner of the land shall be responsible for all costs involved with the connection to the existing Council sewer mains.

Paved Surfaces

(28) Paved footways within development shall have a minimum Polished Frictional Value of 40 as established in Australian Standard AS1141.42.

CAR PARKING, BICYCLE PARKING AND LOADING

Car Parking, Bicycle Parking and Loading Requirements

(29) Provision of eighteen resident spaces of which are covered plus five (5) visitor spaces shall be provided in association with the development listed in Column 1 of Table 13.1 in accordance with the provisions of Column 2 of Table 13.1 of the provisions of Clause 13.5.1 of the Planning Scheme, as they apply to that particular development.

Where the number of car parking spaces calculated using Column 2 of Table 13.1 of the Planning Scheme is not a whole number, the number of spaces required shall be the next highest whole number.

(30) Where car parking is required for visitors to any development pursuant to the provisions of the Planning Scheme, such car parking shall be provided in accordance with the following:

- (a) be freely accessible to visitors at all hours with no encumbrance, fee or charge; and
- (b) have no gateways, doors or similar devices which would restrict vehicular access by visitors; and

Council Meeting 3 June 1994
Report of Planning & Development Committee Meeting 31 May 1994

ITEM 49 CONTINUED...
APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9) TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

- (c) have no signs displayed restricting the use of visitor spaces or reserving the use of such spaces for a particular person.

Development and Maintenance of Car Parking and Loading Areas

- (31) Any car parking area or loading area, together with their associated driveways, shall be developed in accordance with the local planning policy "Off-Street Vehicle Parking Requirements".
- (32) All car parking shall be freely and readily accessible for vehicular use and be designed to enable all vehicles entering and leaving the site to do so in a forward direction.
- (33) All car parking and loading areas shall be kept and used exclusively for parking and associated manoeuvring and be maintained to the satisfaction of the Planning and Development Manager.
- (34) All car parking and loading areas shall be constructed, drained, sealed, marked and maintained to the satisfaction of the Chief Engineer.

Landscaped Open Space

- (35) The landscaped open space shall be provided on site and landscaped to the satisfaction of the Planning and Development Manager.
- (36) The required landscaped open space shall be distributed about the premises and developed as follows -
- (a) the landscaped open space shall be kept clear of all obstacles including clothes hoists, driveways and parking spaces.
- (b) the landscaped open space excluding private court yard areas shall be available for the use of all residents of the development. In addition, the landscaped open space shall be capable of being landscaped and shall be suitable for recreational use whether it is provided at ground level or not.
- (c) a landscaped open space area at least 6.0 metres in width shall be provided adjoining any frontage. As part of this provision an area an average of 3.0 metres wide with a minimum width of 1.5 metres adjoining all frontages shall be landscaped in the following manner to the satisfaction of the Planning and Development Manager:
- (i) the area shall be at the same level as the footway; and

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ITEM 49 CONTINUED...
APPLICATION TO AMEND A PLANNING SCHEME BY THE ERECTION OF NINE (9) TOWNHOUSES - LOT 8 MORALA AVENUE, RUNAWAY BAY

- (ii) at least 50 percent of the area shall be capable of deep planting and may be included in that area required by (iv) above; and
- (iii) there shall be no fences within the area or between the area and the footway; and
- (iv) the area shall be paved and landscaped in a manner to integrate with the footway.

- (C) That a relaxation of Part 4.12.2.1 (number of dwellings attached) has been granted.

*** RECOMMENDATION

That the recommendation of the Planning Officer be adopted.

*** ITEM 50

CM03/06/94 (PD050)

BUILDING ACT - TRANSITIONAL PROVISIONS - 3 ORCHID AVENUE, SURFERS PARADISE

FILE REFERENCE(S)

06-01751-0000-X PT5

*** CURRENT AGENDA MATERIAL

*** REFERENCE SENIOR BUILDING SURVEYOR (LP) (26/04/94)

The applicant has requested that their building application 94/0507 be processed under the transitional provisions of the Building Act. The provisions of the Building Act in Section 13 states:

The carrying out of building work comprising the erection of an alteration of or addition to a building or other structure that was erected before the coming into operation of the Standard Building Bylaws shall conform with the provisions of those bylaws save where, in the opinion of the Local Authority having jurisdiction in the Area wherein the building or structure is located, the general safety and structural standards of the building or structure would not be impaired by the erection thereof otherwise in which case it shall be lawful for the approval of the Local Authority to be granted otherwise than in accordance with those bylaws and for the building work to be carried out in accordance with such approval but otherwise than in conformity with those bylaws.

The application is to convert the previous Twains nightclub to the Search and Rescue Services Club. Queensland Fire Services opinion is that smoke control as required by the Building Code of Australia (BCA) should be provided in this part of the building.

Council Meeting 3 June 1994
Report of Planning & Development Committee Meeting 31 May 1994

ITEM 50 CONTINUED...
BUILDING ACT - TRANSITIONAL PROVISIONS - 3 ORCHID AVENUE, SURFERS PARADISE

Facilities to control smoke are essential in large buildings as smoke presents a greater risk to life than fire. There is a need to minimise spread of smoke and toxic fumes to areas remote from the fire and the term 'smoke control' refers to provisions for ventilation or exhaust systems used to vent smoke. Such provisions are there to assist occupants evacuate and fire fighters locate the seat of the fire.

Smoke control may be achieved by the use of roof vents, windows (openable), doors and/or panels that provide natural venting or mechanical means.

The club is located on the second floor of The Mark and there are openable windows which are considered sufficient to act as smoke vents.

To have to provide smoke control as per the BCA is an onerous task for the club executives more so as the use of the building is not being changed. There appears to be a tone down in the use of the club, from a nightclub to a services club.

The proposed development has adequate exits for the number of people occupying that part of the building. The proposed development incorporates only minor alterations to the structure of the building and this is to be certified by a structural engineer.

It is considered that the smoke control is not necessary if early warning alarm devices are installed.

*** OFFICER RECOMMENDATION

It is recommended that -

- (A) Council forms the opinion that the carrying out of the alterations to the building will not impair the general safety and the structural standards provided that -
- (1) an automatic fire detection and alarm system is provided in accordance with the Building Code of Australia, Queensland Appendix E1.7(b); and
 - (2) structural alterations are designed and certified by a structural engineer.
- (B) Council authorises the approval if the above conditions are satisfied.

*** RECOMMENDATION

The recommendation of the Senior Building Surveyor be adopted.

Council Meeting 3 June 1994
Report of Planning & Development Committee Meeting 31 May 1994

*** ITEM 51

CM03/06/94(PD051)

TWO STOREY BUILDING HEIGHT LIMIT - 22 HILDA STREET MERMAID BEACH

FILE REFERENCE(S) 07-00651-0000-X

*** CURRENT AGENDA MATERIAL

*** REFERENCE PRINCIPAL BUILDING SURVEYOR (JL) (26/05/94)

A Building Application was lodged on 21 February 1994 for approval to the construction of a three storey house on Residential Duplex Dwelling zoned land at the above location. Under the provisions of the 1993 Town Planning Scheme gazetted on 11 February, 1994 the height of a dwelling house is limited to two storeys unless relaxed by Council. The specific provision is as follows:

"4.11.5 Building Height

Purpose:

To ensure that dwelling houses, dual occupancy dwelling houses and duplex dwellings maintain a minimal height in low density residential zones and a height which does not conflict with surrounding development in other residential zones and that development will not interfere with the efficient functioning of the Coolangatta Airport or other aeronautical facilities.

Provisions:

- 4.11.5.1 The height of a dwelling house, dual occupancy dwelling house or duplex dwelling located in the Park Residential Zone, Residential-Dwelling House Zone, Residential-Duplex Dwelling Zone or Residential-Townhouse Zone shall not exceed two (2) storeys, provided that the Council may relax this provision having regard to the purpose of Clause 4.11.5."

The processing Building Surveyor was unaware of the change from the three storey limit on dwellings that applied under the previous Town Planning Scheme. He advises that he checked the computer records for cogniances and the height control maps, however there were no restrictions listed in those systems.

The Building Application was issued on 9 March 1994 and the matter was brought to Council's attention as the result of a complaint. The house is currently under construction and approximately 2/3rds complete. In view of the circumstances where the approval was contrary to the Town Planning Scheme, a 'Cease Work Notice' was issued on 26 May 1994.

The house is situated towards the rear of the property, however the setbacks are in accordance with the provisions of the Standard Building Bylaws. Due to the shape of the building it is believed that the shadow cast will not be much greater than that arising from a two storey building built to the Standard Building Bylaw setbacks.

It is necessary for Council to determine whether the proposed dwelling will be in conflict with the purpose stated in Clause 4.11.5.

Council Meeting 3 June 1994
Report of Planning & Development Committee Meeting 31 May 1994

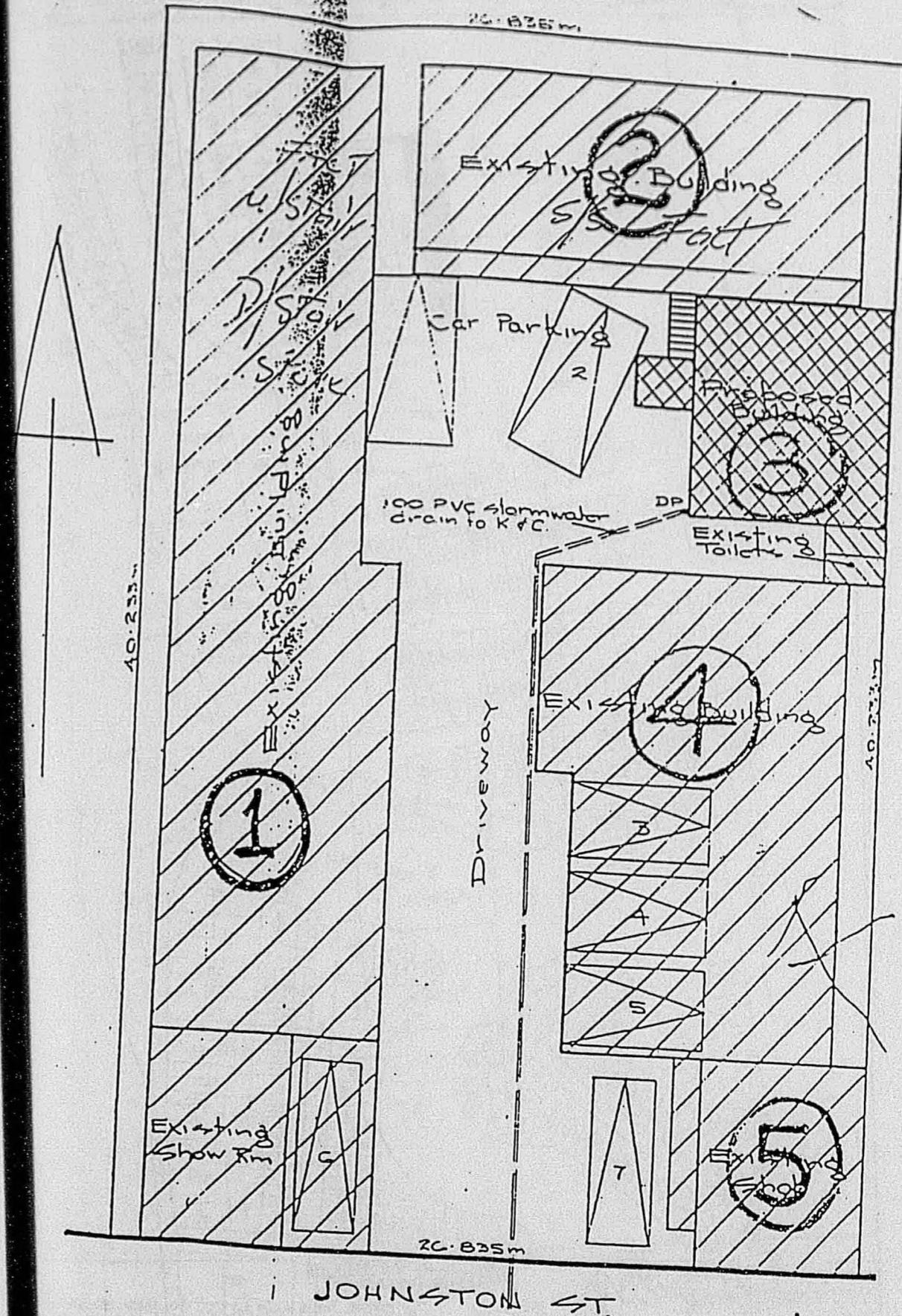
ITEM 51 CONTINUED...
TWO STOREY BUILDING HEIGHT LIMIT - 22 HILDA STREET MERMAID BEACH

*** OFFICER RECOMMENDATION

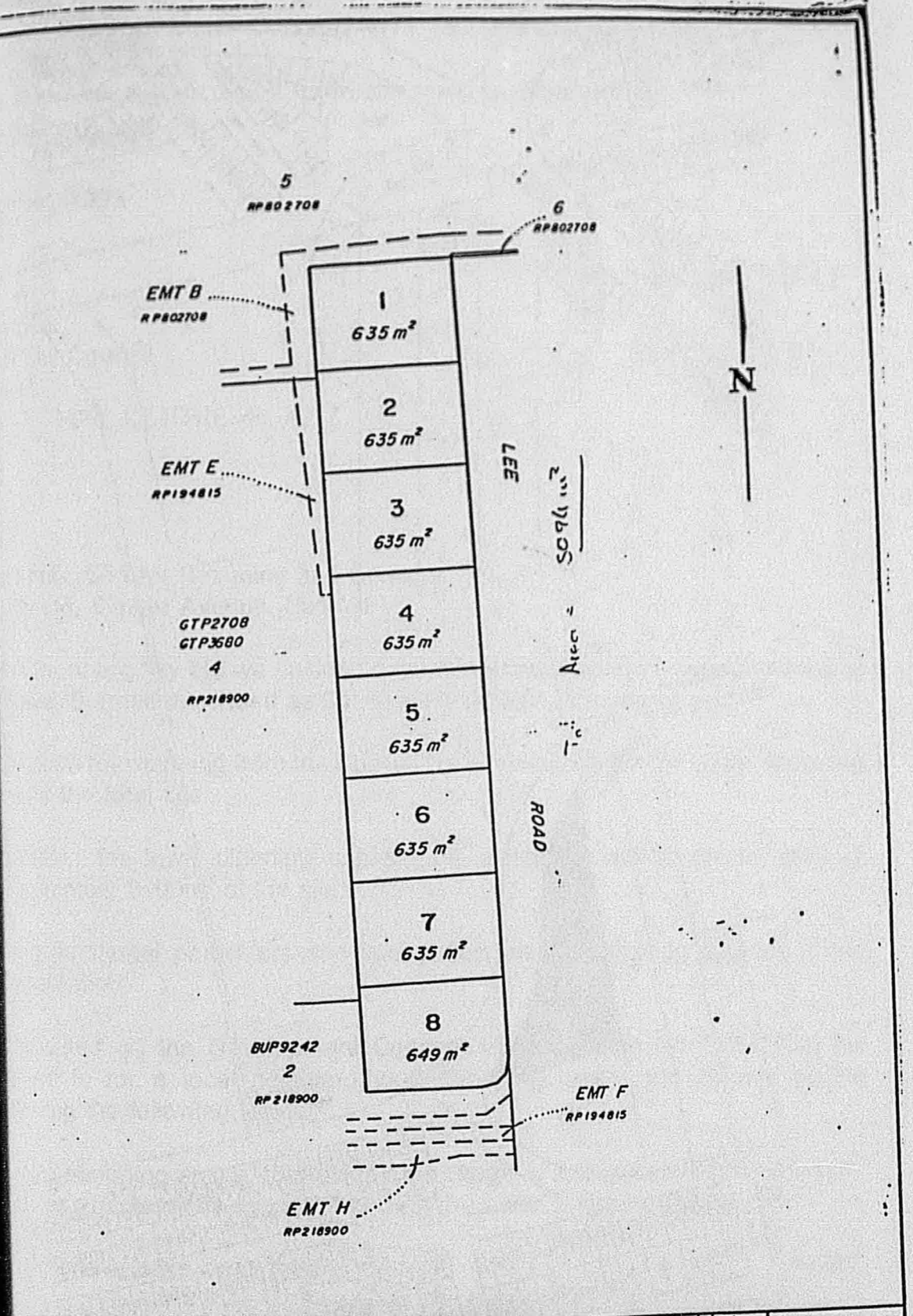
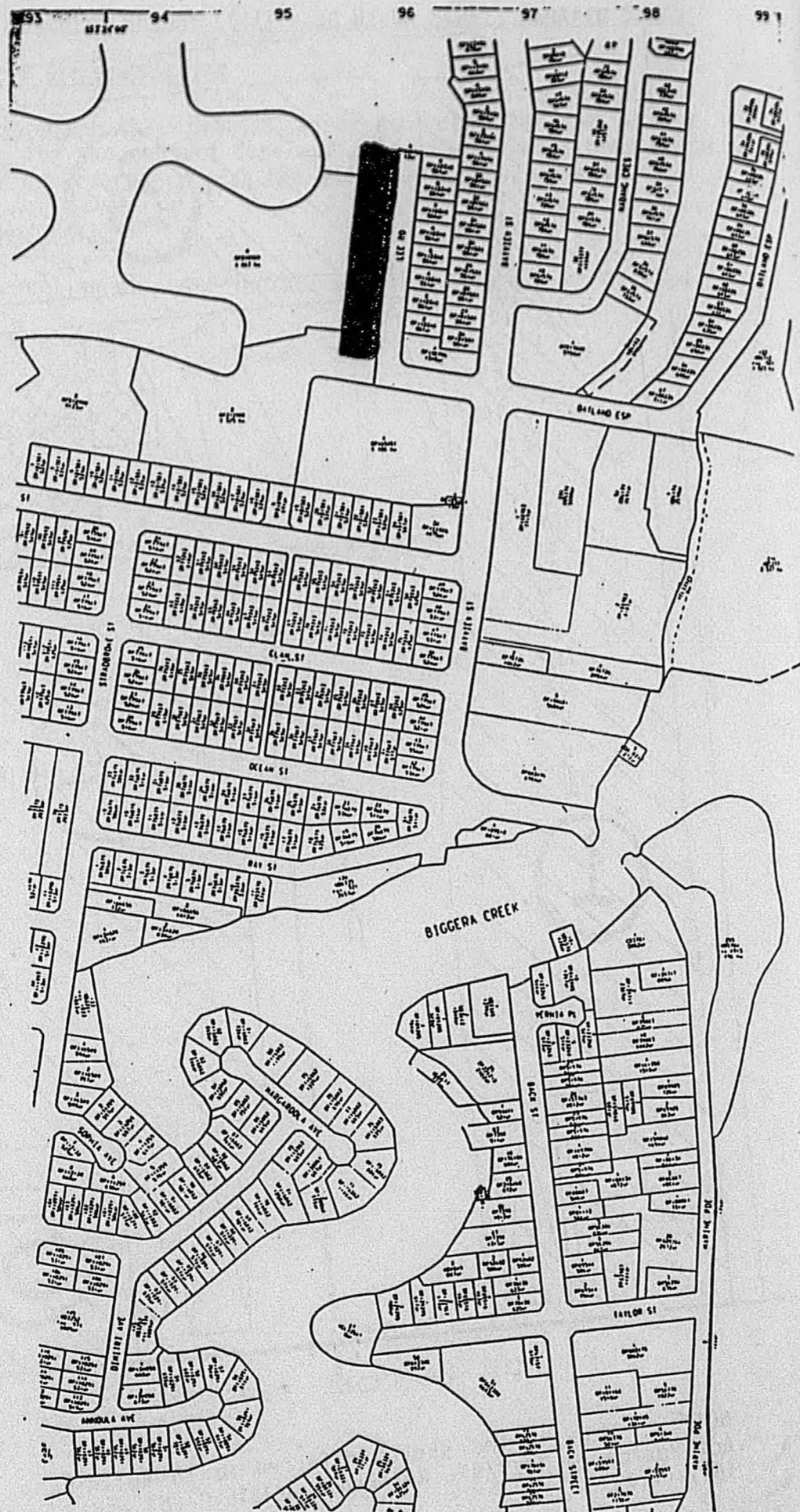
It is recommended that Council agree to relax the two storey height requirement for the subject site and allow the three storey house to be constructed in accordance with the building approval plans.

*** RECOMMENDATION

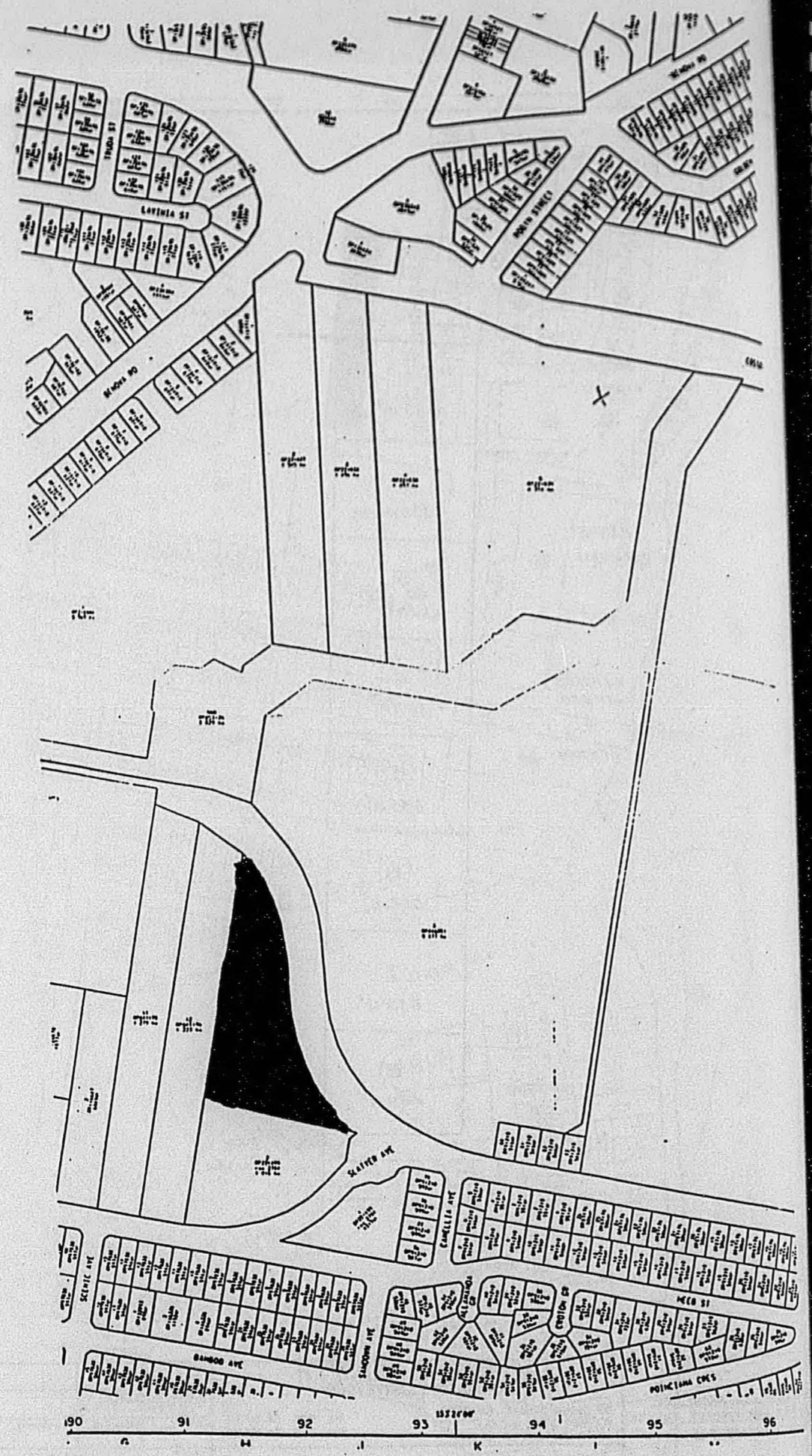
The recommendation of the Principal Building Surveyor be adopted.



NOTE: "This is the sketch referred to in Building Act Notice of 11/7/91, Reference 3-1516-0-(6) and 3-1517-0-(X)".



| | | | |
|---|---|-----------------|------------------------------------|
| DIMENSIONS AND AREAS ARE GIVEN ONLY AND SUBJECT TO VERIFICATION BY SURVEY SUBJECT TO APPROVAL BY G.C.C. REGISTRATION OF A PLAN OF SURVEY IN THE DEPT. OF LANDS. Parish of ... BARROW ... County of ... WARD ... | BENNETT & BENNETT CONSULTING SURVEYORS | | |
| | 99 Upton Street, Bundaberg P.O. Box 5021 G.C.M.C. 4217 0891 Pty Ltd. A.C.N. 010 427 531 | | Ph. 075 74 0733 Fax 075 74 0202 |
| | SCALE 1:750 (A3) | PLAN No. 1 | |
| | JOB No. 94.52.A275C | DATE ... 2/2/04 | |
| CLIENT LIFESTYLE HOLDINGS PTY LTD | | | |



bell

PTY LTD

ING AND DEVELOPMENT CONSULTANTS A.C.N. 011 007 060
 LGTP (Q) A/H Ph (075) 30 5919
 LGTP (Q) IP A/H Ph (075) 78 3121
 PO Box 6793, Gold Coast Mail Centre, Q. 4217. Ph (075) 97 3411 Fax (075) 97 3511

REF: BD:SYA.9071

November, 1993

City Clerk
 Gold Coast City Council
 5042
 COAST MAIL CENTRE Q. 4217



Application for Rezoning and Consent
 Pty Ltd, Slatyer Avenue, Bundall

of Bronberg Pty Ltd we enclose a combined application in respect of land at
 Avenue, Bundall described as Lot 4 on RP846051, comprising:

Application for rezoning from the Special Residential zone to the Local Shopping
 zone for the total site.

Application for town planning consent for a service station on an area of
 approximately 2100m² of the site.

The following additional particulars and information are submitted in support of the
 application:

As indicated on the Development Concept Plan (Drawing No 100.SK02) the
 proposal is for a local neighbourhood shopping centre and service station
 containing the following:

- retail shopping space, to provide for a range of local convenience shops and services as permitted with the Local Shopping zone 1600m²
- restaurant - take away food 400m²
- office space (first floor level) 200m²
- service station, incorporating sales control building, two service bays and car wash occupying approximately 2100m² of site at south east corner

- * carparking for a total of 135 vehicles
- * rear loading areas for all tenancies
- * separate access arrangement for the service station and shopping centre, with provision for internal connections
- * landscaping along frontage, side boundaries and within the development of at least 10% of the site and minimum width two metres

2. A local business centre has previously been planned for this area. The Plan Development for the overall Bronberg site includes a shopping centre, service station, child care centre and two storey apartments on the south western side of Slatyer Avenue extension. This is also reflected in the draft Strategic Plan which identifies a local centre in this position.
3. Now that the proposed rearrangement of road resumes and public open space has been clarified such that dealings with the Department of Lands confirm that the land exchange is not to proceed, the available site for the local shopping centre has been established. The location and shape of the site are not considered to be desirable for residential units, nor is a child care centre considered to be warranted at this time given the growth of other facilities in the area. These components have not been included in this current proposal.
4. Accordingly, this proposal is a revision of the previous planning for a local centre and seeks to confirm formal zoning approval as the first step in the development process. The need for a service station has been identified and is included in the scheme as a consent use in the future Local Shopping zone. The proposed development is aimed at providing local shopping and business facilities for the neighbouring community in a conveniently accessible location. The building scale and uses are considered to be compatible with the existing and future residential areas and will not adversely impact on surrounding amenity.
5. The Development Concept is intended to indicate the proposed range and size components and the layout for the development without being specific as to the actual design and internal content of the buildings themselves. The precise arrangement of the main retail building for instance is intended to be flexible within the gross floor areas nominated above and will be dependant upon carparking availability. Distribution of various uses, whether they fall within the definition of shops, commercial premises or services, medical centres etc is also undefined at this early stage and will depend upon the final tenancy mix.

However, the plan does identify the issues which are relevant at the rezoning stage to consider the basic development parameters for the centre, namely access and parking arrangements, landscaping provision, building scale and land use. All of these matters have been carefully considered and are designed to comply in all respects with the appropriate provisions of the Town Planning Scheme.

Vehicular access to Slatyer Avenue is provided by utilising the existing crossover to separate the service station requirements and to facilitate safe traffic movements to the balance of the site. It is anticipated that the only right hand turn movement out of the site (towards Slatyer Avenue East) will be via the Bronberg Court intersection, where traffic control is possible. A second left in and left out facility is provided for the shopping centre, which is considered to be necessary for convenient traffic circulation and is acceptable given that a parking/deceleration lane is provided along the newly constructed Slatyer Avenue. It is anticipated that details of these arrangements will be the subject of further discussions with Council Officers.

At this stage pedestrian access only is envisaged across the existing public reserve to serve the residential areas to the south. Vehicular access via Camellia Street is reasonably convenient, however, the applicant is willing to further liaise with Council on possible parking and vehicular pedestrian links to the Heeb Street precinct.

Parking for the development has been planned on a conservative basis such that the highest parking ratios have been utilised to establish the appropriate balance. In other words, the likely inclusion of uses with lower parking requirements have not been taken into account in the carparking assessment eg uses other than shops (1 space/15m²), such as offices (1 space/30m²) or commercial services (1 space/25m²).

| Use | Gross Floor Area (m ²) | Total Use Area (90% gfa) | Ratio (spaces/m ²) | Parking |
|---------------------------|------------------------------------|--------------------------|--------------------------------|---------|
| Shops | 1600 | 1440 | 1/15 | 96 |
| Restaurant/take away food | 400 | 360 | 1/15 | 24 |
| Offices | 200 | 180 | 1/30 | 6 |
| Service station | - | - | 4/service bay | 8 |
| TOTAL | | | | 134 |

Gold Coast City Council

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These assessments have been based upon the new Town Plan requirements under which the centre will operate in the future. The Total Use Areas nominated at 90% of gross floor areas, which is also a conservative approach. Actual proportions are likely to be less than 90% based upon industry standards.

In conclusion the proposed local centre is contemplated under existing approval for the land and also by the draft Strategic Plan which is soon to come into force. The proposal demonstrates compliance with the objectives of the Local Shopping zone and the development parameters thereunder. It is considered that the proposed rezoning and consent are acceptable from the town planning viewpoint.

Finally we advise that public advertising of the application has been arranged for December, 1993 with the closing date for objections being 5th January, 1994. We will provide the statutory declaration of compliance with Council following the closing date for objections and in the interim would be pleased to provide any further information you may require in connection with the application.

Yours faithfully,

Barry Dredge
DREDGE & BELL PLANNING PTY LTD

e & bell
NG PTY LTD

PLANNING AND DEVELOPMENT CONSULTANTS A.C.N. 011 007 060
1 LGTP (Q) A/H Ph (075) 30 5919
2 LGTP (Q) JP A/H Ph (075) 78 3121
PO Box 6793, Gold Coast Mail Centre, Q. 4217. Ph (075) 97 3411 Fax (075) 97 3511

REF: BD:SYA.

January, 1994

Town Clerk
Gold Coast City Council
PO Box 5042

COAST MAIL CENTRE Q 4217



663,93,91
9401172

Combined Application for Rezoning and Consent
Dredge & Bell Pty Ltd, Slatyer Avenue, Bundall
18/93/205 and 663/93/91

In acknowledgement receipt of your letters of 7th and 10th January, 1994 enclosing the objections to this combined application.

On behalf of the applicant we submit the following response to the grounds of the objections for Council's consideration.

Two of the objections are from residents of Mercedes Place at Bundall on the grounds of increased traffic affecting existing residential areas generally and Jaguar Drive in particular.

The proposal development is remote from the Mercedes Place, Jaguar Drive locality. It will not generate additional traffic in its own right which would be of any significance to traffic volumes in Slatyer Avenue, Racecourse Road or Jaguar Drive.

It is submitted that these objections are not relevant to the subject proposal and should not be given any weight in the assessment of the application.

One objection has been lodged by the proprietor of the existing general store at the corner of 270 Benowa Road and Collins Crescent.

The objector is concerned with additional shopping facilities affecting his business in addition to other new centres in the general area, changed road

py to 818/93/205. ✓

...12
CORRESPONDENCE SENT TO
PLAN & DEV.
PLANNING & DEV.

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conditions and trading hours, resulting in loss of employment. It is also claimed that the developer has pre-empted an approval due to works on the site and that if approved, access to the new facilities should not be via Heeb Street.

The existing general store is approximately 1 kilometre away "as the crow flies" from the subject land, which is well in excess of 400 metres spatial distribution parameter for convenience stores in residential areas. The objectors concerned inferring that existing shops should enjoy some protection are not covered by planning or other legislation, including the possibility of other general stores closer to his business.

The proposed development provides for a wider range of convenience facilities than a general store and will generate additional employment opportunities. The local business centre has previously been planned for this location and is included in the draft Strategic Plan.

Work on the site has not been carried out on the basis of obtaining approval for the development. The site is already approved for residential development and the work which has been undertaken involved preliminary site preparation including reshaping of the interface adjacent to the park reserve in consultation with Council's parks department.

In these circumstances it is considered that this objection does not contain valid reasons against the proposal.

3. Two objections from residents in Heeb Street between Sandown and Scenic Avenues were lodged on the grounds of additional traffic, parking problems and safety. The objectors are concerned that the planned discontinuation of Heeb Street has not been finalised and problems with traffic using the park/old road reserve will continue.

The proposed development does not affect the closure of Heeb Street through to Slatyer Avenue in any way. It is outside the developers responsibilities to carry out permanent physical closure of the road. Construction of a cul de sac and perimeter fencing of the parkland would seem to alleviate the objectors concerns, which are essentially unrelated to the development proposal.

The matter of access to the commercial facilities is one for further consideration in liaison with Council. The proposal before Council indicates that pedestrian access only would be available for residents to the south and does not require or rely upon vehicular access from this direction. Fencing

Gold Coast City Council

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treatment of the park areas is under Council's jurisdiction and the developer is willing to cooperate with Council in the planning for future access arrangements involving the public reserves.

Finally, the recent use of the park area for traffic between Slatyer Avenue and Heeb Street has occurred despite temporary barriers to prevent access. The developers contractors are under instructions not to use this route and we understand that local vehicles have largely been involved. This is essentially irrelevant to the proposal under consideration and the applicant does not seek approval to utilise the park area for access during construction. A condition to this effect would seem to be appropriate to restate this position.

Finally, we believe that the objections do not raise any substantive issues which are the merit of the proposed development on relevant town planning grounds.

We thank Council for the opportunity to respond to the objections and await your advice on the application. Should you require any further information or wish to discuss any aspects, we would be pleased to assist.

Sincerely,



Dredge

DREDGE & BELL PLANNING PTY LTD



Our Ref: 9117:04:BRCCD
Your Ref:

The Town Clerk
Gold Coast City Council
PO Box 5042
Gold Coast Mail Centre
BUNDALL QLD. 4217

5th April 1994

(VIDE ITEM P&D
Johnson Cons
civil engineers
Gold Coast - Qld

Attention: Mr I Morco

Dear Sir,
Re:

BRONBERG COURT ESTATE
PROPOSED COMMERCIAL DEVELOPMENT

I refer to Council's request for a traffic report on proposal to resume land on Slatyer Avenue for Commercial use

Attached is the traffic report from Mr Neil Viney of Connell Wagner which our Client Bronberg Pty Ltd has read accepted.

Would you please receive this as the report required advise if acceptable to Council.

Yours faithfully
JOHNSON CONSULTANTS

A. G. Johnson
A G JOHNSON

COPY HAS BEEN SENT TO
WORKS

WORKS

Copy to 818/93/205

*Noted off
Reference
Matthew
Bill Daniel
Separate*

Alan Johnson Engineering Consultants Pty. Ltd. A.C.N. 011 02 1113
Office: 5 Alicia St, Southport. Postal Address: P.O. Box 5342 Gold Coast Mail Centre, Bundaberg
Tel: (075) 91 2566 Fax: (075) 91 4404

271692

V013

(VIDE ITEM P&D 4)

BRONBERG COURT

COMMERCIAL SITE

TRAFFIC REPORT

Connell Wagner (Qld) Pty Ltd
A.C.N. 010 812 218

31 March 1994
353400CT

- 1.0 INTRODUCTION
- 2.0 IMPACT OF DEVELOPMENT
 - 2.1 Vehicle Generation of Proposed Development
 - 2.2 Assignment to the Road Network
 - 2.3 Design Horizon and Traffic Flows
 - 2.4 Impact on Capacity
 - 2.5 Means of Site Access
 - 2.6 Interaction with Residential Area
- 3.0 SUMMARY AND CONCLUSIONS

Bronberg Pty Ltd is the owner of vacant land in Slatyer Avenue, Bundall described as Lot 4 Registered Plan 846051. Application has been made to Council to rezone the land to permit commercial use. The uses proposed and the general areas of floor space devoted to each use are:

| | |
|---------------------|--------------------|
| Retail | 1600m ² |
| Takeaway Restaurant | 400m ² |
| Office | 200m ² |
| Service Station | - |

The general concept proposed is shown on the architects concept plan 100.SK02. Council requested that the applicant submit a traffic impact report to assist Council in its assessment.

Aspects of particular concern to Council are:

- the impact of the development on the capacity of Slatyer Avenue;
- the means of access to the site;
- interaction with the residential area to the south (Hebe Street, Bamboo Avenue, Poinciana Crescent);
- pedestrian movement across Slatyer Avenue.

This report investigates these concerns and suggests an appropriate development strategy.

2.0 IMPACT OF DEVELOPMENT

(VIDE ITEM P&D 4)

2.1 Vehicle Generation of Proposed Development

Traffic generation has been based on recommendations contained in the Queensland Transport District 14 Development Assessment guide. They apply to the afternoon road peak as the appropriate design period.

The assumed generations are:

| Use | Entry | Exit |
|---------------------|-------|------|
| Office | 5 | 7 |
| Service Station | 35 | 35 |
| Takeaway Food Store | 154 | 126 |
| Retail | 120 | 120 |
| TOTAL | 314 | 288 |

Some of the uses are complementary and will result in many trips to the combining a visit to more than one use. In addition, not all peaks will coincide. allow for these effects, the combined generation volume has been reduced by 30% given 220 entry movements and 200 exit movements.

The generation of the Bronberg Court residential development is assumed to be vehicle trips/unit/day or 0.8 trips/unit in the peak hour (75% entry, 25% exit). full development, Bronberg Court is assumed to contain 300 units generating entry movements and 60 exit movements in the evening road peak hour.

2.2 Assignment to the Road Network

Flows generated by the commercial development have been assigned to the network in proportion to the evening peak flow on Slatyer Avenue after allowing for nominal cross movement from Bronberg Court and access from Hebe Street (e.g. parking kerbside or in a small carpark accessed from Hebe Street but separate from the main carpark).

The commercial centre has, for the purpose of this exercise, been assumed to have only two access points, one to the south servicing predominantly the service station and the main entry to the north of the site. All service station traffic is assumed to enter at the southern entry point.

With an existing right turn manoeuvre unavailable at this point, a small proportion of generated service station traffic will exit to the south from the northern access point. All commercial centre traffic is assumed to use the main northern access point and is allocated to the road network in accordance with existing movement demand.

2.3 Design Horizon and Traffic Flows

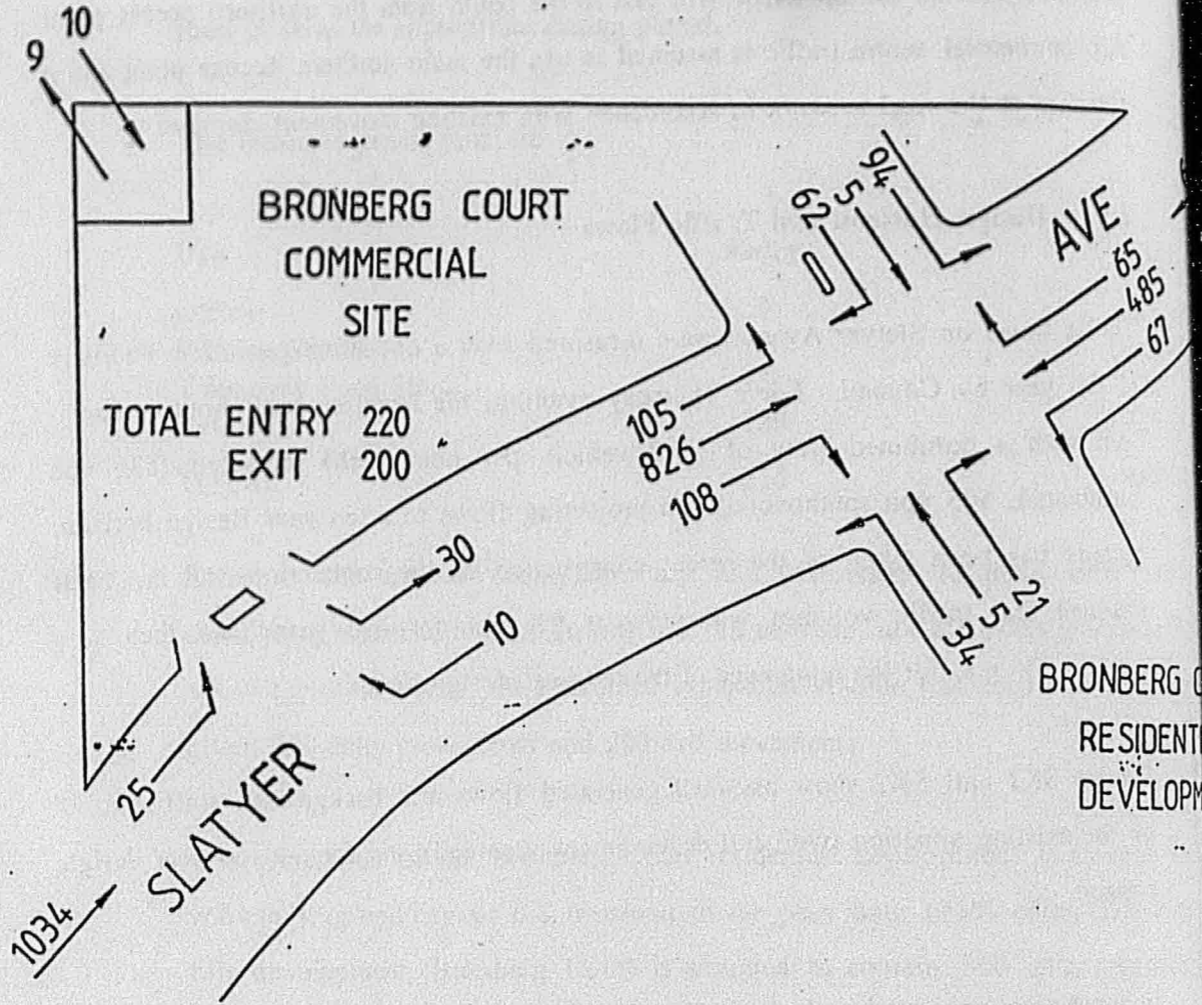
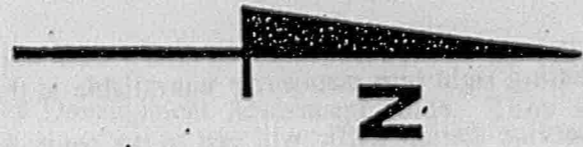
Traffic flows on Slatyer Avenue were measured over a one week period in February of this year by Council. For a Thursday evening, the heaviest peak hour is 6pm - 7pm with a combined flow of 1340 vehicle per hour (vph) recorded (835 vph northbound, 505 vph southbound). In projecting flows to a ten year design horizon, account has been taken of the recent construction of the connection. It has been assumed that traffic volumes will grow at 9% p.a. for two years and then at a constant 6% p.a. for the remainder of the ten year design period.

Figures SK1 and SK2 show assumed generated flows and background traffic flows for the existing situation (with full development assumed) and for the ten year design horizon.

In combining generated and observed traffic flows it has been assumed that 70% of generated traffic is completely new to Slatyer Avenue (as a consequence of the development). Only 30% has been assumed to be drop in or diverted traffic.

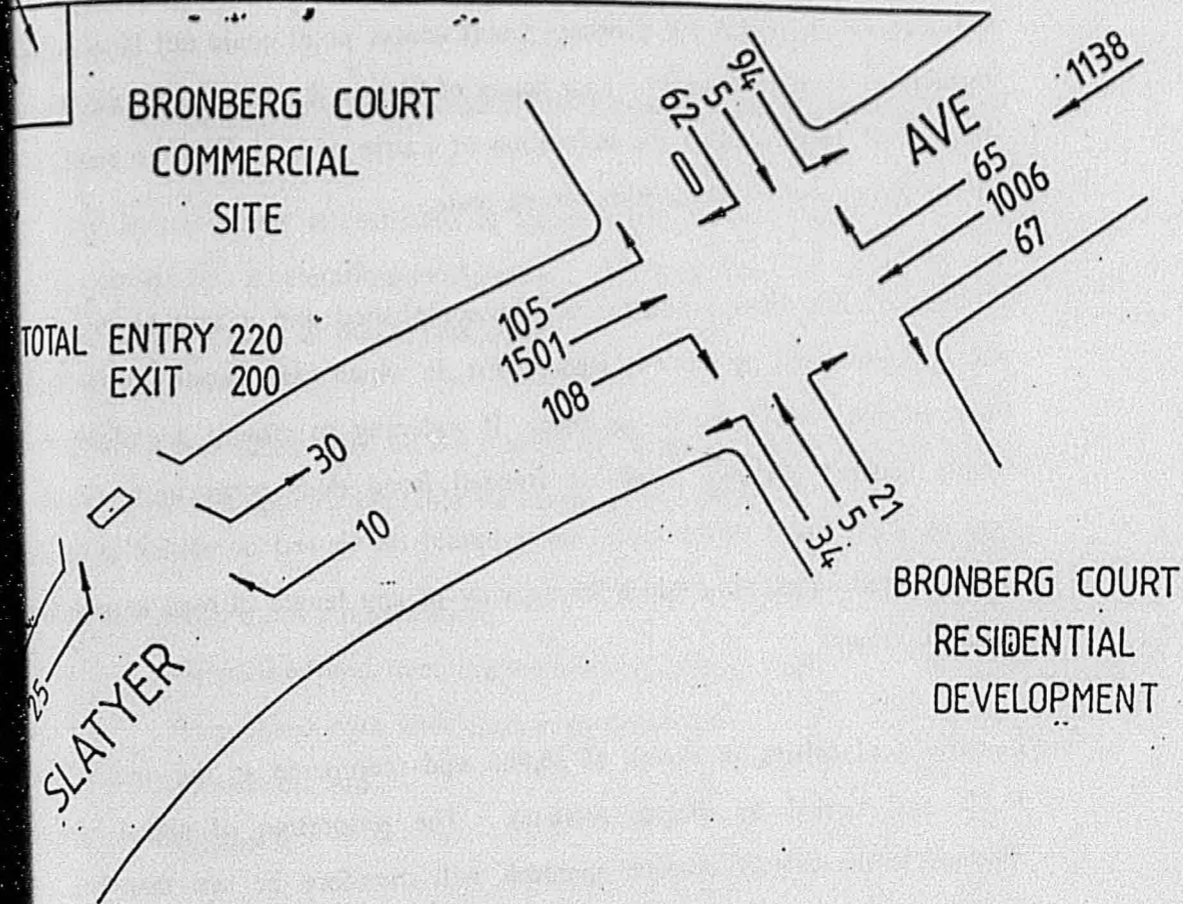
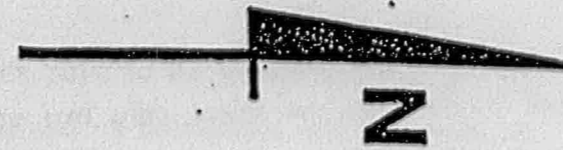
2.4 Impact on Capacity

The construction of Slatyer Avenue through to connect with Wardoo Street has established an important link in the road network. It has enabled the previous route between Benowa Road and Bundall Road via Hebe Street and Slatyer Avenue to be closed.



1994 DESIGN FLOWS

BRONBERG COURT TRAFFIC REPORT



2004 DESIGN FLOWS

BRONBERG COURT TRAFFIC REPORT

The section along the frontage of the subject site has been constructed to a standard with four through lanes separated by a central median wide enough to incorporate a right turn lane and a parking lane that could be used for deceleration on the approach to an access point.

This standard is substantially higher than that existing on Slatyer Avenue to both north-west and to the south-east where only two undivided through lanes are provided with inadequate turn storage. Until such time as the entire length of Slatyer Avenue is upgraded to four lane divided standard (with additional turn lanes and deceleration lanes) the Bronberg Court access point could not be considered an impediment to route capacity. Four laning of Slatyer Avenue to the east of Cameo Avenue will require either the acquisition of a strip of land from the Southport Course or removal of the existing service road.

Neither of these options will be easily accomplished and it may be that the road remains constrained by this two lane section, in which case capacity at the Bronberg Court entrance would not be an issue. If widening to provide a uniform standard facility between Benowa Road and Bundall Road does occur in future then the capacity implications of the access point should be viewed in relation to the near Benowa Road intersection (since the capacity of any length of road is controlled by the intersections).

Benowa Road carries in excess of 20,000 vpd (compared to the current flow of 15,000 vpd carried by Slatyer Avenue). The proportion of signal cycle time allocated to the Slatyer Avenue approach will therefore be less than half. This compares with the site access where if signals were to be installed Slatyer Avenue approaches would receive around 80% of the cycle time. Clearly an intersection at the four lane section of Slatyer Avenue at Bronberg Court will not be a major capacity constraint. The capacity of various intersection control options is discussed later.

2.5 Means of Site Access

The concept plan indicates three access locations along the frontage as follows:

- left turn and protected right turn entry to the service station at the southern end of the site with left turn only egress to Slatyer Avenue;

- a central access point operating left in - left out;
- a four way intersection formed by allowing all movements at an access point opposite Bronberg Court.

The southern access point to the service station would be low volume and mainly associated with that use. A deceleration lane is available for the left turn entry. The right turn entry movement has a protected turn lane and is of low volume. Sight distance is excellent for this movement which is in a signed 60km/hr zone.

No problems of safety or capacity are envisaged to occur at this access point.

The central access is restricted to left in - left out operation with the parking lane available for acceleration/deceleration. No problems of safety or capacity are envisaged to occur at this access point.

The northern access will be the busiest and most important access to the site. There are really five options available for access at this point:

- left in - left out operation;
- unsignalised and retaining the existing median width;
- unsignalised with wide median to shelter cars;
- roundabout; and
- signalised.

Left in - left out operation essentially means no access at this point with the site dependent on the service station and the central access point. Such an arrangement would create a demand for remote U-turn manoeuvres. As such it would prove to be unsatisfactory from a capacity and safety point of view.

Operation as an unsignalised intersection with the existing median width would be satisfactory initially for the most difficult turn movements (right turn from the development). However, as volumes on Slatyer Avenue increase, opportunities for the right turn movement will decrease and poor operating and safety conditions will apply.

Widening of the median to allow for central vehicle storage would ease the turn situation, allowing one traffic stream to be crossed at a time. However, at a cross intersection, turning movements would complicate centre storage and an option would not operate satisfactorily.

A two lane circulating roundabout could be constructed at this location which would have acceptable operating conditions in 2004 (degree of saturation of 0.71).

However, there are some disadvantages to roundabout construction including:

- less acceptable for pedestrian safety (compared to signals) since pedestrian priority is not given to pedestrians;
- land must be acquired from both sides of Slatyer Avenue;
- major changes to services would be required at considerable cost.

Signalisation of the entry can be accomplished within the existing road reservation although some services would be affected through construction of a protected right turn lane and site access.

The protected right turn lane would be formed by cutting back the existing median which tapers down from this point to end at the road bend to the north. A 60m long right turn lane is capable of being constructed from the existing median.

In terms of operational efficiency the signals would operate at a low degree of saturation both at commencement and at the design horizon.

The degree of saturation for an 80 sec cycle time would be around 0.44 in 1994 and 0.67 in 2004 using the peak demand figures shown in SK1 and SK2.

From the viewpoint of traffic efficiency, either a roundabout or traffic signals would operate satisfactorily. However, the Council has highlighted pedestrian safety as a concern. The signalised system is preferable where pedestrian safety is a concern and the installation would serve the dual purposes of regulating traffic and providing a positive priority for pedestrian movement between Bronberg Court and the commercial centre and the Bellevue Park State School. Bronberg Court will contain around 300 units at full development with a potential population of around 1,000 people.

Traffic signals would therefore provide safe and efficient access to the commercial centre and to Bronberg Court and also provide a safe pedestrian crossing point of Slatyer Avenue at a point where future pedestrian crossing demand will be high.

2.6 Interaction with Residential Area

The commercial development will serve an area to both the north and south of the site. The area to the south is considered to be a secondary catchment for the development (PRD reality assessment) while the area to the north and west is considered the primary catchment area. Because of Council efforts to stop "rat-running" through the area to the south (with closures of Hebe Street and Bamboo Avenue) the catchment to the south east is restricted in practical access routes to the site.

Jaguar Drive, Racecourse Drive and Poinciana Avenue will provide the main access to the development from this area. Consequently traffic returning to the area from the proposed development could increase the difficulties in this section of Slatyer Avenue caused by vehicles waiting to turn right. In this regard it is noted that action needs to be taken to improve the inadequate right turn facilities at Poinciana Avenue and Racecourse Drive irrespective of this development. At present there is just sufficient space on the road shoulder to by-pass one or two vehicles waiting to turn right.

An option to allow residents of the area to access the commercial development without entering Slatyer Avenue has been suggested. This involves providing some of the carpark capacity with access only to Hebe Street to the east of the closure. Careful design of the area would be required to ensure that the carpark did not allow through movement to occur on Hebe Street or provide a connection between Hebe Street and Slatyer Avenue.

This option would provide residents of the area with safe and convenient access to the local centre and is supported.

In summary it is considered that:

With correct treatment, the intersection of Bronberg Court, Slatyer Avenue and the commercial site entry/exit will not adversely affect the capacity of Slatyer Avenue.

The most suitable form of access control from a capacity and pedestrian safety viewpoint would be signals.

Any adverse impact created by additional turning movements at Slatyer/Poiciana and Slatyer/Racecourse could be minimised by designing a carpark to allow access to a small area from Hebe Street.

It is concluded that a signalised access to the commercial centre at the northern end of the site opposite Bronberg Court is a satisfactory means of access to both the proposed development and the Bronberg Court residential precinct. A right turn lane capable of holding 10 cars can be provided in the existing central median on the northern approach to the intersection. (A length of around 4 cars would be sufficient based on expected arrival rates).

Signalisation of the commercial site access will require a better internal approach standard than indicated on the concept plan. However, there would be no great difficulty in modifying the layout to accommodate a signalised access. The service station access is not expected to create difficulties since only one traffic stream has to be crossed by right turn entry traffic and egress traffic is constrained to turn left on egress.

PLANNING & DEVELOPMENT AGENDA ITEM

HEADING: SLATYER AVENUE, SOUTHPORT - PROPOSED REZONING TO LOCAL SHOPPING AND CONSENT APPLICATION FOR SERVICE STATION.

FILE: 663/093/091 (Original)
818/093/205 (copy)

REFERENCE: TRAFFIC ENGINEER (IM)(1.3.94)

The subject site is located on the western side of Slatyer Avenue opposite the Bromberg Court residential development. The site has an area of 1.19 hectares and a 252m frontage to Slatyer Avenue.

At this location Slatyer Avenue has a four lane divided carriageway with parking or turning lanes. The median at this location has been constructed with a break to provide access to the subject site, some 20-40m north of the south eastern corner of the site (chainage 655-675). The other break in the median is about 130 metres further north (chainage 510-525) and this provides access to Bromberg Court. Both median breaks have indented right turn bays. To the north and south of the median breaks the median is wider and is landscaped with street trees.

The road alignment in front of the site follows a sweeping reverse curve connecting the straight section in front of the golf course with the straight section leading towards Benowa Road. The dual carriageway ends at the southern boundary of the subject site and eastbound traffic is required to merge into one lane at this location.

The traffic volume in Slatyer Avenue has increased considerably since the connection of Wardoo Street and Slatyer Avenue. A traffic count in early February 1994 showed weekday traffic volumes of about 15,000 vehicles/day and peak hour volumes of about 1450 and 1350 vehicles/hour in the morning and afternoon peaks respectively. The traffic flow is somewhat tidal, with the morning peak split approximately 950 veh/hr eastbound/500 veh/hr westbound and the afternoon peak split approximately 500 veh/hr eastbound/850 veh/hr westbound.

The subject development would comprise the following uses:-

| | |
|---------------------------------------|-----------|
| Retail | 1600 sq m |
| Take away food | 400 sq m |
| Offices | 200 sq m |
| Service station (site area 2100 sq m) | |

Traffic generation for this type of development is difficult to estimate, as is the proportion of generation accounted for by passing trade. Depending upon the type of shops the retail component might generate between 100 and 200 vehicle trips/hour at peak times. The take away could be expected to generate 60-100 trips per hour, whilst the service station may account for a similar number. Allowing for different uses having different times of peak activity it is not unreasonable to assume a peak generation rate of around 300 vehicles per hour, with perhaps a third being passing trade. With this assumption it is clear that the development of the site as proposed will lead to an

increase in traffic activity in Slatyer Avenue such that the two lane section to the east could be fast approaching capacity.

There are four issues to be considered, as follows:-

- The impact of the site on the capacity of Slatyer Avenue as a major traffic artery.
- The impact of vehicles turning to and from the site.
- Vehicular access to the site from the catchment to the south.
- Pedestrian access to the site.

CAPACITY ISSUES

Slatyer Avenue/Wardoo Street/Kumbari Avenue is a four lane Sub-arterial connecting Kendall Road/Chevron Island through to Smith Street. The section in front of the golf course is currently a two lane alignment with in excess of 15000 vehicles/day. The Gold Coast Transport Study Update of 1987 suggested 20000 vehicles per day as an upper limit for a two lane road. This was a design day figure equivalent to 15 percent above average. With the traffic growth currently experienced in the City and further development in the local area this figure will shortly be exceeded.

If the proposed shopping centre access needs signalisation then there will be a reduction in the capacity of Slatyer Avenue on the site frontage. This is addressed below.

TURNING TRAFFIC

The existing channelisation in front of the site provides an indented right turn bay for access into the site. With the arrangement shown in the submission the service station is located opposite this median break and the main shopping centre access is shown opposite the Bromberg Court median break. This is not appropriate given that the median tapers down further north and is also well landscaped. It would be better to relocate the service station to the north of the site and keep the main entry (and possibly the bus stop) point at the southern median break.

If a left turn exit located between the two median breaks drivers would be able to use the Bromberg Court median break to facilitate westbound-eastbound 'U' turns. A further left turn entry to Slatyer Avenue in front of the relocated service station could be located to the north of Bromberg Court median break. With this arrangement the conflict between through traffic a traffic turning to/from the development would be minimised and it may be possible to defer signalisation of access for some time.

Acceptance calculations suggest that unsignalised right turn exits from the site could be subject to some considerable delay during peak periods as traffic volumes increase in Slatyer Avenue.

ACCESS TO THE SITE FROM CATCHMENT TO THE SOUTH.

The local catchment is the Bromberg Development opposite and the streets to the south of Slatyer Avenue, including Heeb Street and Bamboo Avenue. Traffic coming to the site from these streets will use Camellia Avenue and/or Poinciana Avenue for access.

Because Camellia Venue has left i/left out access at Slatyer Avenue, traffic will return either via Poinciana or continue via Benowa Road and Heeb Street. The temporary road closure of Bamboo Avenue will therefore have an impact upon access to the site. This matter will be resolved by the Maintenance and Construction Committee.

4. PEDESTRIAN ACCESS

There are two matters to consider. Firstly, crossing Slatyer Avenue in the peak periods will be relatively difficult and Council is aware of the need to provide a safe pedestrian crossing of Slatyer Avenue which may take the form of signals or a subway. Clearly signals would be the cheaper option but, as discussed above, will impact upon the capacity of the road. Secondly, the site is removed from Heeb Street by the park immediately to the south and west of the site. It will be necessary to have a pedestrian path constructed through the park to the site.

In summary, if a service station to be approved, the developer should relocate the service station to the northern end of the site. The site access should be modified as suggested above to minimise the adverse impact of the development and retain the existing median geometry. The developer should be required to fund traffic signals at the southern median break to (a) provide a safe crossing location and (b) facilitate right turns, although it is the case that only the former constraint applies in the short term. The developer should be required to fund a pathway system through the park to the site. The parking layout should conform to Planning Policy 1.0.

I.E.M.

PLANNING & DEVELOPMENT AGENDA ITEM

ING: SLATYER AVENUE, SOUTHPORT - PROPOSED REZONING TO LOCAL SHOPPING AND CONSENT APPLICATION FOR SERVICE STATION.

663/093/091 (Original)
818/093/205 (Copy)

REFERENCE: TRAFFIC ENGINEER (IM) (11.4.94)
(Further to my reference of 1 March 1994)

Developer has submitted a traffic impact report, prepared by consultant Connell Wagner, which examines the issues raised in the report of 1 March 1994.

Consultant estimates the combined traffic generation at site during the afternoon (design) peak hour to be 220 vehicles/hour entry and 200 vehicles/hour exit. At the same time of day the Bromberg residential development would be expected to generate 180 entry and 60 exit vehicles/hour.

Traffic was assigned in proportion to the Slatyer Avenue peak flows and added to the existing Slatyer Avenue flows. Capacity calculations for the shopping centre access were carried out for 1994 and design year 2004 flows.

Consultant recommends the intersection of Slatyer Avenue/Bromberg Court be the main access to the shopping centre. This is to be signalised and the median will need to be modified to have an indented turn bay for the right turn into the shopping centre. The right turn bay is to be of sufficient length for six vehicles plus taper. This will be achieved upon the trees planted in the median.

An existing right turn bay closer to Camellia Avenue would be required for access to the service station. This access is to be signalised to allow right turn entry but not right turn exits from the site.

Left access operating left in/left out is also proposed in the design. I would think that it should be possible to delete this access point, given the other points of access. However, as there is a parking lane from which to turn into or from the site, this access should have little effect upon the operation of Slatyer Avenue.

The traffic signals at the main entry, opposite Bromberg Court, it will be necessary to modify the parking layout, this modification to be carried out in consultation with Traffic Section prior to the submission of engineering drawings.

In regard to access to the site from the streets to the site, the consultant has suggested the site layout could include a parking area with access to Heeb Street. Whilst this would have merit in removing some local traffic from Slatyer Avenue, it may create problems to the residents of the street and in this regard it would be better to keep all

vehicular access to Slatyer Avenue.

CONDITIONS

The development should be conditional upon the following:-

1. The developer shall be responsible for the costs of modifying the intersection of Slatyer Avenue and Bromberg Court to include traffic signals and an indented right turn bay of length 40 metres plus 30 metre taper in the northern approach.
2. The developer shall modify the median break at the southern access to the site to prevent right turns from the site. The southern access shall be left/in/right in/left out.
3. The developer shall investigate modification to the car parking layout to (a) ensure satisfactory queuing areas in the approach to and departure from the traffic signals and (b) overcome the need for a third access.
4. The car parking area shall be designed in accordance with Planning Policy No.1.
5. The developer shall provide funding for the construction of a bikeway/footpath to the shopping centre from Heeb Street west of the proposed road closures.

I.E.Morcombe

REPORT OF BUILDING SECTION

ACTIVITIES FOR THE MONTH OF APRIL 1994

PRINCIPAL BUILDING SURVEYOR'S REPORT

Building activity has continued at an elevated level, being approximately 25% above that for the same period last financial year. In addition to the volume being greater, there has been a considerable increase in the number of large projects being approved, which is reflected in the increased value of building work approved.

Additional temporary Building Surveyors have been engaged to help cope with the increased volume of work.

The move to improve customer service, together with the introduction of legislation such as the Judicial Review Act has necessitated the preparation and updating of policies and guidelines for use by the public, as well as recording reasons for decisions reached. This, combined with the new front counter service and restructuring has created a substantial amount of administrative work. This is expected to continue for some time as restructuring is implemented, together with the broad skilling of staff.

ACTING SENIOR LIAISON OFFICER'S REPORT

Building Enquiries Liaison have attended to a number of Building Approvals listed as completed with defective final inspections. The process involves researching outstanding items, arranging site inspections along with written and verbal communication to the principal of the property. As a result there has been an increase in the number of Certificates of Classifications issued for projects commenced prior to 1992. Most structures in this category are factories and churches with minor outstanding items.

Other projects completed include several factories, shops and unit developments. There was an increase in the number of inquiries concerning uncompleted works bonding indicating several requests will be submitted during the coming month.

QTS Projects QTS project has been to arrange final clearances on projects completed and outstanding Certificates of Classification - results listed above.

| | |
|---|-----------|
| HBI PAYMENTS RECEIVED | 137 |
| HBI RECEIPTS | \$103,694 |
| NUMBER OF CERTIFICATES OF CLASSIFICATION ISSUED | 13 |
| NUMBER OF UNCOMPLETED BOND REQUESTS | 4 |
| NUMBER OF DEMOLITION PERMITS ISSUED | 16 |
| NUMBER OF OMBUDSMAN'S ENQUIRIES RECEIVED | 2 |
| NUMBER OF CANCELLED BUILDING APPLICATIONS | 8 |
| NUMBER OF "PENDING" BUILDING APPLICATIONS - COMMERCIAL | 44 |
| NUMBER OF "PENDING" BUILDING APPLICATIONS - RESIDENTIAL | 54 |

SEARCHES

There were 217 Property Inspection Searches recorded for the month.

(VIDE ITEM P&D 5)

MONTHLY INSPECTION REPORTBUILDING SECTION

| FUNCTION | PREVIOUS YEAR | | CURRENT YEAR | |
|--|-----------------------|------------------------------|-----------------------------|------------------------------|
| | NO. FOR MONTH 1993 | PROGRESSIVE FROM 1ST JULY | NO. FOR MONTH APRIL 1994 | PROGRESSIVE FROM 1ST JULY |
| Class 1 & 10 Inspections | | | 1275 | 13464 |
| Class 2 - 9 Inspections | | | 397 | 3666 |
| Plumbing Inspections | | | 1613 | 16398 |
| Complaints | | | 87 | 793 |
| Property Searches | | | 223 | 1724 |
| Notices (dilapidated dangerous, unlawful bldg.) | | | 14 | 106 |

- Notes:
1. Building applications processed are shown on the separate Building Analysis.
 2. Class 2-9 inspections are based on an average of 1hr per inspection.

MONTHLY BUILDING ANALYSIS
PERIOD ENDING 30/04/94

| | THIS YEAR PROGRESSIVE FROM | | SAME TIME PERIOD FROM | | LAST YEAR PROGRESSIVE FROM | | % INC ON L YR. |
|----------------------|----------------------------|-----------------|-----------------------|-----------------|----------------------------|----------------|----------------|
| | PERIOD FROM | 1ST APRIL, 1994 | PERIOD FROM | 1ST APRIL, 1993 | PERIOD FROM | 1ST JULY, 1992 | |
| | TOTAL UNITS APPROVALS | TOTAL EST.COST | TOTAL UNITS APPROVALS | TOTAL EST.COST | TOTAL UNITS APPROVALS | TOTAL EST.COST | |
| HOUSES/DUPLEXES | 274 | 23696710 | 2221 | 1376 | 1240 | 885 | 55 |
| MULTI UNIT DWELLING | 163 | 11640350 | 1078 | 142274350 | 1167 | 35 | 206 |
| OTHER DWELLINGS | 7 | 555063 | 127 | 5849837 | 100 | 102 | 27 |
| TOTAL NEW DWELLINGS | 444 | 35892123 | 3426 | 334622355 | 2507 | 1022 | 58 |
| ALTN & ADDN TO DWELL | 6 | 4057043 | 22 | 15596021 | 24 | 874 | 8 |
| SHOP FITOUT ONLY | 8 | 804600 | 155 | 12049551 | 158 | 158 | 3 |
| OFFICE FITOUT | 2 | 105200 | 39 | 1879658 | 32 | 32 | 22 |
| ACCOMODATION/LDGING | 1 | 129000 | 9 | 2781000 | 3 | 10 | 10 |
| POOL/SPA | 53 | 631220 | 525 | 7240397 | 465 | 465 | 13 |
| FACILITY | 1 | 10000 | 5 | 7253519 | 8 | 40 | 18 |
| PUBLIC BUILDING | 2 | 35000 | 18 | 22724500 | 17 | 78 | 18 |
| OFFICE BUILDING | 1 | 745000 | 1 | 3869199 | 1 | 22 | 45 |
| RETAIL/DINING/SERVIC | 1 | | 3 | 26996278 | 4 | 55 | 2 |
| DEMOLITION | 20 | 39800 | 179 | 722758 | 107 | 107 | 67 |
| OUTBUILDING | 2 | 39880 | 148 | 1340299 | 129 | 129 | 15 |
| STORAGE/PARKING | 2 | 77250 | 31 | 455759 | 23 | 23 | 35 |
| MISCELLANEOUS STRUCT | 16 | | 137 | 98000 | 118 | 118 | 16 |
| OUTBUILDING-COMMERCI | 4 | 57200 | 48 | 2054492 | 9 | 9 | 22 |
| MISCELLANEOUS COMMER | | | | | 25 | 25 | 92 |
| PLUMBING & DRAINAGE | | | | | 4 | 4 | 75 |
| MASTER | | | | | | | |
| TOTAL OTHER | 6 | 6731193 | 49 | 105061431 | 57 | 2149 | 13 |
| TOTALS | 450 | 42623316 | 3475 | 439683966 | 2564 | 3171 | 27 |
| AMENDED PLANS | 11 | | 35 | 135 | 4 | 100 | 35 |
| FORESHORE STRUCTURES | 8 | | 108 | | 6 | 85 | 27 |
| PRELIMINARY APPLNS. | 7 | 120000 | 3 | 135000 | 6 | 29 | 66 |

APB490A

MONTHLY BUILDING ANALYSIS
PERIOD ENDING 30/04/94

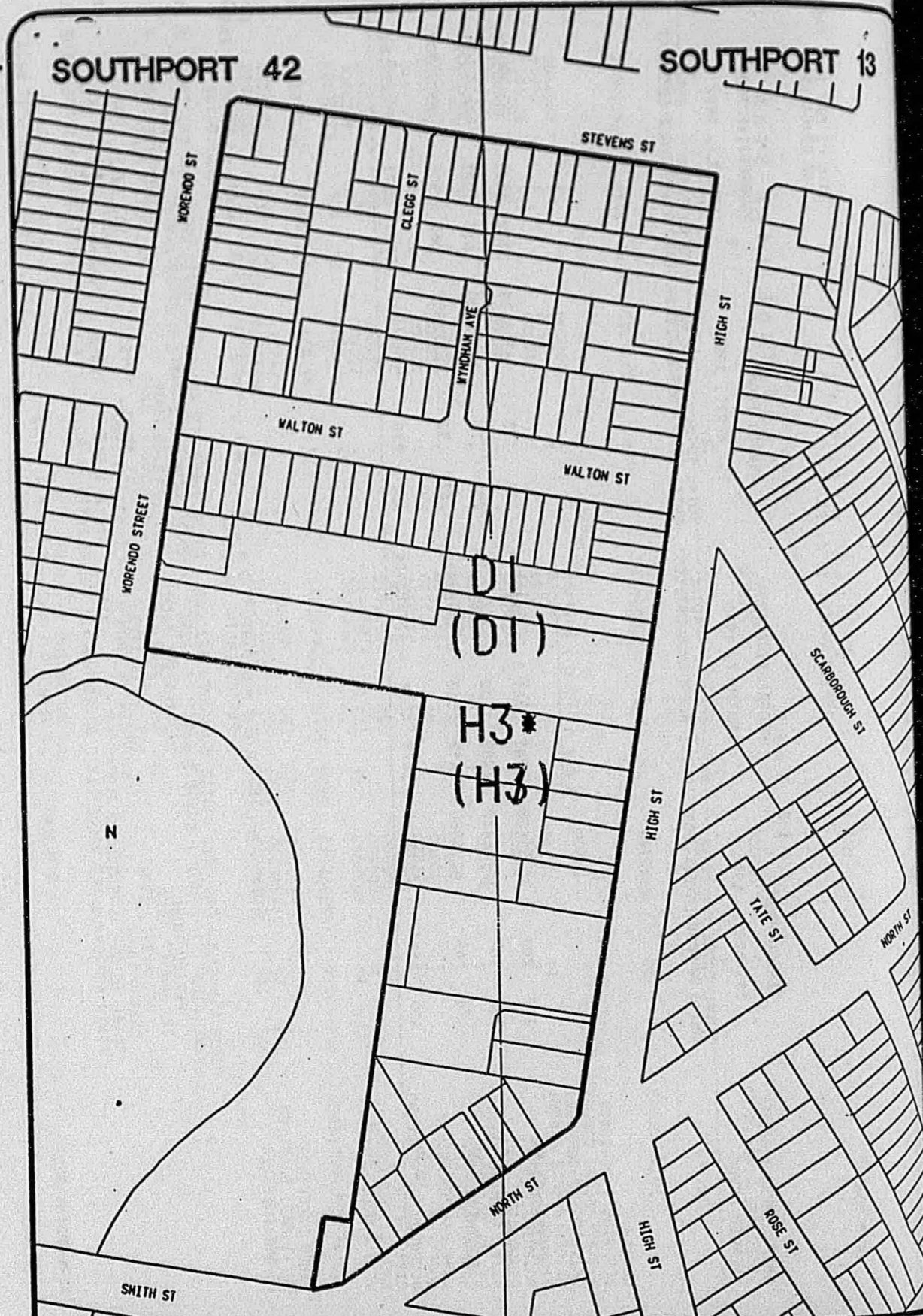
| | THIS YEAR PROGRESSIVE FROM | | SAME TIME PERIOD FROM | | LAST YEAR PROGRESSIVE FROM | | % INC ON L YR. |
|---------------|----------------------------|-----------------|-----------------------|-----------------|----------------------------|----------------|----------------|
| | PERIOD FROM | 1ST APRIL, 1994 | PERIOD FROM | 1ST APRIL, 1993 | PERIOD FROM | 1ST JULY, 1992 | |
| | TOTAL UNITS APPROVALS | TOTAL EST.COST | TOTAL UNITS APPROVALS | TOTAL EST.COST | TOTAL UNITS APPROVALS | TOTAL EST.COST | |
| NORTHERN AREA | 242 | 20655608 | 1781 | 161963594 | 1080 | 1642 | 33 |
| CENTRAL AREA | 132 | 15772128 | 1282 | 224617050 | 815 | 1023 | 25 |
| SOUTHERN AREA | 76 | 6195580 | 412 | 55103322 | 669 | 506 | 11 |
| TOTALS | 450 | 42623316 | 3475 | 439683966 | 2564 | 3171 | 27 |

AREA TOTALS

APB490A

MONTHLY BUILDING ANALYSIS
PERIOD ENDING 30/04/94

| | THIS YEAR PROGRESSIVE FROM | | SAME TIME PERIOD FROM | | LAST YEAR PROGRESSIVE FROM | | % INC ON L YR. |
|---------------|----------------------------|-----------------|-----------------------|-----------------|----------------------------|----------------|----------------|
| | PERIOD FROM | 1ST APRIL, 1994 | PERIOD FROM | 1ST APRIL, 1993 | PERIOD FROM | 1ST JULY, 1992 | |
| | TOTAL UNITS APPROVALS | TOTAL EST.COST | TOTAL UNITS APPROVALS | TOTAL EST.COST | TOTAL UNITS APPROVALS | TOTAL EST.COST | |
| PLUMBING ONLY | 9 | 5379 | 2 | 128 | 1 | 43 | 198 |



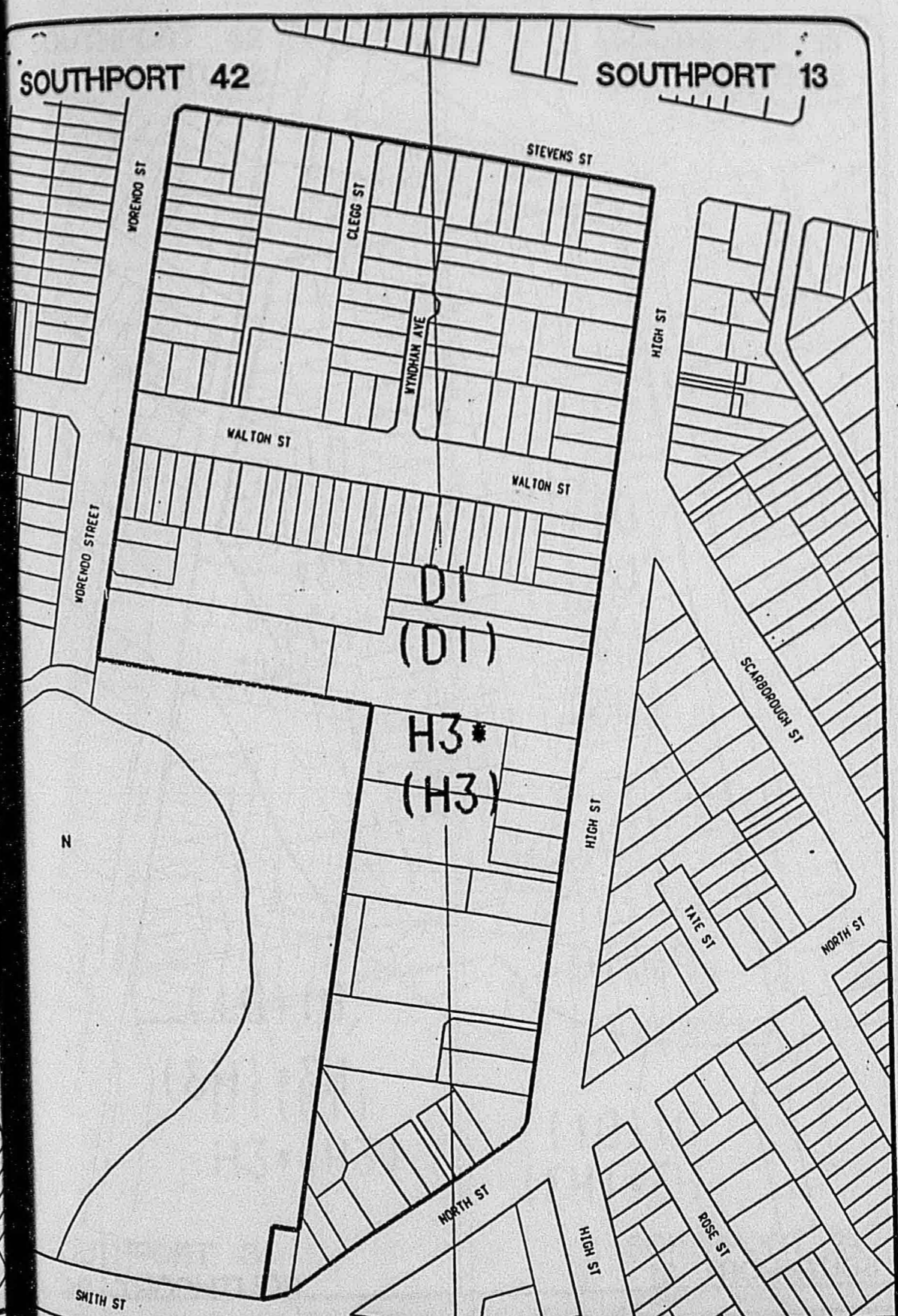
GOLD COAST CITY COUNCIL
 PLANNING AND DEVELOPMENT
 DEPARTMENT

RESIDENTIAL DENSITY AND BUILDING
 HEIGHT AS SHOWN ON GAZETTED MAPS
 - SOUTHPORT 13 & 42

| | |
|---------------------|------------------------|
| DRAWN TP | DATE 9-3-93 |
| APPROVED AH | FILE REF. 663/94/24 |
| PLAN NO. STP1182 | |



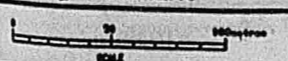
MAP SHEET BORDER



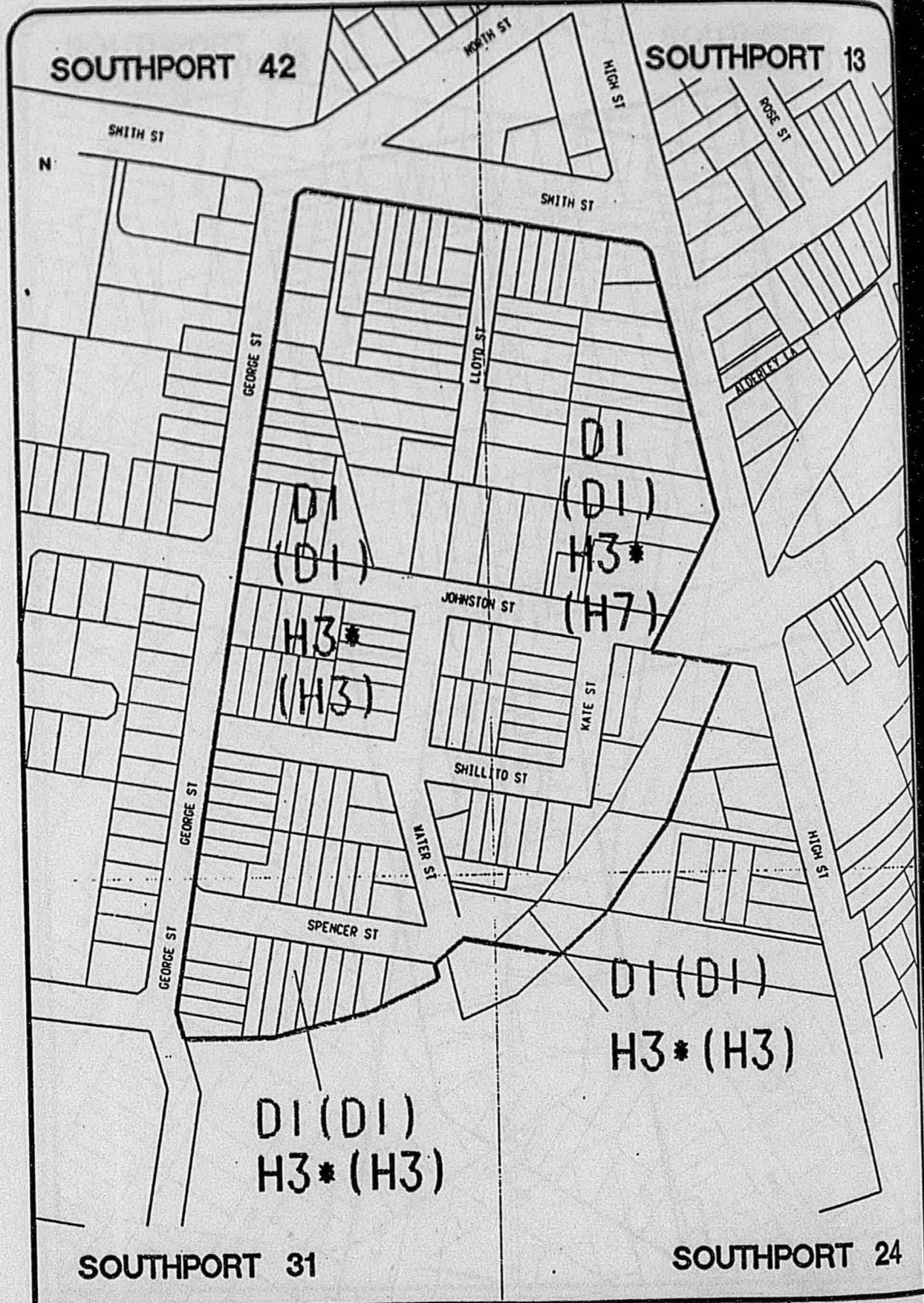
GOLD COAST CITY COUNCIL
 PLANNING AND DEVELOPMENT
 DEPARTMENT

PROPOSED RESIDENTIAL DENSITY AND
 BUILDING HEIGHT AMENDMENT ON
 MAPS - SOUTHPORT 13 & 42

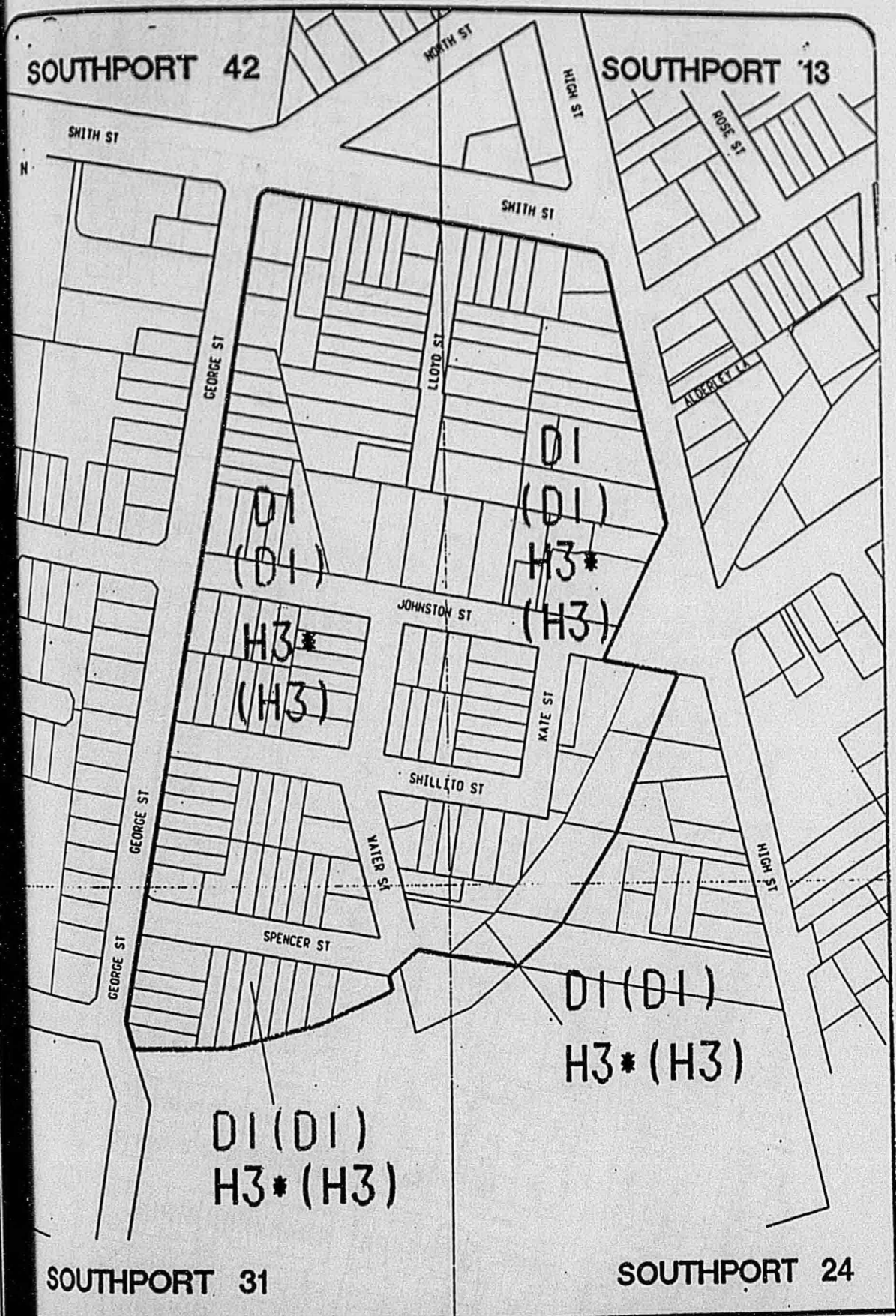
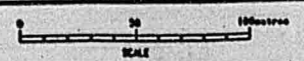
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| PLAN NO. STP1183 | |



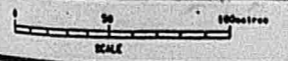
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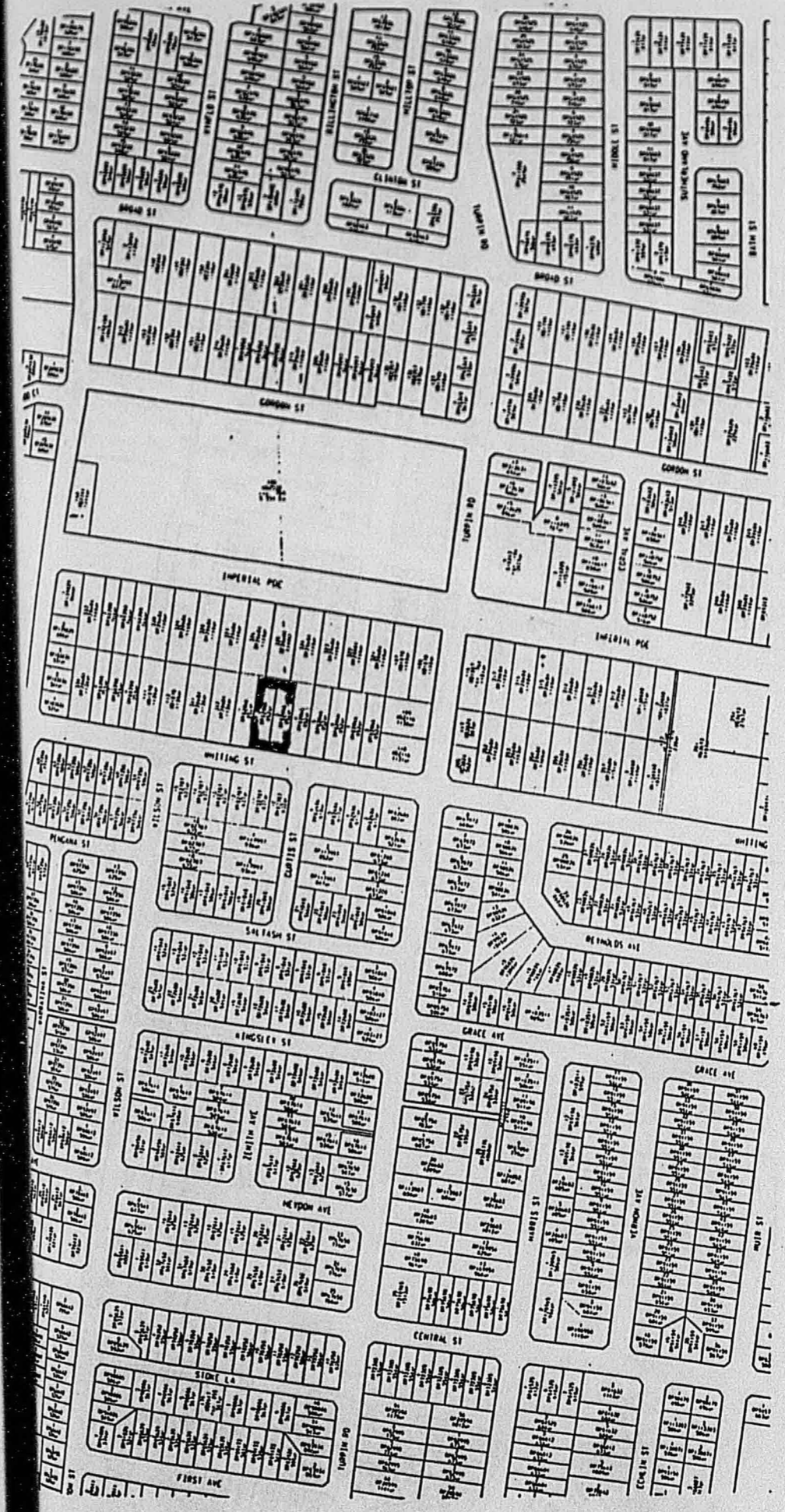
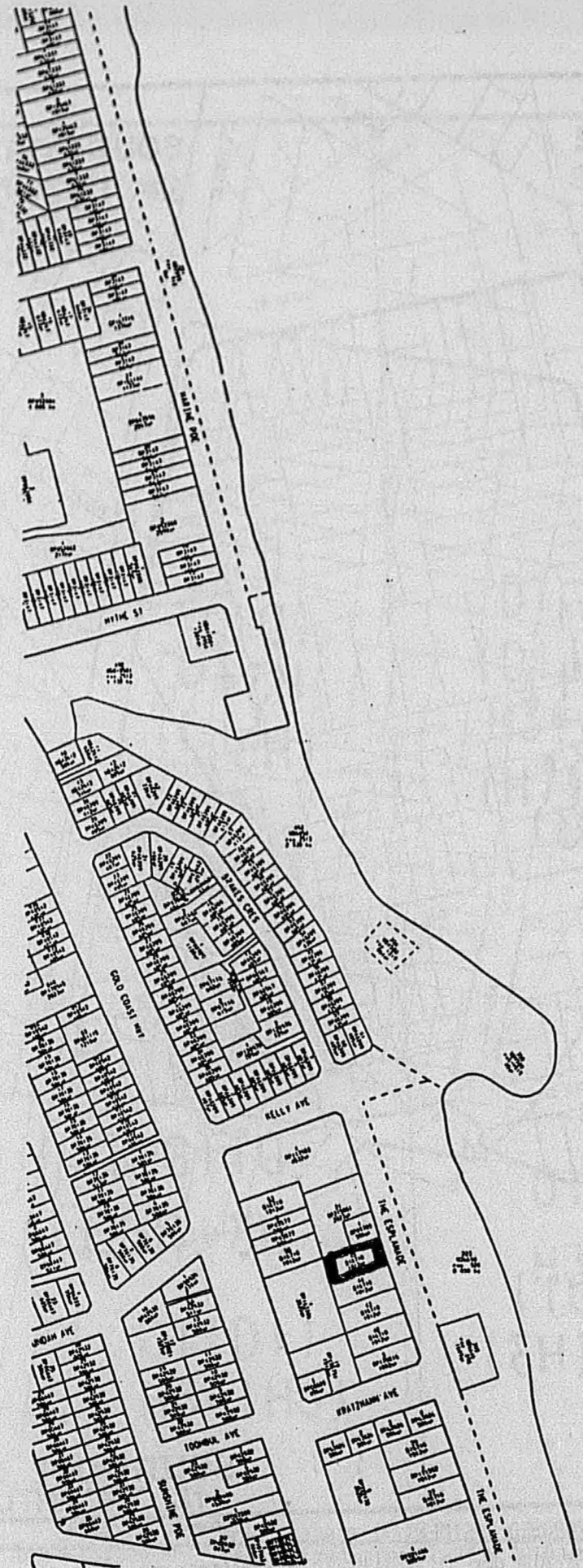


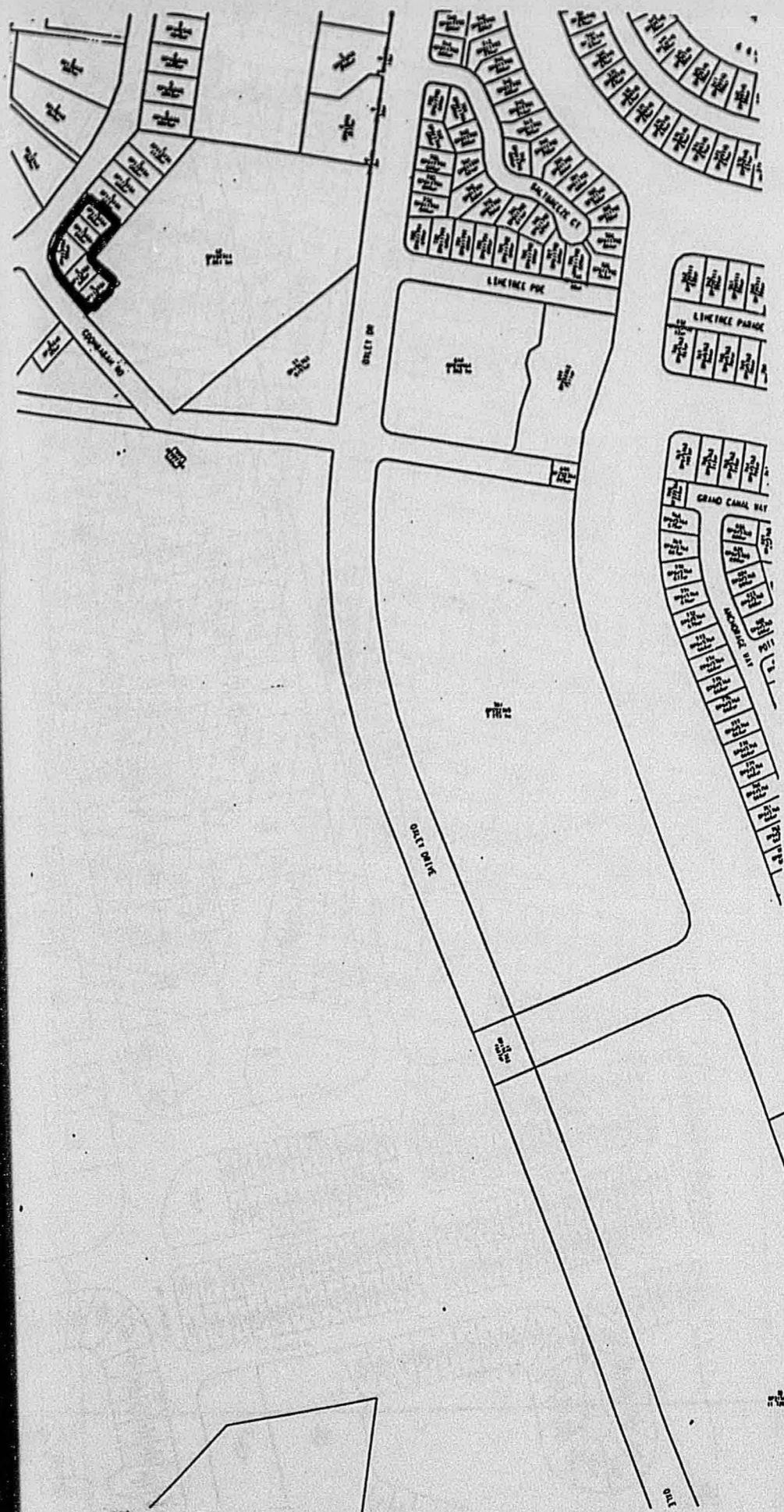
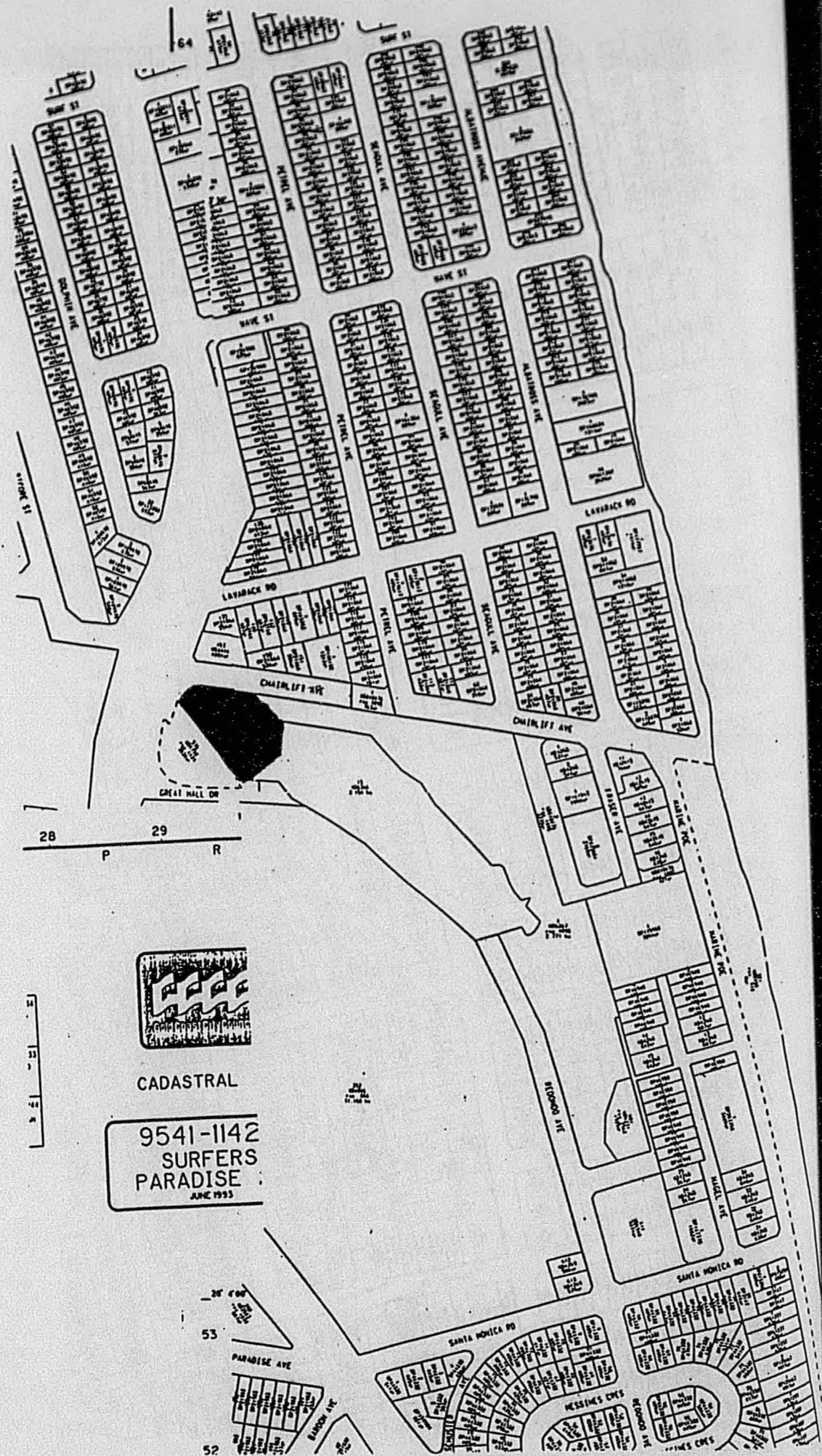
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| GOLD COAST CITY COUNCIL PLANNING AND DEVELOPMENT DEPARTMENT | RESIDENTIAL DENSITY AND BUILDING HEIGHT AS SHOWN ON GAZETTED MAPS - SOUTHPORT 13, 24, 31 & 42. | DRAWN TP | DATE 9-3-93 |
| | | APPROVED AH | FILE REF. 663/94/24 |
| MAP SHEET BORDER | | PLAN NO. STP1180 | |

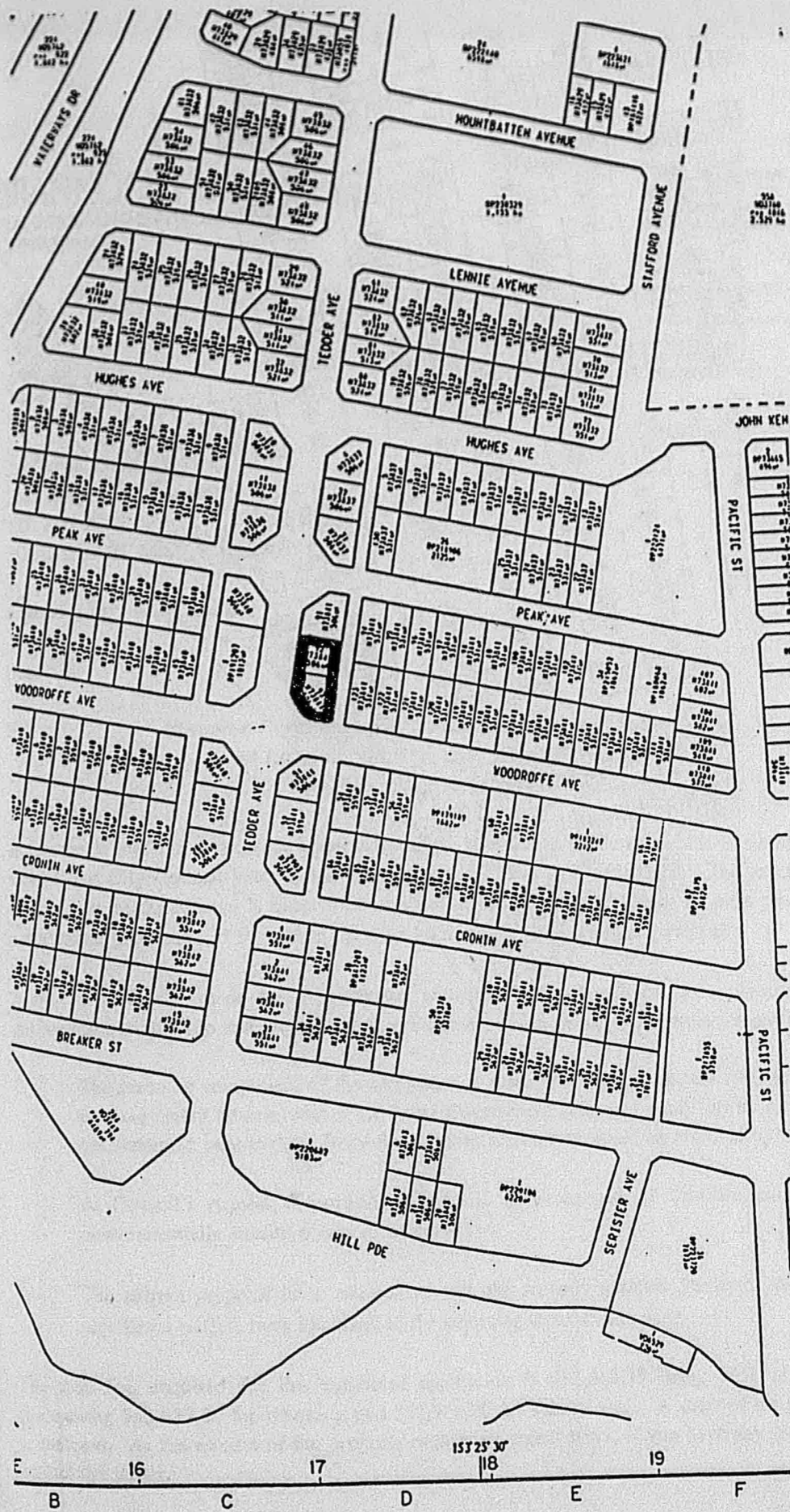
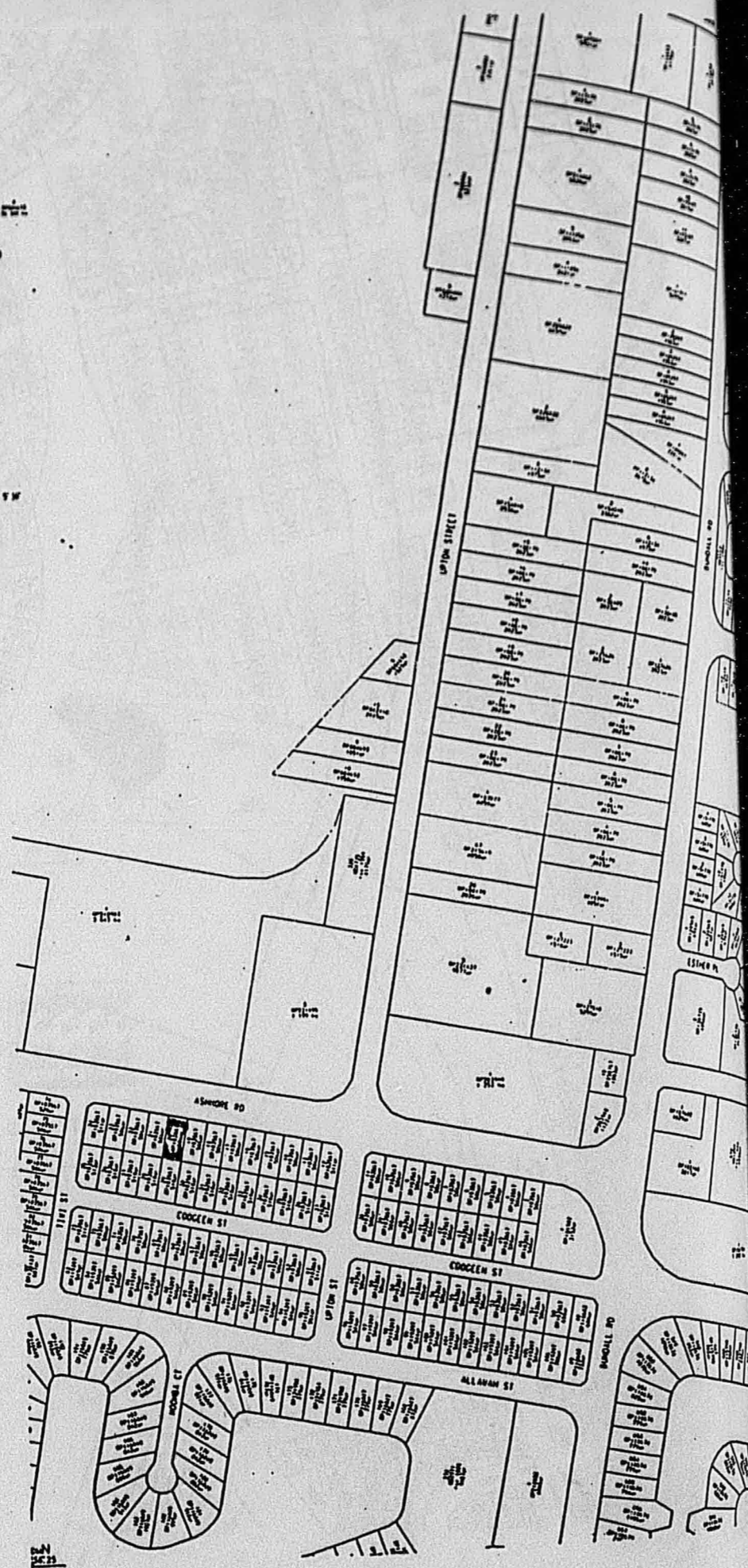


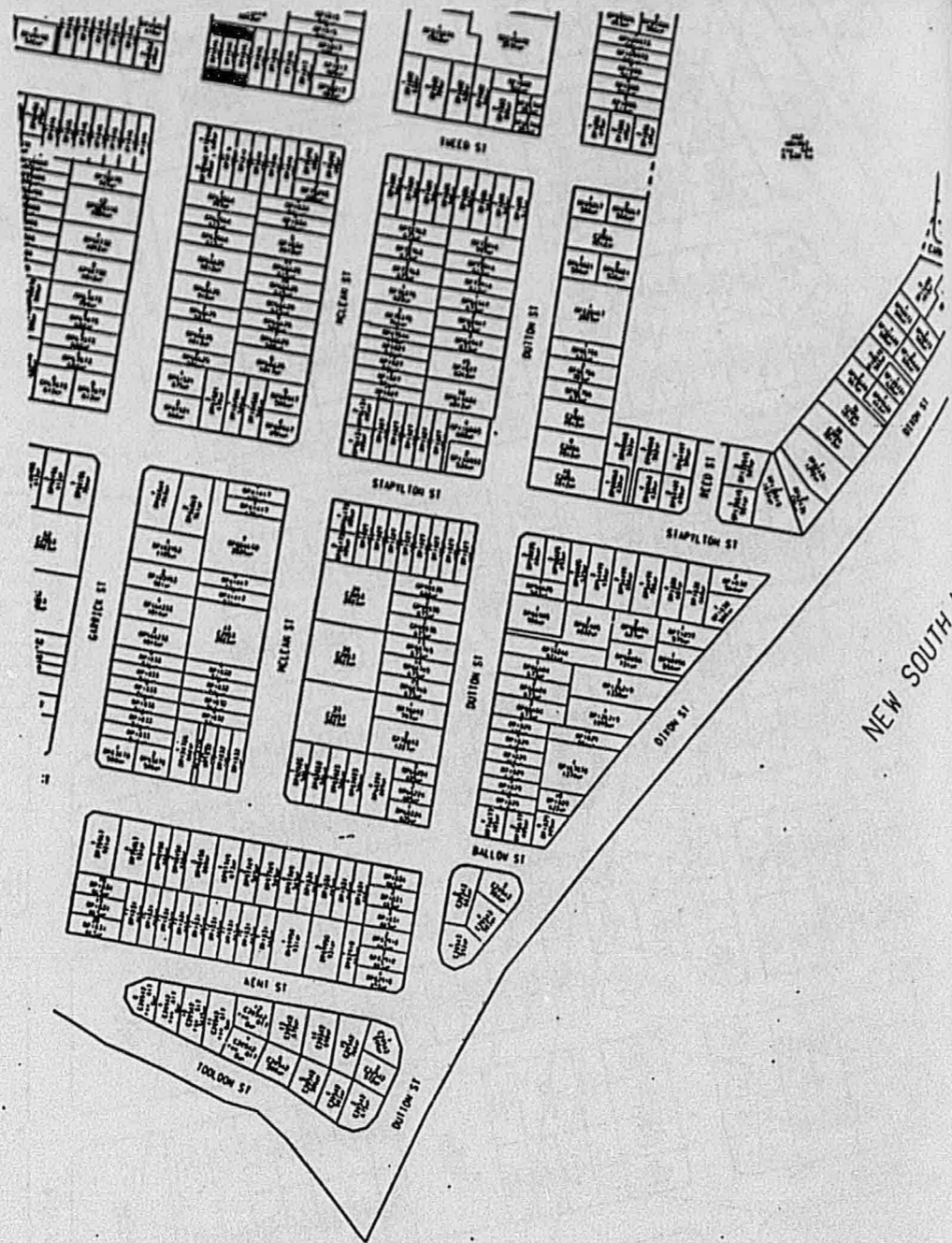
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| GOLD COAST CITY COUNCIL PLANNING AND DEVELOPMENT DEPARTMENT | PROPOSED RESIDENTIAL DENSITY AND BUILDING HEIGHT AMENDMENT ON MAP - SOUTHPORT 13 | DRAWN TP | DATE 9-3-93 |
| | | APPROVED AH | FILE REF. 663/94/24 |
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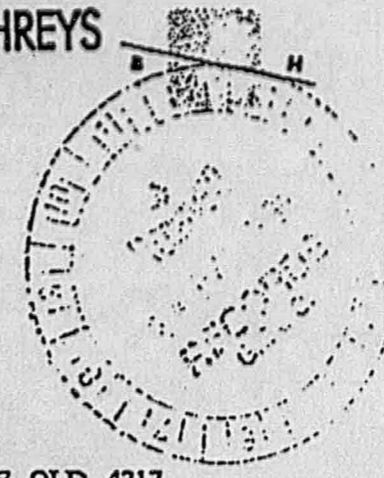








BRANNOCK HUMPHREYS
 PLANNING AND ENVIRONMENT
 CONSULTANTS



LEVEL 9, 380 QUEEN STREET
 BRISBANE 4000
 TELEPHONE 07 221 8833
 FACSIMILE 07 221 0278

DIRECTORS:
 JEFF HUMPHREYS
 BRTP (PLANN) BA MRAPL (GTP)(Q)
 JOHN BRANNOCK
 MRUP (M&E) BA MRAPL (GTP)(Q)

ASSOCIATE:
 DAVID PERKINS
 BRTP MRAPL (GTP)(Q)

24 March 1994

The Town Clerk,
 Gold Coast City Council,
 P.O. Box 5042,
 GOLD COAST MAIL CENTRE QLD 4217

Attention: Mr. W.P. Daniel

94-029

665 93 27
 201179

Dear Sir,

RE: **Proposed Combined Application (Rezoning and Subdivision)
 of Land at 350, 352, 354, 360, 380, 382 and
 390 Pine Ridge Road, Coombabah**

Reference is made to a rezoning approval over the above described land, which totals 23.355 ha, by Gold Coast City Council letter dated 15th September, 1993 (Ref 663/93/27). The approval was for rezoning to the Residential B zone to allow a unit density of a maximum of 25 units per net hectare, a maximum population of 50 persons per net hectare and 3,150 persons for the site.

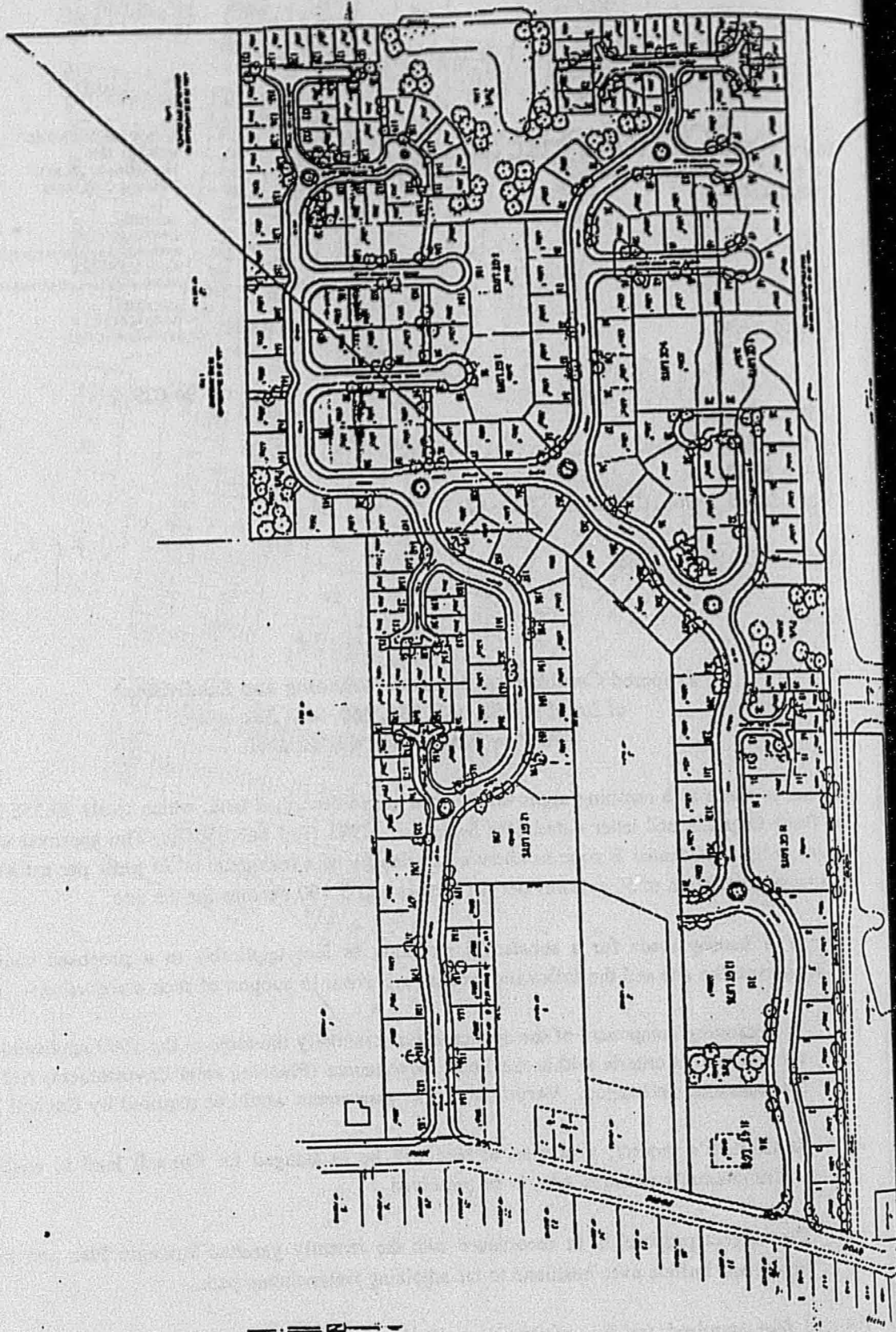
A request is hereby made for a substantial reduction in fees applicable to a proposed combined application over the site and the following grounds are given in support of such a reduction:-

1. The rezoning component of the application is essentially the same as the 1993 application and the assessment criteria within the Local Government (Planning and Environment) Act 1990 has remained unchanged. Very little further assessment would be required by Council.
2. At Council's request, a portion of land will be exchanged for Council land to enable an environmentally sensitive area to be preserved.
3. The subject proposal is in accordance with the recently gazetted Strategic Plan and retains significant buffers over bushland to the adjoining water-theme park.

The total fees required for the combined application is \$83,308.13 being 75% of \$111,077.50 (comprising \$58,337.50 for rezoning and \$25,240.00 for subdivision). A copy of the proposed plan is enclosed. As the owners of the property require an urgent reply, if you have any questions please contact the writer.

Yours faithfully,
BRANNOCK HUMPHREYS
 PLANNING AND ENVIRONMENT CONSULTANTS

John Brannock
 JOHN BRANNOCK



Keller Fox & McKee Pty Ltd
 LANDSCAPE ARCHITECTS
 100/101 QUEEN STREET
 MELBOURNE VIC 3000
 PHONE 03 9637 1111
 FAX 03 9637 1112
 EMAIL kfm@kfm.com.au
 WEBSITE www.kfm.com.au

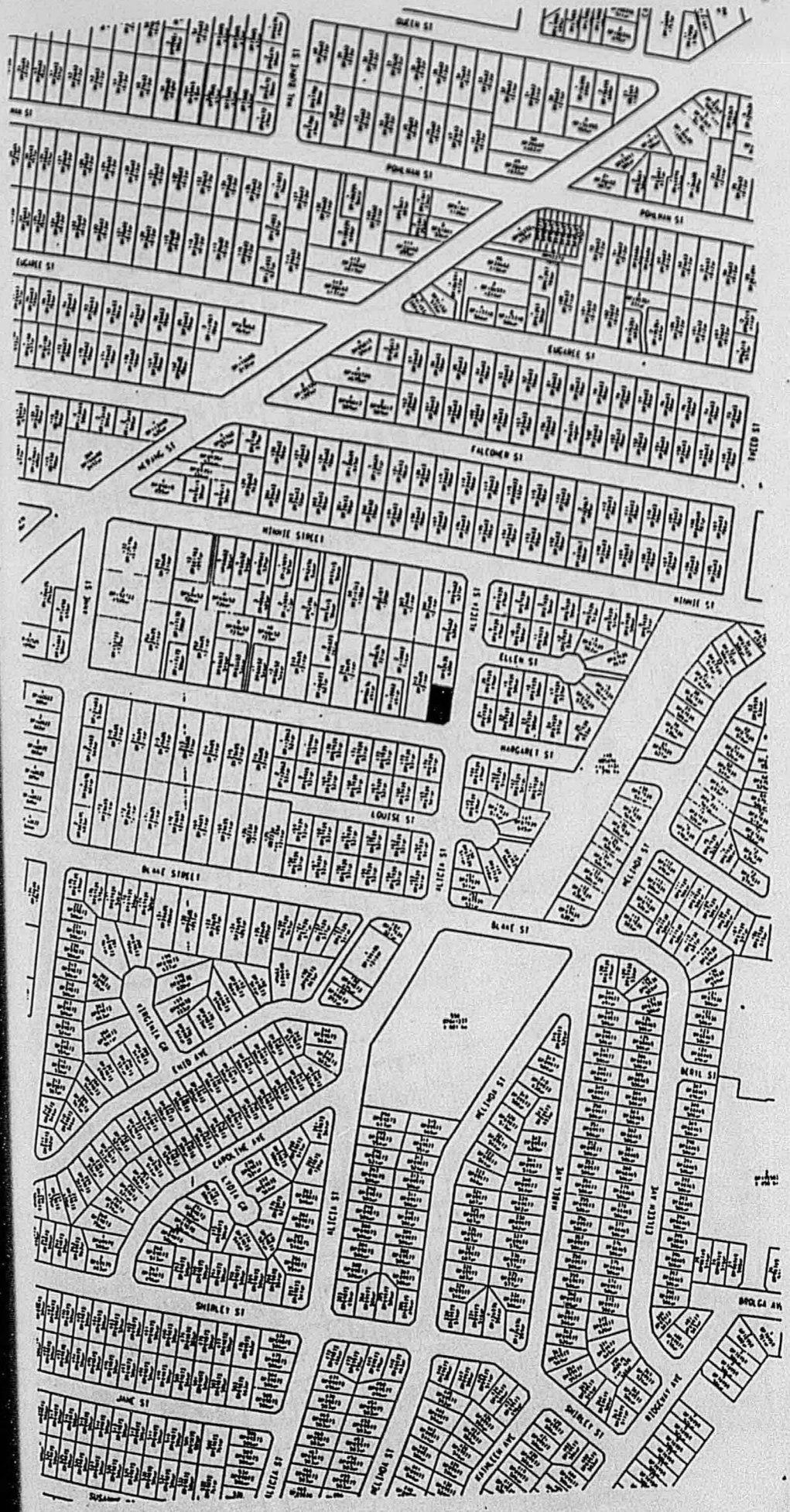


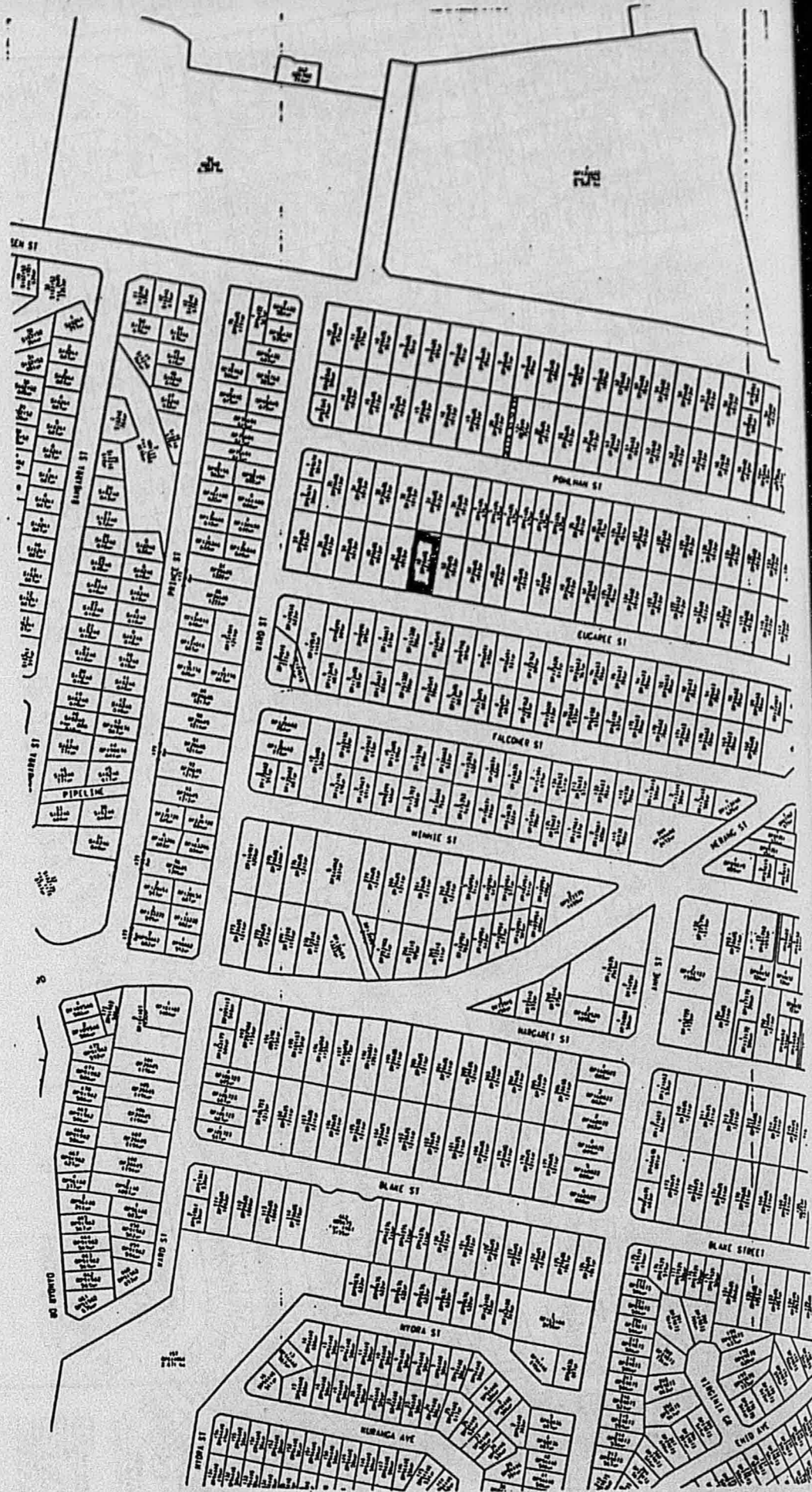
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- CAMP SITE
- DUNE
- SPECIAL RESIDENTIAL

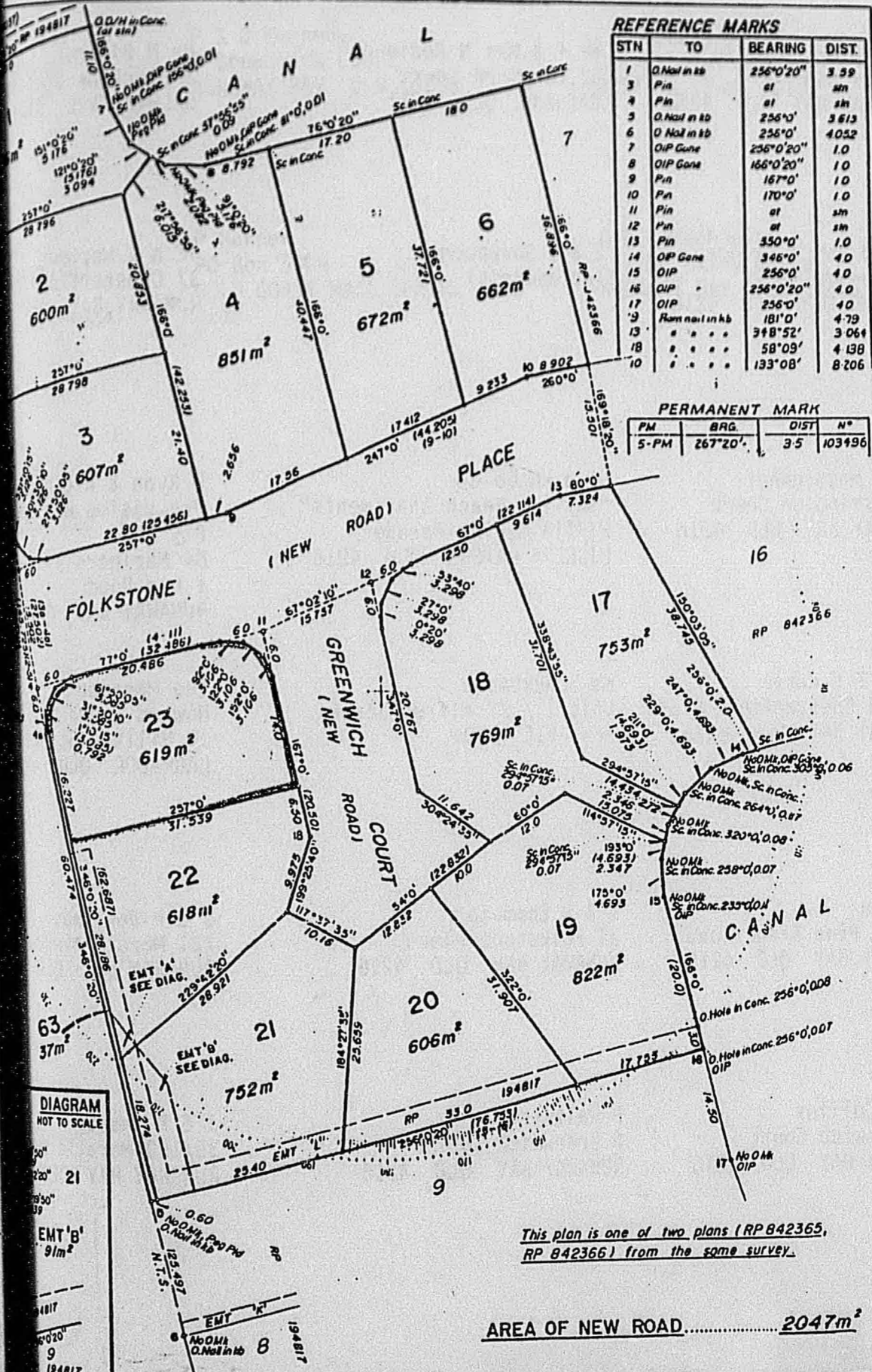
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NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 2. ALL DISTANCES ARE TO THE CENTRE OF THE ROAD UNLESS OTHERWISE SPECIFIED.
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WARNING - PLAN MAY BE ROLLED - A FOLDED OR MUTILATED PLAN WILL NOT BE ACCEPTED



842365

PLAN MUST BE DRAWN WITHIN BLACK LINES

FILE 665/191/16

842365 Summit & Bennett 91.196

DIAGRAM NOT TO SCALE

This plan is one of two plans (RP 842365, RP 842366) from the same survey.

AREA OF NEW ROAD.....2047m²

PLAN OF Lots 1 - 6 & Lots 17 - 23 & Lot 63
 & Proposed Easement 'A' in Lot 22
 & Proposed Easement 'B' in Lot 21

PARISH COUNTY BARROW
 TOWNLOCALITY Ward

271731

V052

(VIDE ITEM

Mr T Thornton
Terry Thornton & Company Pty Ltd
PO Box 154
SOUTHPORT QLD 4215

Mr Y Seki
C/- J F Connors &
Solicitors & Attor
PO Box 1446
SOUTHPORT QLD 42

Mr W & Mrs D McKie
PO Box 554
RUNAWAY BAY QLD 4216

Mr F & Mrs N Rodionov
31 Longmorn Court
CARRARA QLD 4211

Dr M Pietryk
2 Linckens Crescen
BALWYN VIC 3103

Close
NSW 2281

Mr N & Mrs K Prince
32 Nirvana Court
RUNAWAY BAY QLD 4216

E & I Sorensen
(no address)

JE & L Mertens
37 Chesterfield Pt
RUNAWAY BAY QLD

Limited
QLD 4064

E & J Massignani
26 Carrington Court
RUNAWAY BAY QLD 4216

RE & LH Gold
"Bayview Beach Apartments"
21/418 Marine Parade
BIGGERA WATERS QLD 4216

P Ryan & R Landon
Pro Vision Busines
Pty Ltd
84 Mariners Villag
1 Lee Road
RUNAWAY BAY QLD

son
Street
ERS QLD 4216

K E & T N Cater
Lot 44 Chesterfield Place
RUNAWAY BAY QLD 4216

Ms S Huxtable
Unit 1 / 77 Alfred Street
KEW VIC 3101

The Manager
Howard Homes Pty L
19 Hilltop Street
LABRADOR QLD 42

Mr E Wu
43/469 Pine Ridge Road
RUNAWAY BAY QLD 4216

A & K Enomoto
11 Folkstone Place
RUNAWAY BAY QLD 4216

G & P Rowlands
121 Morala Avenue
RUNAWAY BAY QLD

S & S Collins
3 Greenwich Court
RUNAWAY BAY QLD 4216

P Walters
6 Greenwich Court
RUNAWAY BAY QLD 4216

J & P Jessop
35/100 Moralla Av
RUNAWAY BAY QLD

V053

271732
(VIDE ITEM NO 35)

J & K Anderson
11/17 Parr Street
BIGGERA WATERS QLD 4216

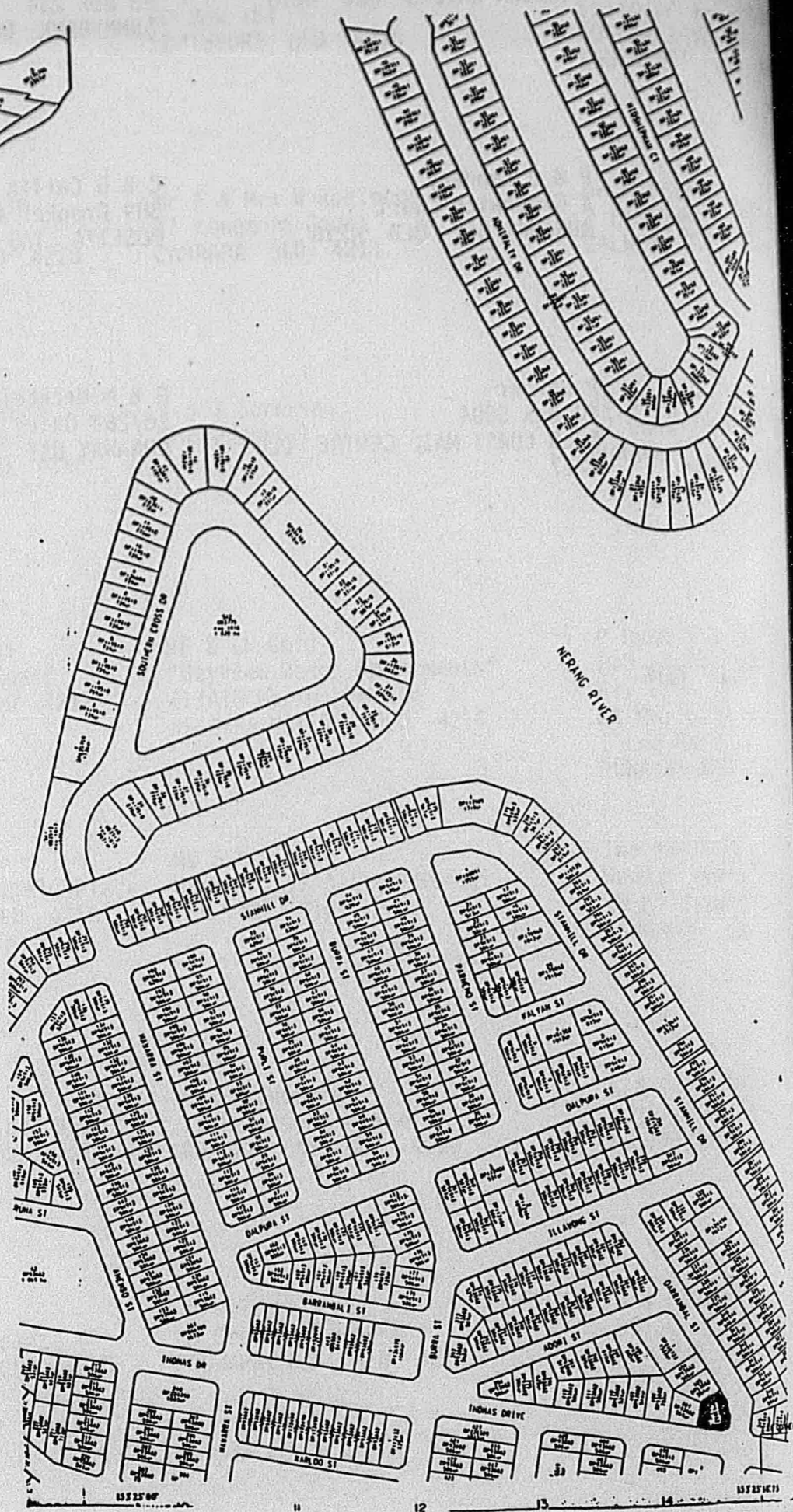
The Director
Allensons Pty Ltd
PO Box 234
SUNNYBANK QLD 4109

P & J Kennedy
4 Greenwich Court
RUNAWAY BAY QLD 4216

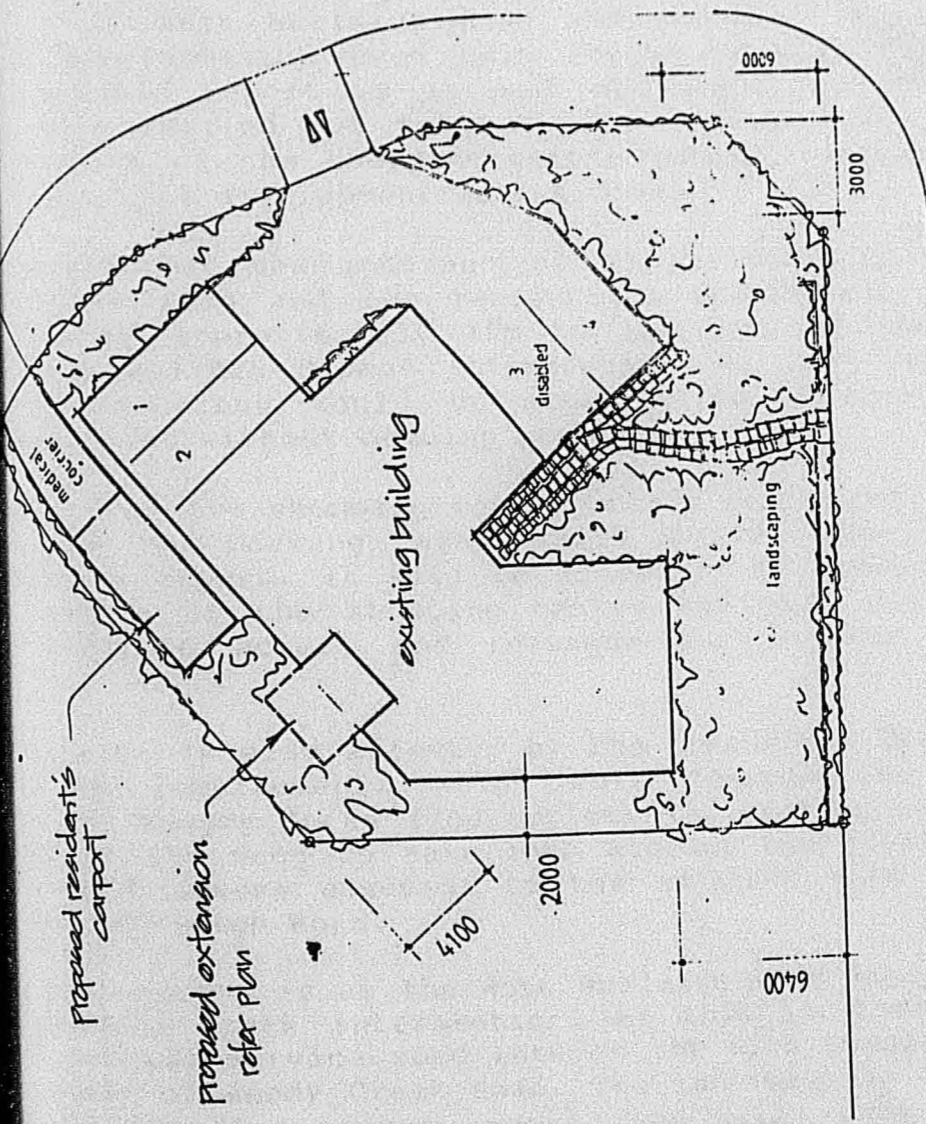
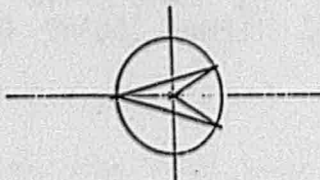
C & G Catlin
889 Brooker Avenue
ROSETTA TAS 7010

P Harper
PO Box 5904
GOLD COAST MAIL CENTRE QLD
4217

G & M Mechaelis
16/284 Oxley Drive
RUNAWAY BAY QLD 4216



PROPERTY DESCRIPTION
SWP 406 of FORTION 40
RP. 92892
PARISH OF NEPANG
COUNTY OF WARD
AREA 607 m².



THOMAS DRIVE

scale 1:
date MAR. 94
job no. JAE1

client McCLELLAND
project MEDICAL CENTRE
cnr. DARRAMBAL ST. and THOMAS DR.
CHEVRON ISLAND

A. AUBREY 21/05

PHONE and FACSIMILE
(075) 452547
57-59 ALONG TERRACE
ST. JARROLD S.A.

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and Associates



Dr E J Cominos
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12 Thomas Drive
CHEVRON ISLAND QLD

O Mazzei
8 Thomas Drive
CHEVRON ISLAND QLD 4217

Ms H Green
72 Thomas Drive
CHEVRON ISLAND QLD 4217

R & B Yensch
49 Stanhill Drive
CHEVRON ISLAND QLD

Ms L Woodruff
Podiatrist
C/- Thomas Drive Medical
Centre
Thomas Drive
CHEVRON ISLAND QLD 4217

G & S Box
142 Stanhill Drive
CHEVRON ISLAND QLD 4217

Mr J Carver
Paradise Realty
CHEVRON ISLAND QLD

Gold Coast 24 Hour
Medical Centre
3221 Gold Coast Highway
SURFERS PARADISE QLD
4217

PLANNING & DEVELOPMENT AGENDA ITEM

BURLEIGH WEST SHOPPING CENTRE, WEST BURLEIGH
ROAD - PROPOSED EXPANSION.

818/094/022

OFFICER: TRAFFIC ENGINEER (IM)(8.4.94)

This report should be read in conjunction with the reports on
the adjacent proposed residential development on file
818/076.

The proposal is to redevelop the shopping centre and increase
the total use area from 12811 sq.m. to 23732 sq.m. and expand
the retail showroom. A traffic report, prepared by Brameld
& Partners, was submitted in support of the application.

The negotiations with Roger Brameld and Sinclair Knight,
consultant for the adjacent residential development, have
been directed to overcoming future access problems at the
intersection of West Burleigh Road and Tabilban Street, at
which both developments would gain access to West Burleigh
Road. The Brameld report is in part superseded by the work
which has been carried out to produce a satisfactory layout
at the junction of the shopping centre northern access road
and the residential development access road.

It is proposed that the intersection of the shopping centre
northern access road and the residential development access
road be located approximately 80m to the west of the West
Burleigh Road/Tabilban Street intersection. At this location
the two intersections would be expected to operate at a
grade level without queuing problems.

The location of the shopping centre access road junction has
been determined upon the parking layout (3499 SK-20B) submitted in
the consultants report. It will be necessary to redesign the
northern section of the shopping centre car park to comply
with the modified access and reassess the parking spaces
available.

The parking area is also affected by the Queensland Transport
widening requirements which cuts through the drive
way at the Hungry Jacks food outlet. The parking area may
be affected by the need to take into account the possibility
of a reciprocal access easement to the adjacent site to the
west of West Burleigh Road.

The site access is at the West Burleigh Road/Reedy Creek
and Lebudgera Creek intersection. At this location there
is a short two-way service road between the site boundary and
the driveway of Reedy Creek Road. The intersection of this
road and the shopping centre access road will require some
channelisation to improve the shopping centre approach
and traffic signals.

for the centre. It was suggested that a Taxi lay-by could be provided on the site in front of the shops. At this stage it not proposed to provide a bus stop within the site although this could be looked at later.

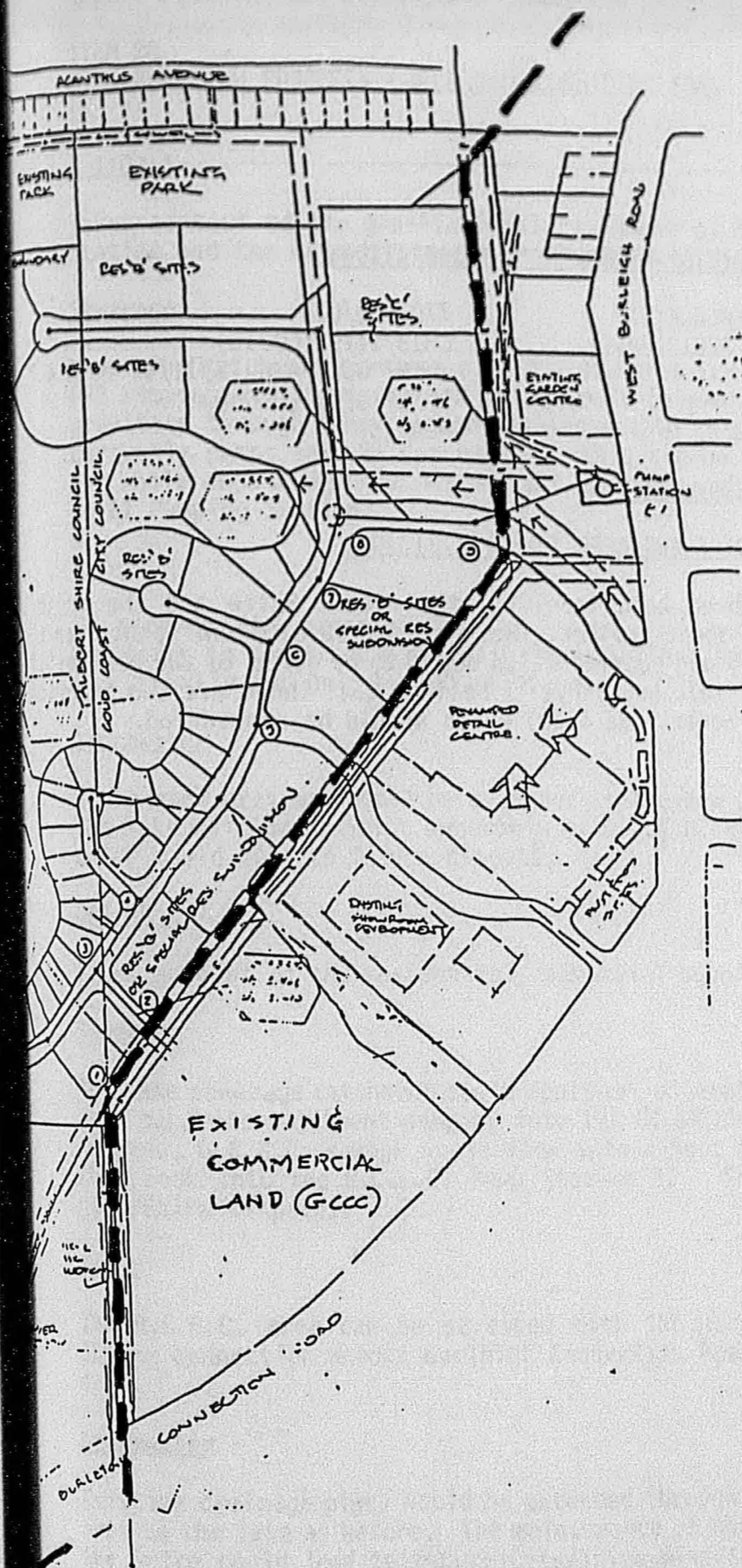
The consultant carried out a car parking accumulation survey on Thursday afternoon, 9 December 1993 and Saturday morning, 11 December 1993. The peak accumulation occurred on the Saturday morning between 11.00am and 11.30 am. Using these results and surveys quoted at other coastal centres it was suggested that a parking supply of 5.8 spaces per 100 sq.m. However, I see no need to vary from Council's policy of 6 spaces per 100 sq.m.

It is not known whether or not the redevelopment of the shopping centre will precede the development of the adjacent residential development. Consequently both developments should be conditioned to provide road widening in West Burleigh Road (Tabilban Street to Tallebudgera Creek Road) for an additional traffic lane in each direction, including tapers and modifications to turn bays. The works are to be carried out to the satisfaction of the Director, Roads and Transport and the District Manager, Queensland Transport.

The car parking layout is to be designed in accordance with Planning Policy No.1 and the parking layout is to show how the proposed modification to the northern access road impacts upon the parking layout and parking supply. The parking layout is also to show the proposed modifications to the Hungry Jacks drive through.

The developer is to make a contribution to traffic management works in Tabilban Street if, in the opinion of the Director Roads and Transport, it becomes necessary to intervene to discourage through traffic from that street as a consequence of the additional development.

I.E.M.



OPTION 2
(AMENDED)

*** ITEM 28

WEST BURLEIGH PROJECTS - BOUNDARY CONSIDERATIONS

| | |
|----------------------|----------------------------------|
| FILE REFERENCE(S) | 770/002/003 |
| PREVIOUS DECISION(S) | CM13/11/92(C0015) |
| | JOINT GCCC/ASC 13/11/92 ITEM 4.7 |
| | CM15/10/93 (PD048) |
| VIDE ITEM(S) | PLAN(S) |

*** PREVIOUS AGENDA MATERIAL*** REFERENCE CHIEF ENGINEER (BMcG) (27/10/92)

Discussions have been held involving the Albert Shire and the project Consultants re the above project. The proposed development spans over the City/Shire boundary and consideration needs to be given to the possibility of achieving a sensible boundary. I believe that there are two practical boundary options (refer vide item) which should be considered.

Council Meeting 29 October, 1993
Report Planning and Development Committee Meeting 19 October, 1993

ITEM 28
WEST BURLEIGH PROJECTS - BOUNDARY CONSIDERATIONS

CONTINUED...

OPTION 1

Takes account of the gravitational catchment of the B1 Sewerage Pumping Station and the natural stormwater drainage of the site.

Sewerage

Under the catchment sewerage plan for the area it was always intended that B22 Pumping Station in Kortum Drive would be phased out and sewage would gravitate through the proposed development to the B1 Pumping Station (B22 currently pumps into B1 Catchment). This can be achieved with Option 1. The whole area within the new G.C.C.C. boundary of Option 1 will gravitate to B1 Pumping Station.

Water

To service the proposed G.C.C.C. area with water supply it will be necessary to construct a new main from Tabilban/Bunyip Streets as the area is currently fed only by 100 mm dia mains.

Stormwater

Stormwater drainage would be extended to the new Burleigh Lake extension. The lake will be in joint ownership of G.C.C.C. and Albert Shire Council, which could lead to future disputes.

OPTION 2

Takes account of the residential/commercial boundary of the development.

Sewerage

The same sewerage catchment could apply or, alternatively, B22 could remain as a separate catchment pumping into the B1 Catchment. If the former was adopted, G.C.C.C. sewage would flow into Albert Shire Council sewers and then back into the G.C.C.C. Pump Station B1. This could lead to future City/Shire disputes.

Water

The B.C.C.C. area can be serviced with the existing water mains plus a 150 mm connection across Burleigh Connection Road to boost flow into the area.

Stormwater

Existing drainage pipes would be extended through the Albert Shire Council area to the lake as before. The maintenance of the stormwater pipes within the Shire could lead to future City/Shire disputes.

ALBERT SHIRE SERVICES

In both options I understand that Albert Shire Council have some problems in servicing their area.

Council Meeting 29 October, 1993
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ITEM 28
WEST BURLEIGH PROJECTS - BOUNDARY CONSIDERATIONS

CONTINUED...

Sewerage

Under the current Sewerage Agreement all of the area west of the existing boundary is to be treated at the Merrimac Plant. Elanora plant has a limited site area and there is little scope for increasing the ultimate flow to Elanora beyond that which currently is designed to be treated there. In addition, the ultimate rising main from B1 to the tunnel at Skyline Terrace has been constructed and it would not be economically practical to install a third main over this route. It is therefore not practical to accept sewage from the whole development into B1 on a permanent basis.

I understand that Albert Shire Council do not have the trunk sewers installed to convey the sewage from the development to Merrimac at this point in time. G.C.C.C. may give consideration to allowing sewage from the whole development to be discharged into the B1 Catchment on a temporary basis for a fixed period (say 5 years). I do not recommend allowing the permanent connection of the whole development to B1 because it will limit G.C.C.C.'s future ability to service its own needs.

Water

Albert Shire Council have to extend watermains to the development and I understand there are some options available to them depending on where the future boundary lies.

In summary, this is a situation where trade-offs can be seen in terms of transfer of rating base in return for savings in capital and infrastructure costs.

Additionally, there are considerations of community interest and the need to avoid artificial segregation of population groups.

*** OFFICER RECOMMENDATION

It is recommended that Council agree in principle to the rationalising of boundaries and that the matter be referred to a Mutual Interest Meeting in an endeavour to obtain agreement in principle from the Albert Shire Council.

If such agreement were forthcoming, then the matter could be referred to a meeting of Officers so that a comprehensive report can be prepared for a future Mutual Interests Meeting.

COUNCIL DECISION CM13/11/92(C0015)

That action be taken in accordance with the recommendation.

JOINT GCCC/ASC 13/11/92 MIM ITEM 4.7 DECISION

That Option 2 be recorded as the preferred option and that the matter be referred to the respective Planning Committees for further action.

Council Meeting 29 October, 1993
Report Planning and Development Committee Meeting 19 October, 1993

ITEM 28
WEST BURLEIGH PROJECTS - BOUNDARY CONSIDERATIONS

CONTINUED...

*** CORRESPONDENCE COZENS REGAN PTY LTD (FOLIO 9338423) (23/09/93)

1. INTRODUCTION

(i) We refer to the Minutes of Joint Committee Meeting of 13 November 1992 (Item 4.7) and GCCC Coordination Committee Meeting 6 November 1992 (Item 15) refer Appendix A. Our subsequent discussions and meetings at officer level have culminated in general "without prejudice" technical agreement being resolved at the meeting at City Council Chambers on 23 July 1993 attended by Messrs John King, Brett Lawrence, Laurie Yakimoff and the writer. Subsequent recent advices from Mr Yakimoff have also been acknowledged.

(ii) Accordingly, on behalf of our client (Robina Planning Pty Ltd acting for Sanfam Pty Ltd) we submit for your consideration our proposal for City/Shire Boundary Adjustment and Services Infrastructure for the overall West Burleigh Project.

2. BOUNDARY CONSIDERATIONS

(i) The proposed Development Planning of the property is currently the subject of a detailed Environmental Impact Study as support data for the proposed Rezones (General Commercial to Part General Commercial/Part Residential in the City Area and Future Urban to Part Residential/Part Future Urban in the Shire Area).

(ii) Negotiations with Council Officers, State Planning and Environmental Officers and objectors to the original Rezoning Submission have resulted in certain modifications to the earlier Development Planning:-

(a) The Commercial land between the existing Shopping Centre and Besser factory will at this time be excluded from the new Rezone Submission. Accordingly, the proposed Boundary Adjustment will be amended to retain this portion of the property within the City Council limits.

(b) The Future Urban land immediately West of the Besser Factory and South of the Clark property will also, at this time, be excluded from the new Rezone Submission.

(iii) The balance of the Proposed Development is basically unchanged to the Concept Plans previously reviewed by the Joint Committee. Accordingly, the attached Proposed Boundary Amendment Plan (Appendix B) reflects the preferred Option 2 of the Joint Committee adjusted to accommodate Item 2(ii)(a) above. We understand that the preferred Option 2 was adopted in consideration of

Council Meeting 29 October, 1993
Report Planning and Development Committee Meeting 19 October, 1993

ITEM 28
WEST BURLEIGH PROJECTS - BOUNDARY CONSIDERATIONS

CONTINUED...

- (a) The convenient buffer/boundary offered by the GCCC Trunk Water Supply/SEQEB Easement.
- (b) The desirability for the Shire to maintain control of the Steven Lake System including revetment walling and lakefront allotments.
- (c) The need for the Shire to completed a dual Northern loop connection for trunk water mains.

3. SERVICES CONSIDERATIONS

- (i) Water Supply: The proposed Boundary Amendment provides a clean delineation for trunk and reticulation servicing of water supply by each Local Authority of their respected areas. It is understood that the Shire will require the extension of 225mm dia trunk mains to the North along both sides of the proposed lake which will service the residential development and upgrade servicing of the existing Northern catchment. We are advised that the City Council can readily amplify their service mains to accommodate any development in the Commercial land.
- (ii) Sewerage: The proposed Boundary Amendment unfortunately does not so neatly delineate practical sewerage catchments within the property. The direction of the "natural catchment" of the residential land on the Eastern side of the proposed lake to the City Council's Pump Station B1 will also enable the Council's desired gravity connection of the existing southern commercial catchment to be effected. Similarly, this proposed gravity line to Pump Station B1 can accept the future development of the balance of the currently zoned commercial land south of the existing shopping centre.

We understand that the cross-charging of servicing costs between the City and Shire for the resultant sewer linkage can be accommodated. We further understand that the Elanora Treatment Plant can accept the resultant Shire catchment (previously deemed to be City Council catchment). The balance residential sewer catchment (South and West of the Proposed Lake) will be pumped to the Western Bermuda Street Gravity Trunk Main as part of a servicing scheme for this development and adjoining property.

4. SUMMARY

We trust that the Joint Committee will favourably consider the proposed Boundary Amendments and Servicing Proposals such that this large scale "in-fill" development can be completed in a form complementary to the aspirations of both Local Authorities and economically viable to our Client. Please contact the writer should you require any attendance or additional information.

Council Meeting 29 October, 1993
Report Planning and Development Committee Meeting 19 October, 1993

ITEM 28
WEST BURLEIGH PROJECTS - BOUNDARY CONSIDERATIONS

CONTINUED...

*** REFERENCE SUPERVISING ENGINEER PLANNING AND DESIGN (JK) (30/07/93)

Cozens Regan, on behalf of Robina Planning Pty Ltd have modified their development plan between the existing shopping centre and the Besser factory on the Burleigh Connection Road from Residential back to Commercial (its current zoning) and have suggested that both Council's give consideration to the boundary proposal shown on Option 2 Amended (vide).

The proposal follows the same principle as the Option 2 preferred by both councils at the Mutual Interest Meeting viz it following the residential/commercial interface of the development.

It also follows the one chain wide water main easement which will double as a buffer between the two different zonings. From a community of interest point of view, the proposal is sound.

In respect to services, the following comments should be taken into consideration.

Water Supply The two Council areas can be adequately serviced independently. Gold Coast City Council should receive its normal Component 1 Water Headworks for the area which is currently within Gold Coast because Gold Coast will be providing the bulk water for the development via Albert.

Sewerage The two Council areas could be serviced independently depending on whether the Gold Coast commercial land is reshaped but this may not be the most cost effective method of sewerage the area. It would probably be more practical to gravitate the sewage from the Gold Coast Commercial area into the Albert residential area, and then to B1 Pumping Station in Gold Coast. As stated in the previous item, Gold Coast should only accept the natural gravity catchment into B1 Pumping Station on a permanent basis. Gold Coast City Council should receive its normal Component 1 and Component 2 Sewerage Headworks for the full catchment that gravitates to B1 pumping station and the Sewerage Agreement noted accordingly because Gold Coast will be providing the full infrastructure for the transport, treatment and disposal of sewage from the catchment.

Stormwater The existing stormwater drainage would be extended to the lake which would be totally under the control of Albert. Whilst this could lead to future disputes on the source of water quality complaints, it is no different to other catchments discharging into Albert's canal and lake systems.

*** REFERENCE DEPUTY PLANNING AND DEVELOPMENT MANAGER (RC) (08/10/93)

For the information of Council, the applicant has recently lodged a new rezoning application for the proposed development. This application includes an Environmental Impact Assessment.

It is understood that the applicant is seeking to commence earthworks on the site to enable the use of material as fill which is to be excavated from an adjoining site, which is located to the existing shopping centre. This matter should be considered by Council and details can be discussed at the Planning and Development Committee Meeting.

Council Meeting 29 October, 1993
Report Planning and Development Committee Meeting 19 October, 1993

ITEM 28
WEST BURLEIGH PROJECTS - BOUNDARY CONSIDERATIONS

CONTINUED...

*** OFFICER RECOMMENDATION

It is recommended that:

- (A) The amended proposal by Cozens Regan be considered for submission to the Mutual Interest Meeting.
- (B) That the matter of commencement of filling operations prior to the finalisation of the application by Council be considered by the Planning and Development Committee.
- (C) That Council note that this matter is listed for information and discussion prior to the next matters of mutual interest meeting to be held at Albert Shire Council which is due to be held on 13th October, 1993.

COUNCIL DECISION CM15/10/93 (PD048)

No approvals for earthworks be granted until the rezoning application is considered by Council and this matter be listed at the next Matters of Mutual Interest meeting with Albert Shire Council.

*** CURRENT AGENDA MATERIAL

*** REFERENCE DEPUTY PLANNING & DEVELOPMENT MANAGER (RC) (18/10/93)

*** OFFICER RECOMMENDATION

It is recommended that this matter be discussed at the Planning and Development Committee meeting.

*** RECOMMENDATION

- (A) Council note that discussions were held by the Planning & Development Committee.
- (B) That the proposed on-site excavation of part of the land known as West Burleigh Shopping Centre and partial filling of the adjoining land described as Lot 1 on Registered Plan 174866 and part of land contained within Albert Shire be approved subject to:
 - (1) Compliance with Council's Standard Filling Conditions to the satisfaction of the Chief Engineer.
 - (2) Compliance with any relevant requirements of the Albert Shire Council.

