

Council Meeting 21 October 1994
Report of Planning & Development Committee Meeting 18 October 1994

*** ITEM 47

CM21/10/94(PD047)

TEAM 4 - SUBDIVISION APPLICATION - "SURFERS PINE CREST" - 27 PINE AVENUE SURFERS PARADISE

FILE REFERENCE(S) VIDE ITEM(S)	:	06-02277-0000-1 MAP(S)
PROJECT NAME	:	SURFERS PINE CREST
LOCATION OF SITE	:	27 PINE AVENUE SURFERS PARADISE
REAL PROPERTY DESCRIPTION	:	LOT 26 ON REGISTERED PLAN 70060 PARISH OF GILSTON COUNTY OF WARD
OWNER	:	SOUTHERN PACIFIC DEVELOPMENT PTY LTD
APPLICANT	:	BENNETT & BENNETT
PROPOSED DEVELOPMENT	:	GROUP TITLE SUBDIVISION - DUPLEX
DEFINED USE	:	DUPLEX DWELLING
SITE AREA	:	539 SQUARE METRES
ZONING OF THE LAND	:	RESIDENTIAL DUPLEX DWELLING
BUILDING HEIGHT	:	TWO (2) STOREY

*** CURRENT AGENDA MATERIAL*** CORRESPONDENCE BENNETT & BENNETT (FOLIO 9436112) (13/09/94)

I refer to the above matter and our previous discussion of February this year. At that time you gave verbal advice that a Group Titles Plan with an area of common property limited to the actual common area (ie entry way only) would be acceptable to your Council.

On the basis of that advice contractual drawings for the proposed development have been prepared.

As Council's policy/procedures regarding developments such as this, now appear to have changed, we seek written approval that the proposed boundaries, as shown on the attached sketch, will be acceptable.

The building is nearing completion and our client is eager to have the plan sealed and registered.

Your response as soon as possible would be greatly appreciated.

*** REFERENCE PLANNING OFFICER (SF) (TEAM 4) (07/10/94)

An application has been made to subdivide by group title subdivision an existing dwelling.

The subject property is included in the Residential Duplex Dwelling Zone and subject to compliance with Scheme provisions and the Building Act a duplex dwelling is an as of right development.

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Prior to gazettal of the current Town Plan (11 February 1994) a proposal to group title a duplex dwelling was required to comply with the provisions of Policy 39 - Requirements for the Group Title of Duplex Dwellings. The proposal does not meet these requirements.

GROUP TITLES SUBDIVISION

16.2.5.1 which relates to the provision in respect of Group Titles Subdivision requires that

"All landscaped open space, landscaped setbacks to frontages and buffer areas required in accordance with this Planning Scheme, excluding private landscaped courtyards shall be included within the common property.

Provided that the Planning and Development Manager may relax this provision for other than landscaped open space required to be available for the use of all residents of a development or required to be provided as communal open space and having regard to:

- (i) the proposed use of the lot within which the landscaped open space or buffer area is proposed to be incorporated; and
- (ii) the amount of landscaped open space or buffer area to be provided on the land; and
- (iii) the purpose of Clause 16.2.5.

16.2.5.2 All landscaping within common property shall comply, with the necessary changes, with the provisions of Section 13.12 to the satisfaction of the Director Development & Environment Planning."

No provision has been made for the setback area to be common property.

The proposal is to subdivide the site into two lots of 269m². Provision has been made for a minimum 40m² of private open space at the rear of each unit with additional space along the side boundaries.

The development has been designed with a dividing fence between the lots to the front property boundary and for security reasons the developer does not wish a six metre setback area to be common property.

Having regard to the proposed 269 m² per lot and to the architectural merit of the development approval of the group title subdivision is considered warranted.

*** OFFICER RECOMMENDATION

It is recommended that the applicant be advised that approval is granted for the group title subdivision of the duplex dwelling.

*** RECOMMENDATION

That the recommendation of the Planning Officer be adopted.

GOLD COAST CITY COUNCIL

REPORT OF PLANNING & DEVELOPMENT COMMITTEE MEETING HELD IN THE COMMITTEE ROOM ON TUESDAY 11 OCTOBER 1994, COMMENCED 9:30AM FINISHED 11:05PM

PRESENT

His Worship the Mayor Councillor G J Baidon, Councillors D I McDonald (Acting Chairperson), D M Crichlow and K T Smith

IN ATTENDANCE

Messrs N Hodges (Director Development & Environment Planning), J W Lamb (Development Coordination Manager), W D Daniel (Planning Officer) (Part)

APOLOGIES

Councillor J A Sciacca

CLOSED MEETINGS

376. A meeting is open to the public unless the local government or committee has resolved that the meeting be closed under section 377 (Closed meetings).
- 377.(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss -
- (a) the appointment, dismissal or discipline of employees; or
 - (b) industrial matters affecting employees; or
 - (c) the local government's budget; or
 - (d) rating concessions; or
 - (e) contracts proposed to be made by it; or
 - (f) starting or defending legal proceedings involving it; or
 - (g) any action to be taken by the local government under the Local Government (Planning and Environment) Act 1990, including deciding applications made to it under the Act; or
 - (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.
- (2) A resolution that a meeting be closed must specify the nature of the matters to be considered while the meeting is closed.
- (3) A local government or committee must not make a resolution (other than a procedural resolution) in a closed meeting.

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*** ITEM 48

CM21/10/94(PD048)

TEAM 5 - DELEGATED AUTHORITY - APPLICATION FOR CARETAKER'S RESIDENCE AT 18-20 PHILIPPINE PARADE, PALM BEACH

FILE REFERENCE(S)	:	821/094/020
PROJECT ADDRESS	:	18-20 PHILIPPINE PARADE, PALM BEACH
REAL PROPERTY DESCRIPTION	:	LOT 302 AND 303 ON REGISTERED PLAN 86965
OWNER	:	COLLEEN JUANITA KRONK AND KEITH WILLIAM EDWARDS
APPLICANT	:	COLLEEN JUANITA KRONK AND KEITH WILLIAM EDWARDS
PROPOSED DEVELOPMENT	:	CARETAKER'S RESIDENCE
SITE AREA	:	404 SQUARE METRES
ZONING OF THE LAND	:	LOCAL SHOPPING

*** CURRENT AGENDA MATERIAL

*** REFERENCE PLANNING OFFICER (WPD) (TEAM 5) (26/09/94)

*** OFFICER RECOMMENDATION

It is recommended that Council note a meeting has been arranged between the applicant's representatives and the Planning and Development Committee. This meeting has been arranged for Tuesday 11 October 1994.

*** RECOMMENDATION

- (A) That Council note a meeting was held between the Planning & Development Committee and the applicant on Tuesday 11 October 1994.
- (B) That the Director Development & Environment Planning arrange for a report to be brought forward on the alternative proposals.

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*** ITEM 49

CM21/10/94(PD049)

TEAM 5 - PART CLOSURE OF TABILBAN STREET BURLEIGH HEADS

FILE REFERENCE (S) VIDE ITEM(S)	739/020/001 PLAN (S)
REAL PROPERTY DESCRIPTION	: ADJOINING NORTHERN BOUNDARY OF LOT 102 ON REGISTERED PLAN 28407 AND A PART OF NORTHERN BOUNDARY OF LOT 91 ON REGISTERED PLAN 28407
APPLICANT ADDRESS	: EDWIN DAVID TINDALL-MATHER ADJOINING LOT 102 TABILBAN STREET BURLEIGH HEADS
PROPOSAL	: CLOSE PART OF TABILBAN STREET BURLEIGH HEADS

*** REFERENCE ENGINEER (TEAM 5) (MV) (16/09/94)

Council has received notification from the Department of Lands dated 17 August 1994 of an application by Mr E D Tindall-Mather to permanently close part of Tabilban Street Burleigh Heads as shown on the attached Vide Item Plan GDC/000694.

The proposed road closure area (approximately 802m²) adjoins the northern boundary of Lot 102 on Registered Plan 28407 and a part of northern boundary of Lot 91 on Registered Plan 28407.

This area of road presently forms part of a park reserve and contains a noticeable number of considerable size trees. (Photograph on file).

The only Council service within the road closure area is a 300mm water main pipe which is located within the Road Reserve approximately 2.00 metres from the northern boundary of Lot 102 on Registered Plan 28407.

*** OFFICER RECOMMENDATION

It is recommended that

- (A) Council objects to the proposed road closure application to the Department of Lands by E.D. Tindall-Mather to permanently close part of Tabilban Street Burleigh Heads, as shown on drawing GDC/000694, for the following reasons:
- (1) The area of proposed road closure presently forms part of an adjoining park and contains a noticeable number of established trees (Please see photograph)
 - (2) There is a Council water main pipe line traversing the entire length of the proposed area approximately 2 metres off the northern boundary of Lot 102 on Registered Plan 28407. Access to this pipeline for maintenance purposes is required.

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TEAM 5 - PART CLOSURE OF TABILBAN STREET BURLEIGH HEADS

- (3) Because of topography of this portion of Tabilban Road it has the potential to be developed. Therefore closing this part of the road would inconvenience local residents wishing to use it as a public access.

(B) The Department of Lands be advised of the Council decision in this regard.

*** RECOMMENDATION

That the recommendation of the Engineer be adopted.

*** ITEM 50

CM21/10/94(PD050)

TEAM 5 - CLOSURE OF PART OF GREAT HALL DRIVE MIAMI

FILE REFERENCE(S) VIDE ITEM(S)	739/007/057 PLAN(S)
REAL PROPERTY DESCRIPTION	: ADJOINING PART OF THE SOUTHWESTERN BOUNDARY OF LOT 2 ON REGISTERED PLAN 854949 AND PART OF THE NORTHERN BOUNDARY OF LOT 252 ON PLAN WD 4006
APPLICANT	: LAUREATE AUSTRALIA PTY LTD
ADDRESS	: ADJOINING LOT 2 GREAT HALL DRIVE MIAMI
PROPOSAL	: CLOSE PART OF GREAT HALL DRIVE MIAMI

*** REFERENCE ENGINEER (TEAM 5) (MV) (16/09/94)

Council has received notification from the Department of Lands dated 17 August 1994 of an application by Laureate Australia Pty Ltd to permanently close the end part of the Great Hall Drive Miami, as shown on the attached Vide Item plan GDC.000769.

The proposed road closure area (approximately 28m²) presently forms part of the dead end of the Great Hall Drive with no particular use, and no trees. There is no Council underground services in the proposed area either.

Treasure and Associates Consulting Surveyors acting on behalf of the applicant have advised that constructing a turning circle at the end of the Great Hall drive and providing refuse collection area for the new development project are the main purposes of the proposed road closure.

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TEAM 5 - CLOSURE OF PART OF GREAT HALL DRIVE MIAMI

The Consulting Surveyors have also shown on the attached Vide Item plan of the round about that the developer is prepared to dedicate a part of land of Lot 2 on Registered Plan 854949 to form a turning circle in order to facilitate turning traffic at the end of the Great Hall Drive (copy of plan Vide Item).

*** OFFICER RECOMMENDATION

It is recommended that:

- (A) Council does not object to the proposed road closure application to the Department of Lands by Laureate Australia Pty Ltd to permanently close part of the Great Hall Drive, Miami, as shown on drawing GDC.000769, provided the following condition is fulfilled.
- (1) The applicants prepare constructional drawings of proposed new round about complying with Council's requirements and construct the said round about at their own expense.
- (B) The Department of Lands be advised of the Council decision in this matter.

*** RECOMMENDATION

That the recommendation of the Engineer be adopted.

*** ITEM 51

CM21/10/94(PD051)

TEAM 5 - UNFENCED SWIMMING POOL AT 4 NANGANA STREET TUGUN - WATT

FILE REFERENCE(S)	12-03478-0000-2
LOCATION OF SITE	: 4 NANGANA STREET TUGUN
REAL PROPERTY DESCRIPTION	: L388 RP96898
OWNER	: GARY AND DENISE WATT

*** CURRENT AGENDA MATERIAL*** REFERENCE BUILDING SURVEYOR (PB) (TEAM 5) (01/10/94)

A written complaint was received concerning an unfenced swimming pool at 4 Nangana Street Tugun.

An external inspection of the property revealed that the pool is located in the rear yard behind the residence. The pool was erected in 1973 and is an existing pool as defined

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TEAM 5 - UNFENCED SWIMMING POOL AT 4 NANGANA STREET TUGUN - WATT

under Part 4B of the Local Government Act and Council has no record of any inspections requested since the pool fencing law came into force.

The pool is fenced to the rear and both side boundaries with concrete breeze blocks which are easily climbed and do not comply with the requirements of Part 4B swimming pool laws. (Photographs on file).

A letter advising the owner that Council has been made aware of the unfenced pool and of their obligation pursuant to Part 4B of the Local Government Act was mailed prior to preparation of this item.

*** OFFICER RECOMMENDATION

It is recommended that the owners be given an opportunity to "show cause" why notice should not be served on them to bring the swimming pool fencing into compliance with Part 4B of the Local Government Act within a specified time.

*** RECOMMENDATION

That the recommendation of the Building Surveyor be adopted.

*** ITEM 52

CM21/10/94(PD052)

TEAM 5 - APPLICATION FOR TOWN PLANNING CONSENT FOR AN EXTENSION TO AN EXISTING INDOOR RECREATION (TUGUN BOWLS CLUBHOUSE) - 10 STATION STREET TUGUN

FILE REFERENCE(S)	818/094/097
APPLICATION NUMBER	818094097
PREVIOUS DECISION(S)	CM09/09/94(PD000)
PROJECT NAME	: TUGUN BOWLS CLUB
LOCATION OF SITE	: 10 Station STREET TUGUN
REAL PROPERTY DESCRIPTION	: LOT 2 ON REGISTERED PLAN 96896 PARISH OF TALLEBUDGERA COUNTY, OF WARD
OWNER	: GOLD COAST CITY COUNCIL
APPLICANT	: TUGUN BOWLS CLUB INC
SITE AREA	: 9,860 SQUARE METRES
ZONING OF THE LAND - EXISTING	: PUBLIC OPEN SPACE - GENERAL
PROPOSED DEVELOPMENT	: FOUR STAGED EXTENSION TO THE TUGUN BOWLS CLUBHOUSE
DEFINED USE	: INDOOR RECREATION

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**TEAM 5 - APPLICATION FOR TOWN PLANNING CONSENT FOR AN EXTENSION TO
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STREET TUGUN**

DATE RECEIVED : 30/06/1994
DATE ADVERTISED : 17/08/1994
OBJECTION(S) : NONE WERE RECEIVED

*** CURRENT AGENDA MATERIAL

*** REFERENCE PLANNING OFFICER (JMCG) (TEAM 5) (05/10/94)

*** OFFICER RECOMMENDATION

BACKGROUND

Council may recall previously resolving on 9 September 1994 to grant an extension of time, in accordance with Section 4.12 (4A) of the Local Government (Planning and Environment) Act to enable full deliberation of the application.

PROPOSAL

The applicant seeks the consent of Council for an extension to the existing Indoor Recreation (Tugun Bowls Clubhouse) use. The proposal is to be completed in four (4) stages with the total gross floor area of the four (4) stages totalling 462.5m²

The proposed extension will increase the current lounge, dining room and verandah areas, will include offices and a reception area and will allow the Tugun Bowls Club to upgrade changeroom and associated amenity facilities for the members.

The proposed extensions are considered necessary to meet the Tugun Bowls Club long term requirements which have been steadily increasing since the installation of fifteen poker machines.

TOWN PLANNING CONSIDERATIONS

The following matters were identified in the consideration of the proposal for the proposed development of the site:

ZONING AND STRATEGIC PLAN

The subject land is situated in the Private Open Space - General Zone in which the proposed development requires Council's consent before it can be lawfully undertaken.

The Preferred Dominant Land Use for the land under the Strategic Plan is Open Space.

Therefore given the Zoning and Preferred Dominant Land Use of the subject site, it is considered that the proposal will comply with Council's planning intent for that area of the City.

ADVERTISING

The application was advertised in accordance with the provisions of the Local Government (Planning and Environment) Act and no objections were received.

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STREET TUGUN**

ON STREET WORKS

Council's Engineers have recommended the construction of specific on street works. These have been included in an appropriate condition in the recommendation.

CARPARKING

The concept plan indicates some 77 carpark spaces are to be provided for the existing clubhouse, three bowling greens and proposed extensions. Of this total 30 existing carparking spaces are indicated on the concept plan on the subject site and a further 47 carparks are located to the north of the subject site along Station Street Tugun.

The following is a breakdown of the carparking requirements of the proposed development:-

Indoor Recreation (Licensed Club)			
Use	Area m ²	Ratio	Number of Cars
Bar (existing)	38	1:15	3
Lounge (existing)	250	1:15	17
Dining (existing)	300	1:15	20
Lounge / Dining (extensions)	277	1:15	19
Office / Kitchen (extension and existing)	207	1:15	14
Poker Machines (existing)	15	1:5	3
Balance (amenities, locker rooms, storage)	EXEMPTION		
TOTAL REQUIRED			76
TOTAL PROVIDED			77

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Section 13.5.1.4 of the Planning Scheme allows Council to relax the carparking requirements of Section 13.5.1.1. The following is justification for relaxation of the carparking requirements detailed in Section 13.5.1.1 :-

- The existing development consists of 3 bowling greens and a clubhouse with a gross floor area of 1,080m² and 30 onsite carparking car spaces.
Previously, the development has been adequately serviced by the existing 30 onsite carparking spaces and 47 car parking spaces located along Stanton Street.
- Given that the proposed extension to the existing clubhouse are to be staged over a period of time, are considered to be of a minor nature and it is anticipated that no further permanent staff will be employed as a result of the proposed extension, it is considered that no dramatic increase in requirement for carparking will occur within the indefinite future.

After the above deliberations it is considered appropriate to relax the carpark requirements detailed in section 13.5.1.1 and conclude that the provision of some 77 carparking spaces (30 carparking spaces on the subject site) as indicated on the concepted plan is sufficient for the existing and proposed development.

SUMMARY

Given the above information, it is considered that the proposed extensions are suitable for the subject land and would not negatively impact on the existing or future amenity of the surrounding area. It is therefore considered that the application be approved.

REFERENCE PROPERTY MANAGER (JH) (07/10/94)

As the proposed extensions are within the leased area which is on Council freehold land, there are no requirements from the Property Section

It is recommended

- (A) It be noted Council in determining this application had regard to a report which considered the relevant provisions of the State Planning Policies, Council's Planning Scheme, Local Planning Policies, the details and information submitted with the application.
- (B) The applicant be notified, as required under the provisions of "The Local Government (Planning & Environment) Act, that the application for an extension to the existing Indoor Recreation (Tugun Bowls Clubhouse) for the purposes of Indoor Recreation on the land as described herein be approved subject to the conditions listed below:

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DETAILS OF PREMISES

REAL PROPERTY DESCRIPTION: LOT 2 ON REGISTERED PLAN 96896
PARISH OF TALLEBUDGERA COUNTY OF WARD

LOCATION OF SITE: 10 STATION STREET TUGUN

AREA OF LAND: 9,860m²

USE OF THE PREMISES AT THE TIME OF THE APPLICATION: INDOOR RECREATION (TUGUN BOWLS CLUBHOUSE)

APPROVED USE/S AS GRANTED IN THIS CONSENT: EXTENSION OF 463M² TO THE EXISTING INDOOR RECREATION (TUGUN BOWLS CLUBHOUSE)

APPROVED PLANS

- (1) The development shall be in accordance with the plans (and elevations) submitted by the applicant (Plan/Drawing No. P806-1 + P806-2 prepared by Dignum Design dated April 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 3,944m²
- (b) Maximum Number of Storeys 2 storeys
- (c) All extensions shall be set back a minimum of six (6) metres from all frontages.

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) Prior to the new use commencing, a Certificate of Classification shall be obtained to ensure that the existing building meets fire rating requirements for the proposed use.
- (4) Provision of fire services in accordance with the Building Act.
- (5) Compliance with the Food and Health Acts and all Regulations made thereunder.
- (6) 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 level and to preserve and protect adjoining building from damage.
- (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.

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- (8) The storage of any machinery, materials or vehicles is to be aesthetically screened so as not to be visible from any road to which it has frontage, to the reasonable satisfaction of the Planning and Development Manager.
- (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) 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.
- (11) 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.
- (12) The premises are to be fully air-conditioned and sound-proofed to the reasonable satisfaction of the Planning and Development Manager.
- (13) 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.
- (14) Glass which forms all or part of any external wall of a building shall not exceed -
- a maximum degree of reflection of both heat and light of 20% and
 - 60% of the total area of such wall.

LIGHTING DEVICES - GENERAL

- (15) 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

- (16) The landscaping is to be established and maintained to the reasonable satisfaction of the Planning and Development Manager at all times.
- (17) 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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REFUSE / RECYCLING FACILITIES

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

If the refuse storage / recycling 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 -

- the refuse storage / recycling 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
- the refuse storage / recycling area shall be enclosed on three (3) sides with a screen wall extending 0.2 metres above the height of the refuse receptacles; and
- the refuse storage / recycling area shall be screened by dense planting and mounding.

- (19) Provision shall be made for the storage, removal and screening of refuse and recycling facilities in accordance with the Council's By-laws and to the satisfaction of the Chief Health Surveyor.

ADVERTISING DEVICES

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

INFRASTRUCTURE AND CONSTRUCTION PROVISIONS EXTERNAL TO DEVELOPMENT SITESStormwater Drainage

- (21) 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.

- (22) 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

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- (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.
- (23) 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

- (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 match the existing kerb and channel or any future kerb and channel design approved by the Chief Engineer.
- (25) The paving of the footpath area along the frontage of the site in paving material to a design and standard to be submitted to and approved by the Planning and Development Manager and Chief Engineer.
- (26) 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.
- (27) 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.
- (28) All works shall be carried out in accordance with the Council's design and specification and to the satisfaction of the Chief Engineer.

PAVED SURFACES

- (29) 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 Principal Building Surveyor shall have discretionary power to dispense with the requirements for a polishing test stipulated in AS1141.41, for hard materials such as marble, which are unlikely to be readily polished by pedestrian traffic.

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Where the Principal 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.

CAR PARKING AND LOADING FACILITIES

- (30) 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.
- (31) Provision of at least thirty (30) off-street car parking spaces and access and layout design to be provided and constructed in accordance with 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.
- (32) All of the required car parking shall be provided so as to be freely accessible to accommodate the vehicles of persons employed on the site for the time the development is open for business and those of bona fide visitors for the duration of any visit to the site. There shall be no encumbrance, fee or charge, and no gateways, doors or similar devices being erected or located which would restrict vehicular access to these spaces or no signs displayed which restrict the use of these spaces.
- (33) 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.
- (34) 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

- (35) 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.
- (36) **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).

ITEM 52 CONTINUED...
TEAM 5 - APPLICATION FOR TOWN PLANNING CONSENT FOR AN EXTENSION TO AN EXISTING INDOOR RECREATION (TUGUN BOWLS CLUBHOUSE) - 10 STATION STREET TUGUN

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 \$281 per Equivalent Population/Person
 Sewerage \$413 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 111.5 for the July / September 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.

(37) **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

(38) 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

(39) 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.

ITEM 52 CONTINUED...
TEAM 5 - APPLICATION FOR TOWN PLANNING CONSENT FOR AN EXTENSION TO AN EXISTING INDOOR RECREATION (TUGUN BOWLS CLUBHOUSE) - 10 STATION STREET TUGUN

ENGINEERING DESIGN AND CONSTRUCTION

- (40) (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.

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

*** **RECOMMENDATION**

That the recommendation of the Planning Officer be adopted.

*** ITEM 53

CM21/10/94(PD053)

TEAM 5 - UNLAWFUL BUILDING WORK AT 72 MELALEUCA DRIVE, PALM BEACH

FILE REFERENCE(S) 11-02697-0000-9

*** CURRENT AGENDA MATERIAL*** REFERENCE DEVELOPMENT MANAGER (BG) (TEAM 5) (06/10/94)

An inspection resulting from a written complaint of the abovementioned property revealed building work comprising a roofed structure erected within the canal setback area. The building work has been carried out without an approval required by the Standard Building Law having been obtained in respect thereof.

Council's Waterfront Development Local Law prohibits structures within the canal setback area that are greater than 1m in height. Also fences (boundary) within the canal setback are required to be a maximum of 1200mm on the canal batter slope.

A 'Show Cause' Notice issued pursuant to Section 54 of the Building Act was sent to the owners to meet with the Director, Development and Environment Planning or to make a written submission prior to the 31 August 1994.

The owners Mr and Mrs Fowke met with the Director, Development and Environment Planning and the Development Coordination Manager. They reported that their canal setback area has extensive landscaping and consequently the neighbours have very limited view across their property of the canal. The roofed structure is hidden among the dense foliage of tropical plants.

A Notice to require the removal/demolition of the roofed structure within the canal setback area may be issued, however the removal of same will not improve the views of the canal of either of the neighbours. Their view will still be restricted by the dense landscaping. The height of the deck of the roofed structure is approximately 1.2 metres however a permitted boundary fence height within the canal setback area can be 1.2 metres. Council must decide on whether to allow the roofed structure to remain as constructed or to serve Notice on the owners requiring them to demolish it.

*** OFFICER RECOMMENDATION

It is recommended that -

- (A) Council acknowledge that the building work comprising the erection of a roofed structure within the canal setback area has been carried out without an approval required by the Standard Building Law having been obtained in respect thereof.
- (B) Council resolve to permit the roofed structure to remain as constructed however, a cognisance be placed on the property file that no building approval was obtained for same and the owners be advised accordingly.

*** RECOMMENDATION

That the recommendation of the Development Manager be adopted.

*** ITEM 54

CM21/10/94(PD054)

TEAM 5 - APPLICATION FOR CONSENT FOR HELICOPTER HANGER, JOHN FLYNN HOSPITAL - GOLD COAST HELICOPTER SERVICE LTD (CAREFLIGHT QLD)

FILE REFERENCE(S) 818-094-105

PROJECT NAME	:	HELICOPTER HANGER: JOHN FLYNN HOSPITAL
LOCATION OF SITE	:	INLAND DRIVE TUGUN
REAL PROPERTY DESCRIPTION	:	LOT 1 ON REGISTERED PLAN 215873 PARISH OF TALLEBUDGERA COUNTY OF WARD
OWNER	:	RELKBAN PTY LTD
APPLICANT	:	GOLD COAST HELICOPTER SERVICE LTD (CAREFLIGHT QLD)
PROPOSED DEVELOPMENT	:	HELICOPTER HANGER
SITE AREA	:	110,700 SQUARE METRES
ZONING OF THE LAND	:	SPECIAL FACILITY ZONE
DATE RECEIVED	:	14 JULY 1994
DATE ADVERTISED	:	2 AUGUST 1994

*** CURRENT AGENDA MATERIAL*** CORRESPONDENCE CAREFLIGHT QLD (FOLIO 9426891) (11/07/94)

On behalf of the Board of Directors of the Gold Coast Helicopter Rescue Service Limited (operating as Careflight Qld) I would like to thank the Council for supporting this essential emergency operation over the last 12 years.

We are in the process of seeking approval from the Council to erect a hanger and fuel depot for the Service in the Flynn Hospital grounds. We are a charitable organisation, who as you know does not charge for aeromedical services, and we humbly seek a waiver from the relevant Council fees.

*** REFERENCE PLANNING OFFICER (JMcG) (TEAM 5) (07/10/94)PROPOSAL

It is proposed to erect a helicopter hanger on the John Flynn Hospital site for the storage of the "RACQ Careflight" helicopter.

It is proposed to store 1 helicopter in the hanger. The service is already in operation and conducts "mercy missions" from the hospital.

ADVERTISING

It appears that the application has been advertised in accordance with the provisions of the Act.

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ITEM 54 CONTINUED...
**TEAM 5 - APPLICATION FOR CONSENT FOR HELICOPTER HANGER, JOHN FLYNN
HOSPITAL - GOLD COAST HELICOPTER SERVICE LTD (CAREFLIGHT QLD)**

No objections were received.

DESIGNATED DEVELOPMENT

Under Regulation 16 of the Local Government (Planning and Environment Regulations) 1991, a "helicopter landing facility" is a designated development. By definition, Environmental Impact Statement (EIS) is not necessary as it is not a commercial purpose and the hanger is considered to be an ancillary use to the existing approved helipad.

TOWN PLANNING CONSIDERATIONS

It is considered that as the abovementioned operation is of a community benefit, it should be recommended.

The Planning Scheme lists no specific carparking provisions for a helicopter hanger. Following a site inspection it is considered that there is adequate carparking available at the hospital and that the subject site sufficient room for a passenger/patient setdown area and refueling trucks to manoeuvre.

It is considered appropriate to condition landscape buffers to screen the proposed helicopter hanger and existing helicopter landing pad.

***** OFFICER RECOMMENDATION**

It is recommended

(A) It be noted Council in determining this application had regard to a report which considered the relevant provisions of the State Planning Policies, Council's Planning Scheme, Local Planning Policies, the details and information submitted with the application.

(B) The applicant be notified, as required under the provisions of "The Local Government (Planning & Environment) Act, that the application for a helicopter hanger at John Flynn Hospital on the land as described herein be approved subject to the conditions listed below:

DETAILS OF PREMISES

REAL PROPERTY DESCRIPTION:	LOT 1 ON REGISTERED PLAN 215873 PARISH OF TALLEBUDGERA COUNTY OF WARD
LOCATION OF SITE:	INLAND DRIVE TUGUN
AREA OF LAND:	110,700 SQUARE METRES
USE OF THE PREMISES AT THE TIME OF THE APPLICATION:	HOSPITAL (HELICOPTER LANDING PAD)
APPROVED USE/S AS GRANTED IN THIS CONSENT:	HOSPITAL (HELICOPTER LANDING PAD AND HANGER)

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**TEAM 5 - APPLICATION FOR CONSENT FOR HELICOPTER HANGER, JOHN FLYNN
HOSPITAL - GOLD COAST HELICOPTER SERVICE LTD (CAREFLIGHT QLD)**

APPROVED PLANS

- (1) The development shall be in accordance with the plans (and elevations) submitted by the applicant (Plan/Drawing No. S336-1 to S336-14 submitted by Space Frame dated 20 April, 1994) (as amended by the conditions of the approval). The operation of the helicopter is to accord with the approvals as included in Council file 663/085/051. The helicopter hanger is to be located adjacent to the existing approved helicopter pad. One (1) helicopter is to be in the hanger.

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.

NOISE & AMENITY CONTROL

- (3) 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.

LANDSCAPING

- (4) The landscaping is to be established and maintained to the reasonable satisfaction of the Planning and Development Manager at all times.
- (5) The proposed hanger shall include adequate landscape buffer strips which are to be indicated on 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.

REFUSE / RECYCLING FACILITIES

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

If the refuse storage / recycling 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 / recycling 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

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TEAM 5 - APPLICATION FOR CONSENT FOR HELICOPTER HANGER, JOHN FLYNN HOSPITAL - GOLD COAST HELICOPTER SERVICE LTD (CAREFLIGHT QLD)

- (b) the refuse storage / recycling 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 / recycling area shall be screened by dense planting and mounding.

COMPLIANCE WITH SAFETY REGULATIONS AND FLAMMABLE AND COMBUSTIBLE LIQUID REGULATIONS

- (7) Storage of any flammable and combustible liquids to be in accordance with "Flammable and Combustible Liquids Regulations".
- (8) Compliance with the Work Place Health and Safety Regulations and relevant Australian Standards (for the storage and handling of flammable and combustible liquids).
- (9) The petrol is to be used for industrial purposes only and under no circumstances is petrol to be retailed.

INFRASTRUCTURE AND CONSTRUCTION PROVISIONS EXTERNAL TO DEVELOPMENT SITES

Stormwater Drainage

- (10) 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.
- (11) 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

- (12) 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.
- (13) 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.
- (14) All pedestrian paved surfaces within the development are to have a minimum Polished Frictional Value of 40 as set down in the Australian

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TEAM 5 - APPLICATION FOR CONSENT FOR HELICOPTER HANGER, JOHN FLYNN HOSPITAL - GOLD COAST HELICOPTER SERVICE LTD (CAREFLIGHT QLD)

- 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.
- (15) 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.
- (16) 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

- (17) Any filling of the site shall not cause ponding on adjoining sites.
- (18) 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'.
- (19) 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).

CAR PARKING AND LOADING FACILITIES

- (20) Provision of a hardstanding passenger/patient setdown area is to be provided adjacent to the hanger. Provision is also to be made for the paving and manoeuvring the petrol tanker to be provided and constructed in accordance with 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.
- (21) All development shall make adequate provision within the site for the following, where required by the Chief Engineer and to the satisfaction of the Planning and Development Manager. -
 - (a) the collection and setting down of patients; and
 - (b) access for refueling trucks

WATER SUPPLY & SEWERAGE AND WASTE DISPOSAL

- (22) 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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TEAM 5 - APPLICATION FOR CONSENT FOR HELICOPTER HANGER, JOHN FLYNN HOSPITAL - GOLD COAST HELICOPTER SERVICE LTD (CAREFLIGHT QLD)

- (23) The development shall be provided with Fire Hydrant installation conforming with the provisions of the Australian Standard AS2419 (as amended from time to time).
- (24) Provision of a garbage service and pathological waste collection service to the reasonable satisfaction of the Manager Health Building & By-laws.
- (25) 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.

*** RECOMMENDATION

That the recommendation of the Planning Officer be adopted.

*** ITEM 55 CM21/10/94(PD055)

TEAM 5 - APPLICATION FOR TOWN PLANNING CONSENT FOR INDOOR RECREATION AND INTERNAL RENOVATIONS (PROPOSED BALCONY EXTENSION) - GOLD COAST HIGHWAY PALM BEACH

FILE REFERENCE(S)	818/094/122 11-05304-0000-0 11-05303-0001-3
APPLICATION NUMBER	818094122
PROJECT NAME	: TALLEBUDGERA SURF LIFE SAVING CLUB
LOCATION OF SITE	: GOLD COAST HIGHWAY PALM BEACH
REAL PROPERTY DESCRIPTION	: LOT 187 ON WD6637 PARISH OF TALLEBUDGERA COUNTY OF WARD
OWNER	: GOLD COAST CITY COUNCIL AS TRUSTEE
APPLICANT	: TALLEBUDGERA SURF LIFE SAVING CLUB INC
SITE AREA	: 5377 SQUARE METRES
ZONING OF THE LAND - EXISTING	: PUBLIC OPEN SPACE - GENERAL
PROPOSED DEVELOPMENT	: INDOOR RECREATION (EXTENSION TO THE CLUBHOUSE AND INTERNAL RENOVATIONS)
DEFINED USE	: INDOOR RECREATION
DATE RECEIVED	: 5 AUGUST 1994
DATE ADVERTISED	: 6 - 7 AUGUST 1994
OBJECTION(S)	: NO OBJECTIONS WERE RECEIVED

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TEAM 5 - APPLICATION FOR TOWN PLANNING CONSENT FOR INDOOR RECREATION AND INTERNAL RENOVATIONS (PROPOSED BALCONY EXTENSION) - GOLD COAST HIGHWAY PALM BEACH

*** CURRENT AGENDA MATERIAL

*** REFERENCE PLANNING OFFICER (LMcEC) (TEAM 5) (06/10/94)

PROPOSAL

It is proposed to extend the existing Tallebudgera Surf Clubhouse. It is proposed to make internal changes to the building so as to provide an increased club area and a new kitchen. It is also proposed to erect a new deck of approximately 60m².

ADVERTISING

The application has generally been advertised in accordance with the provisions of the Act.

Two (2) clear days were not left between the lodgement of the application and the commencement of advertising. It is considered that the advertising substantially complies

There are no objections.

TOWN PLANNING CONSIDERATIONS

1. The proposed extensions will increase the commercial area within the Clubhouse

The proposed extension is for commercial purposes other than for life saving activities.

Consequently, it is considered that carparking should be provided at the rates prescribed in the Town Plan.

Carparking would be assessed at 1 space per 15m² of total use area for the Club and 17 spaces would be required for alterations.

2. An Economic Impact Statement (EIS) is not deemed to be required as the proposed extension is considered to be minor.

However, a letter of approval will be required prior to the issuing of the Building Approval.

REFERENCE PROPERTY MANAGER (JH) (27/09/94)

The property extension are within the land area and the Department of Lands have requirements in this matter. On completion of the extension to the subleased area, the present sub lease will have to be cancelled and a new sub lease issued to cover the extended area. Cost of preparation of lease documents, plans of survey, registration fees etc to be at the Clubs expense.

ITEM 55 CONTINUED...
**TEAM 5 - APPLICATION FOR TOWN PLANNING CONSENT FOR INDOOR
RECREATION AND INTERNAL RENOVATIONS (PROPOSED BALCONY EXTENSION)
- GOLD COAST HIGHWAY PALM BEACH**

*** OFFICER RECOMMENDATION

It is recommended

- (A) It be noted Council in determining this application had regard to a report which considered the relevant provisions of the State Planning Policies, Council's Planning Scheme, Local Planning Policies, the details and information submitted with the application.
- (B) The applicant be notified, as required under the provisions of "The Local Government (Planning & Environment) Act, that the application for an Indoor Recreation on the land as described herein be approved subject to the conditions listed below:

DETAILS OF PREMISES

REAL PROPERTY DESCRIPTION: Lot 187 on WD6637 Parish of Tallebudgera County of Ward

LOCATION OF SITE: Tallebudgera Surf Club, Gold Coast Highway, Palm Beach

AREA OF LAND: 5,377m²

USE OF THE PREMISES AT THE TIME OF THE APPLICATION: Surf Life Saving Club

APPROVED USE/S AS GRANTED IN THIS CONSENT: Indoor Recreation (extension to the Club House and internal renovations)

APPROVED PLANS

- (1) The development shall be in accordance with the plans (unnumbered and undated) submitted by the applicant as part of the application.

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

- (a) Area of proposed balcony 60m²
- (b) Approved Uses Indoor recreation (extension to the balcony and internal renovation)

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) Compliance with the Food and Health Acts and all Regulations made thereunder.

ITEM 55 CONTINUED...
**TEAM 5 - APPLICATION FOR TOWN PLANNING CONSENT FOR INDOOR
RECREATION AND INTERNAL RENOVATIONS (PROPOSED BALCONY EXTENSION)
- GOLD COAST HIGHWAY PALM BEACH**

NOISE & AMENITY CONTROL

- (4) 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.
- (5) 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.
- (6) 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.

LANDSCAPING

- (7) The landscaping is to be established and maintained to the reasonable satisfaction of the Planning and Development Manager at all times.
- (8) The carpark area around the Club House is 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.

REFUSE / RECYCLING FACILITIES

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

If the refuse storage / recycling 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 / recycling 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 / recycling 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 / recycling area shall be screened by dense planting and mounding.

ADVERTISING DEVICES

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

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**TEAM 5 - APPLICATION FOR TOWN PLANNING CONSENT FOR INDOOR
RECREATION AND INTERNAL RENOVATIONS (PROPOSED BALCONY EXTENSION)
- GOLD COAST HIGHWAY PALM BEACH**

INFRASTRUCTURE AND CONSTRUCTION PROVISIONS EXTERNAL TO
DEVELOPMENT SITES

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.

ROADWORKS AND FOOTPATH AREAS

- (12) 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.
- (13) 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.
- (14) 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.
- (15) 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.
- (16) All works shall be carried out in accordance with the Council's design and specification and to the satisfaction of the Chief Engineer.

PERMANENT ACCESS AND PROVISION FOR TRAFFIC

- (17) Access to site and vehicular parking 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.
- (18) 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.
- (19) The applicant shall provide a site plan for investigation by the Traffic Section, showing existing parking and traffic regulations with existing access locations along the frontage of the site, to determine necessary on street or internal modifications. This plan shall be submitted prior to a Building Application so that any modifications to internal car parking

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arrangements or access locations can be resolved prior to completion of final design drawings. Surplus access crossings and Traffic and Parking Regulations shall be reinstated and restored. The extent of this work shall comply fully with Council's Landscaping Policy.

CONSTRUCTION ACCESS AND PROVISION FOR TRAFFIC

- (20) Prior to the lodgement of an application for a building permit, discussions shall be held with Council's Traffic and Building Sections to ascertain how this development is to be undertaken without any encroachment of construction activity or storage of material on the footpath or roadway. All agreements reached will be to the satisfaction of the Chief Engineer.
- (21) Access to site during construction shall be in accordance with the Local Planning Policy 'Requirements for Construction for Development Sites'.
- (22) 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

- (23) 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. Carparking shall be calculated at the following rate:- 1 space per 15m² of total use area of the licenced Club (excluding the deck area. 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.
- (24) Car parking bays and aisle widths to be in accordance with Class 3 of the Australian Standard Code 2890.1-1986.
- (25) 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.
- (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 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.

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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) 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	\$281 per Equivalent	Population/Person
Sewerage	\$413 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 115.3 for the July/September 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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(32) 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

- (33) 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.

ENGINEERING DESIGN AND CONSTRUCTION

- (34) (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 ByLaws 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.

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

PROVISIONS IN RESPECT OF SAND EXCAVATION AND BUILDING FOOTINGS ON SITES IN PROXIMITY TO AN OCEAN BEACH

Building Footings

- (36) As the building is located within 75 metres of a foreshore seawall line, the following provisions apply to the satisfaction of the Chief Engineer:
- (a) for buildings with a height of two (2), three (3), four (4) or five (5) storeys, except for Class 1 buildings under the Building Act with a height of two (2) storeys, construction shall include:
- (i) footings to resist scour to R.L. 0.0 metres A.H.D. within 40 metres of the foreshore seawall line; and
 - (ii) footings to resist scour to R.L. + 1.0 metres A.H.D. between 40 metres and 75 metres of the foreshore seawall line; and
 - (iii) superstructure capable of resisting wave attack to R.L. + 6.0 metres A.H.D.;

BEACH PROTECTION

- (37) Compliance with the requirements of the Beach Protection Authority and any additional requirements as specified by the Chief Engineer. A letter of approval is to be provided from the Beach Protection Authority prior to the issue of the Building Application
- (C) This approval will require the cancellation of the sub lease and the creation of a new sub lease to cover the extended area. The cost of preparation of the lease documents, plan of survey, registration fees etc to be at the Club's expense.

*** RECOMMENDATION

That the recommendation of the Planning Officer be adopted.

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*** ITEM 56

CM21/10/94(PD056)

TEAM 5 - GROUP TITLE SUBDIVISION APPLICATION - 512 COOLANGATTA ROAD TUGUN

FILE REFERENCE(S) VIDE ITEM(S)	:	12-03706-0000-2 MAP(S)
PROJECT ADDRESS	:	512 COOLANGATTA ROAD TUGUN
REAL PROPERTY DESCRIPTION	:	LOT 2 ON REGISTERED PLAN 32011 PARISH OF TALLEBUDGERA COUNTY OF WARD
OWNER	:	J A COLLINS & V A LAMBARD
APPLICANT	:	R S JASPRITZA & ASSOCIATES
PROPOSED DEVELOPMENT	:	GROUP TITLE SUBDIVISION - DUPLEX DWELLING

*** CURRENT AGENDA MATERIAL*** REFERENCE TECHNICAL OFFICER (SF) (FOR TEAM 5) (29/09/94)THE PROPOSAL

Application has been made to subdivide by Group Title subdivision an existing duplex dwelling.

The subject property is included in the Residential Multi Unit zone and subject to compliance with Scheme provisions and the Building Act a duplex dwelling is an 'as of right' development.

Prior to gazettal of the current Town Plan (11 February 1994) a proposal to group title a duplex dwelling was required to comply with the provisions of Policy 39 - Requirements for the Group Title of Duplex Dwellings. The proposal does not meet these requirements.

GROUP TITLES SUBDIVISION

Part 16.2.5.1. of the Town Planning Scheme which relates to the provisions in respect of Group Titles Subdivision requires that -

"All landscaped open space, landscaped setbacks to frontages and buffer areas required in accordance with this Planning Scheme, excluding private landscaped courtyards shall be included within the common property.

Provided that the Planning and Development Manager may relax this provision for other than landscaped open space required to be available for the use of all residents of a development or required to be provided as communal open space and having regard to:

- (i) the proposed use of the lot within which the landscaped open space or buffer area is proposed to be incorporated; and
- (ii) the amount of landscaped open space or buffer area to be provided on the land; and

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TEAM 5 - GROUP TITLE SUBDIVISION APPLICATION - 512 COOLANGATTA ROAD TUGUN

(iii) the purpose of clause 16.2.5

16.2.5.2. all landscaping within common property shall comply with the necessary changes, with the provisions of Section 13.12 to the satisfaction of the Director, Development and Environment Planning."

No provision has been made for the setback area to be common property.

The proposal subdivision will result in an undesirable lot size for the rear dwelling (193 m²).

*** 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 advised that Council is not in favour of this type of Group Title subdivision which results in undesirable lot size therefore the application be not approved.

*** RECOMMENDATION

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

*** ITEM 57

CM21/10/94(PD057)

TEAM 5 - MODIFICATION OF SCHEME PROVISIONS - HEIGHT OF DWELLING HOUSE - 67 JEFFERSON LANE, PALM BEACH

FILE REFERENCE(S)	:	10-00306-0000-7 825/094/105
PROJECT ADDRESS	:	67 JEFFERSON LANE, PALM BEACH
REAL PROPERTY DESCRIPTION	:	LOT 269 ON REP 31999 PARISH OF TALLEBUDGERA, COUNTY OF WARD
OWNER	:	M McIVOR
APPLICANT	:	ROBIN BUTT
PROPOSED DEVELOPMENT	:	THREE STOREY DWELLING HOUSE

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ITEM 57 CONTINUED...
TEAM 5 - MODIFICATION OF SCHEME PROVISIONS - HEIGHT OF DWELLING HOUSE - 67 JEFFERSON LANE, PALM BEACH

*** CURRENT AGENDA MATERIAL

*** CORRESPONDENCE ROBIN BUTT DESIGN (09/09/94)

We wish to apply to Council for a relaxation to Part 4.11.5 of the Town Plan; "Building Height". The residential density map indicates Duplex Dwelling with a maximum of 2 storeys with provision to be relaxed by Council.

The building as indicated on the plans is essentially 2 storey with a sub basement Jefferson Lane being 2.4m below the top of the boulder wall, the garage basement will be excavated into the block at road level.

The purposes of the Clause states that the height "should not conflict with surrounding development." The proposed residence is approximately the same height as the residence just completed to the south and is substantially lower than another residence recently completed 4 blocks to the south.

An attempt has been made to tier back the design so as to reduce height impact from the street as can be appreciated by the side elevations and is similar in concept to the residence to the north.

As working drawings have been completed and lodged for Building approval we would appreciate your decision at your earliest convenience.

*** REFERENCE TECHNICAL OFFICER (SF) (FOR TEAM 5) (07/10/94)

Application has been made to erect a three (3) storey dwelling house.

Part 4.11.5 of the Town Planning Scheme provides that 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 which seeks to maintain a minimal height in low density residential zones and a height which does not conflict with surrounding development.

Adjoining sites in this location contain three (3) storey buildings and approval of this proposal will not have an adverse impact on the residential amenity in this location.

STRUCTURE IN SETBACK

Submitted plans indicate a gatehouse located on the property boundary

13.8.1.3 The area of a site located between its frontage as defined by title and a road realignment line shall be landscaped or developed as approved by the Director Development and Environment Planning, provided that it contains no permanent structures such as swimming pools, tennis courts, basement access stairs, car parking ramps or electricity sub stations.

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TEAM 5 - MODIFICATION OF SCHEME PROVISIONS - HEIGHT OF DWELLING HOUSE - 67 JEFFERSON LANE, PALM BEACH

Should Council proceed in the future with the road realignment as envisaged by the road realignment provisions then it will be necessary to resume the relevant area of the site and pay compensation in accordance with the standard procedure in these circumstances. The intent of Part 13.8.1.3 of the Scheme is to ensure substantial prominent structures are not located in this area.

Jefferson Lane is indicated on the Road Realignment Line Maps.

Having regard to Part 13.8 of the Town Planning Scheme the gatehouse should be deleted from this application.

*** OFFICER RECOMMENDATION

It is recommended

- (A) Approval is granted for a three storey dwelling house. The development shall not exceed the height indicated on plans lodged with this application.
- (B) Having regard to the Road Realignment Line Provisions the gatehouse be refused and be deleted from the plans lodged with this application.

*** RECOMMENDATION

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

*** ITEM 58

CM21/10/94(PD058)

TEAM 5 - APPLICATION FOR MODIFICATION OF SITE COVERAGE PROVISION AT 25 & 27 TOOLONA STREET TUGUN

FILE REFERENCE(S)	:	12-00726-0000-(8) 12-00725-0000-(3) 825/094/113
LOCATION OF SITE	:	25 & 27 TOOLONA STREET TUGUN
REAL PROPERTY DESCRIPTION PLAN	:	LOTS 3 & 4 ON REGISTERED COUNTY OF WARD PARISH OF TALLEBUDGERA
OWNER APPLICANT	:	AJ McGOWAN & JM McGOWAN
SITE AREA	:	LOT 3 - 405m ² LOT 4 405m ²

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ITEM 58 CONTINUED...
TEAM 5 - APPLICATION FOR MODIFICATION OF SITE COVERAGE PROVISION AT 25 & 27 TOOLONA STREET TUGUN

ZONING OF THE LAND - EXISTING	:	RESIDENTIAL DUPLEX DWELLING
PROPOSED DEVELOPMENT	:	TO ERECT 2 PAIRS OF DUPLEX
DATE RECEIVED	:	22/09/94

*** CURRENT AGENDA MATERIAL

*** REFERENCE ADMINISTRATION OFFICER (DW) (FOR TEAM 5) (10/10/94)

The proposed development is located on two (2) separate parcels with a duplex on each parcel. The applicant proposes to create a common driveway between the buildings on each allotment to gain access to the rear units carparking.

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%.

Before the above matter can be assessed, and bearing in mind that reciprocal easements will be necessary for the parking and access provisions to function for the development as proposed, assessment needs to be carried out of the proposal in relation to Provision 4.11.1.1 which specifies that:

"The area of the site shall be at least 400 square metres clear of any access strip or access easement, provided that the Council may relax this provision, only in respect of a dwelling house, where such relaxation would not permit a proposal which would -

- (i) prematurely develop a site which has a reasonable opportunity of being developed in accordance with this provision by amalgamation with an adjoining allotment or allotments; or
- (ii) be detrimental to the amenity of the neighbourhood; or
- (iii) conflict with the purpose of Clause 4.11.1."

To allow the development to be accessed, a reciprocal easement would reduce the site area from 404 square metres by approximately 48 square metres and the proposed development would not comply with Provision 4.11.1.1 of the Planning Scheme. In view of the above the application cannot be considered for modification of the site area.

*** OFFICER RECOMMENDATION

It is recommended that the applicant be advised that the application be refused as the development with common driveway, which would necessitate the granting of reciprocal easements would cause non compliance with Provision 4.11.1.1 of the Planning Scheme. To approve this joint access would result in excessive site cover.

*** RECOMMENDATION

That the recommendation of the Administration Officer be adopted.

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*** ITEM 59

CM21/10/94(PD059)

TEAM 6 - ANNUAL CONTRIBUTIONS TO THE SOUTH EAST QUEENSLAND
REGIONAL ORGANISATION OF COUNCILS

FILE REFERENCE(S) 611/019/081

*** CURRENT AGENDA MATERIAL

*** REFERENCE STRATEGIC AND ENVIRONMENTAL PLANNING MANAGER
(KJH) (TEAM 6) (05/09/94)

At the SEQROC meeting on 19 August 1994, the 1994/1995 contributions by the various member local authorities to SEQROC were considered. At the meeting the delegates agreed to increase the overall contribution towards SEQROC to a total of \$100,000.00 with Gold Coast's proportional share of this cost being to an amount of \$7,247.00.

It is considered that the work being undertaken by SEQROC on behalf of the various member Councils within South East Queensland is providing a valuable conduit to the State Government and is assisting with the overall liaison between the various Councils of South East Queensland and the contribution to the ongoing operation of SEQROC is beneficial to Council.

*** OFFICER RECOMMENDATION

It is recommended that Council note the contribution of \$7,247.00 being made towards SEQROC.

*** RECOMMENDATION

That the recommendation of the Strategic and Environmental Planning Manager be adopted.

*** ITEM 60

CM21/10/94(PD060)

TEAM 6 - USE OF RAIN FOREST TIMBERS

FILE REFERENCE(S) 259/002/001
VIDE ITEM(S) REPORT(S)
LETTER(S)

*** CURRENT AGENDA MATERIAL

*** REFERENCE STRATEGIC AND ENVIRONMENTAL PLANNING MANAGER
(KJH) (TEAM 6) (05/09/94)

Following a deputation to the Mayor by members of the Rain Forest Information Centre, the Mayor has requested that an item be prepared for Council's consideration on their

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TEAM 6 - USE OF RAIN FOREST TIMBERS

request for Council's support in the control of the use of rain forest timbers both within Council and in Council providing advice to the outside community on the use of rain forest timbers through the distribution of a "good wood" guide.

As part of the preparation of this item, advice has been received from the Director Technical and Scientific Services and from the Principal Building Surveyor.

*** REFERENCE PRINCIPAL BUILDING SURVEYOR (JWL)(24/05/94)

The timber market is very competitive and rainforest timbers are being gradually priced out of the market for general timbers. The suppliers now rely on the niche in the market for timber for decorative purposes, such as veneer for doors. Formerly the timbers had a general use in open situations such as shot edged flooring or verandahs but changes in soft wood technology such as "ultra wood" have eroded this market.

In time competitors in the market will reduce rain forest timbers to cabinet work and furniture, however, there does not seem any reason why its banning should be limited to all public works and for private works over \$500,000.00. If the banning is for a "public good" it would seem appropriate to confine its use to that of cabinet and furniture use and define that use.

*** REFERENCE DIRECTOR TECHNICAL AND SCIENTIFIC SERVICES
(JK)(10/05/94)

I refer to your memo regarding the above matter and advise that the use of rain forest timbers in works undertaken by Council is so limited it will not be of any significance in considering any serious proposal.

I enclose for your information some relevant details collected from my previous investigation.

*** REFERENCE STRATEGIC AND ENVIRONMENTAL PLANNING MANAGER
(KJH) (TEAM 6) (05/09/94)

The submission from the Rain Forest Information Centre is attached as a vide item. As part of the preparation of the response from the Director Technical and Scientific Services, the City Architect requested advice regarding this matter from the Timber Research and Development Advisory Council of Queensland and the Department of Primary Industries, copies of which are included as vide pages. While it appears that from Council's point of view there is no apparent reason why Council should not seek to ban the use of rain forest timbers in Council works and to recommend that such timbers are not used in private works, both the Timber Research and Development Advisory Council of Queensland and the DPI raise concerns at Council introducing such a Policy.

It is considered that the request to Council in this regard should be considered in conjunction with the response from Albert Shire Council on the basis that it is understood that such a submission was also made to that Council. As there appears to be a number of environmental ramifications that flow from such a decision, it is considered that advice in this regard should be obtained from the Joint Gold Coast City and Albert Shire Environmental Advisory Committee and the Gold Coast City Council

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TEAM 6 - USE OF RAIN FOREST TIMBERS

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Environmental Advisory Committee and that before making a decision on this matter both Environmental Advisory Committees be requested to comment upon the proposal.

*** OFFICER RECOMMENDATION

It is recommended that the submission from the Rain Forest Information Centre and the comments received from the Timber Research and Development Advisory Council of Queensland and the DPI be referred to the Gold Coast City Council Environmental Advisory Committee and the Joint Environmental Advisory Committee via the Gold Coast and Albert Shire Joint Planning, Development, Environment and Works Advisory Committee and that the Environmental Advisory Committee be requested to provide advice to Council on the issues raised so that this matter can be further considered by Council.

*** RECOMMENDATION

That the recommendation of the Strategic & Environmental Planning Manager be adopted.

*** ITEM 61

CM21/10/94(PD061)

TEAM 6 - HADDONS MARINA - PARADISE POINT

FILE REFERENCE(S)	01-8144-0002-1 PT 3 818/087/293 PT 8
PREVIOUS DECISION(S)	CM15/07/94(M94/239)

PROJECT NAME	:	HADDONS MARINA
LOCATION OF SITE	:	THE ESPLANADE, PARADISE POINT
REAL PROPERTY DESCRIPTION	:	LOT 150 ON WD 5567, PARISH OF BARROW, COUNTY OF WARD

*** PREVIOUS AGENDA MATERIAL

COUNCIL DECISION CM15/07/94(M94/239)

Resolved on the MOTION of Councillor A J Rickard, seconded Councillor P J Turner, that the Department of Lands be requested to investigate if the lessee of the Haddons Marina building located at The Esplanade, Paradise Point, and described as Lot 150 on WD 5567, Parish of Barrow, County of Ward, is in breach of the conditions of the lease due to the current vandalised and disrepaired state of the building and that Council requests the Department of Lands to cancel the lease if the lessee is in breach of the conditions of the lease and that Council be made trustees of the premises, subject to the use of the premises being restricted to community purposes and Council accepting responsibility for the repair of the building.

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*** CURRENT AGENDA MATERIAL

*** REFERENCE STRATEGIC AND ENVIRONMENTAL PLANNING MANAGER (KJH) (TEAM 6) (30/09/94)

In accordance with Council's decision of 15 July 1994 (M94/239), the Department of Lands were requested to cancel the lease if the lessee is in breach of the conditions of the lease. The Department of Lands have subsequently contacted the lessee and have requested the lessee to consider an immediate condition of surrender of the current lease to enable the area's reservation for local government purposes under the control of Council as trustee. The Department of Lands have indicated that if the lessee is favourable to such a proposal, the Department would be prepared to ensure that the applicant was given sole occupancy rights to the site for a period of three years when required. This would enable K Alpha's use of the site for a site office. The Department have indicated that they consider this as a preferably action than a forfeiture under the Land Act.

It is considered that the proposal by the Department of Lands is reasonable and overcomes a number of the concerns with the original arrangement and guarantees the transfer of the land in trusteeship to Council. The original proposals for a deed and license agreement did not fully safeguard Council's position in this regard.

It is considered that Council should support the proposal by the Department of Lands and seek an early resolution to this matter. A further question regarding the zoning of the land also needs to be considered by Council. The land is currently zoned Special Facilities (Project Office Ephraim Island Development). It is considered that this zoning would preclude Council's original intention of using the land for a range of community purposes and that should Council seek to rezone the land to allow for such activities, then K Alpha Corporation may oppose such an arrangement as it would then restrict the potential use of it for a project office for their development. In this regard it is considered that Council would need to seek a permit to occupy pursuant to the Land Act to allow for a community use of the site.

*** OFFICER RECOMMENDATION

It is recommended that:

- (A) Council advise the Department of Lands that Council supports their proposal for a conditional surrender of the current lease subject to KK Alpha being given sole occupancy rights of the site for a period of three years when required for the purposes of a project office for the Ephraim Island development and that the current lease area be reserved for local government purposes with Council as trustee.
- (B) Council consider the use of the site for community purposes having regard to the existing zoning of the land.

*** RECOMMENDATION

The Department of Lands be advised that Council supports their proposal for a conditional surrender of the current lease subject to KK Alpha being given sole

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TEAM 6 - HADDONS MARINA - PARADISE POINT

occupancy rights of the site for a period of two years with an option for a further year, that is a maximum of three years when required for the purposes of a project office for the Ephraim Island development. Council requests that these rights be limited to the year 2000 at which time if the development has not substantially commenced then the rights will be revoked. Council supports the current lease area being reserved for local government purposes with Council as trustee.

*** ITEM 62

CM21/10/94(PD062)

TEAM 6 - REGIONAL PLANNING - SOUTHROC, SEQROC AND NEW SOUTH WALES/QUEENSLAND CROSS BORDER ISSUES

FILE REFERENCE(S) 811/000/020 PT 22

*** CURRENT AGENDA MATERIAL*** REFERENCE STRATEGIC AND ENVIRONMENTAL PLANNING MANAGER (KJH) (TEAM 6) (04/10/94)SOUTHROC ACTIVITIES

As Council would be aware, the Southern Regional Organisation of Council's is undertaking considerable work as part of the Sub Regional Structure Planning Process that forms part of the Regional Planning Process originating from the SEQ2001 initiatives of the State Government. The Strategic and Environmental Planning Section as well as Officers from other parts of Council have been contributing substantial amounts of time towards ensuring that the Sub Regional Structure Planning Process proceeds and that relevant background information is available to SOUTHROC.

A number of specific tasks are currently under way and include:

(A) Settlement Patterns

A review of settlement patterns is occurring wherein the Strategic and Environmental Planning Section has been requested to do a detailed analysis of population projections and tourism projections based upon statistical local areas (SLA). These preliminary projections have been completed and a separate report will be presented to Council detailing the findings in this regard. These figures seek to verify the capacity of the City in terms of population and the time frames as to when development in a particular part of the City will occur. It should be noted that the preliminary work done by Council for tourism projections is the first exercise of this type wherein a detailed assessment has been attempted to project the likely tourism population within specific SLAs. The

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further report in this regard will provide Council with a detailed outline of the methodology and the figures involved.

(B) Natural Resources

A review of natural resource elements within the SOUTHROC area has been undertaken and information has been provided by Council Officers to SOUTHROC. The matters under consideration in this case included nature conservation areas and other areas such as good quality agricultural land, extractive and mineral resources, lakes and dam catchments and information on national parks, marine parks, state forests and private forests.

(C) Regional Open Space System

Council would be aware of the recent report submitted regarding the Regional Open Space System (ROSS). This previous report provided an outline of the major ROSS elements within the City of Gold Coast. The work being undertaken by SOUTHROC is a consolidation of the responses from all relevant Councils so as to ensure that a comprehensive ROSS system is provided within the sub region.

(D) Major Human Services

SOUTHROC have required an investigation of major human services within the City. Officers of the Strategic and Environmental Planning Section are compiling information that will be forwarded to SOUTHROC. The work being undertaken includes a listing of all relevant major human service facilities and information regarding the location, accessibility, function, performance, size, population catchment served, expansions and changes proposed to those facilities. The work also is to include an identification of when the new facilities are to be provided and suggestions on future requirements that may be necessary within the sub region.

(E) Employment Centres

The Strategic and Environmental Planning Section is compiling an analysis of the major employment centres and will seek to identify the function and size of each of these centres as well as predictions on the likely growth and employment projections within such centres. As part of this exercise employment distribution will be assessed in terms of the recommended settlement pattern and the population and tourism projections that have already been made.

(F) Transport

The work being undertaken by Council's Traffic Section requires the documentation of the physical transport infrastructure components and identification of major issues and required actions that should be included into the Regional Transport Plan. In this regard, it is suggested that a number of specific considerations need to be raised for inclusion as part of the Council's submission and should include Council's previous decisions regarding the

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provision of a rail spur to Southport and the connection of the Brisbane to Robina railway line to the New South Wales railway system with the provision of a station at Coolangatta Airport and another station servicing the southern to central sections of the Gold Coast, possibly in the West Burleigh area. A further matter that should be incorporated as part of Council's submission should be the provision of some form of mass transit system along the coastal strip which would include linkages to the major inland centres and the railway stations. In this regard, a number of alternatives should be investigated including light rail.

(G) Water and Waste Water

The work being undertaken in this area is a similar task as required by many of the other activities being conducted for the sub regional structure process wherein the first step is to identify existing facilities and then to identify future needs on a sub regional basis.

OTHER SOUTHROC ACTIVITIES

In addition to the tasks being undertaken specifically as part of the sub regional structure planning process as outlined above, a number of separate matters are being investigated by SOUTHROC and include the following:

(A) SOUTHROC Economic Development Strategy

SOUTHROC have engaged Coopers and Lybrand to carry out an economic development strategy for the sub region and work on this study is currently involving interviewing of various key individuals and groups to establish the major issues within the sub region. Later outcomes of the project will include the identification of opportunities, strengths and weaknesses which will provide information for the structure planning process and the report will also examine the possible future role of SOUTHROC in the economic development of the sub region.

(B) Infrastructure Coordination

As part of the total South East Queensland Regional Planning exercise, the SEQ Resources Unit is seeking to establish a process for the coordination of infrastructure planning and in particular to establish sub regional infrastructure priorities. This work has involved Officers from a number of Council Departments and representatives from state agencies and the New South Wales Department of Planning. The work being undertaken is a result of a number of Cabinet decisions in response to the SEQ2001 recommendations and the various agencies are currently collecting the required data for consideration. The work being undertaken corresponds in some instances to the activities specifically being done for SOUTHROC and includes details on the types of infrastructure and priorities, the cost of infrastructure, capacities of the infrastructure and future works. The information involves a range of areas including water and waste water treatment, open space, sub arterial, arterial roadways and highways, railways, services to major employment areas, public

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transport, transport interchanges, hospitals and associated educational cultural and recreational facilities and solid waste disposal facilities.

(C) New South Wales/Queensland Cross Border Issues

SOUTHROC is pursuing a closer working relationship with the NORAC group of Councils in northern New South Wales on a range of cross border issues and is also seeking local government representation on the Border Issues Committee which has been established by the New South Wales and Queensland Government.

TEAM FUNCTIONS

There is considerable workload being generated within the Development and Environment Planning Department by the sub regional planning process which is a new process as part of the Government's consultative approach to regional planning.

Previously in Queensland there has not been any real attempt at regional planning and therefore the work to be undertaken for SOUTHROC is an additional duty not previously undertaken by Council. It is important to note that it is only through the restructuring of the Development and Environment Planning Department that a satisfactory capacity exists to undertake this work in the newly created Strategic and Environmental Planning Section who has regional planning as one of its primary functions. The new team structure within the Department has allowed Council to adequately deal with this important work which is having major implications on the way Council operates. Previously Council's ability to deal with such matters was limited and was normally only undertaken by one officer as part of other functions.

*** OFFICER RECOMMENDATION

It is recommended that:

(A) Council note the above information.

(B) Council note that the tasks required by the sub regional structure planning process and associated SOUTHROC activities are involving a considerable workload within Council, however, because of the implications, both at a regional and sub regional level, Council supports the ongoing work in this regard and acknowledges the restructuring of the Development and Environment Planning Department has allowed for the capacity to undertake this work.

(C) Council advise the Department of Transport and SOUTHROC that Council considers it desirable that in the Regional Transportation Plan being prepared, consideration be given to the provision of a rail corridor to Southport and the extension of the rail link between Brisbane and Robina to northern New South Wales with stations serving both the Coolangatta Airport and the central and southern Gold Coast area, preferably in the West Burleigh locality. In addition, Council considers it desirable that planning be commenced on provision of a mass transit system along the coastal strip with links to the future railway stations

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and major inland centres and this mass transit system should consider a number of alternatives including light rail.

*** RECOMMENDATION

That the recommendation of the Strategic & Environmental Planning Manager be adopted.

*** ITEM 63 CM21/10/94(PD063)

TEAM 6 - QUEENSLAND HERITAGE ACT 1992 - MAIN BEACH PAVILION

FILE REFERENCE(S)	008/000/016
PREVIOUS DECISION(S)	CM03/07/92(PD030) CM12/02/93(PD011) CM29/07/94(PD032)
VIDE ITEM(S)	LETTER(S)

LOCATION OF SITE	:	MACARTHUR PARADE, MAIN BEACH
REAL PROPERTY DESCRIPTION	:	LOT 40 ON PLAN WD 6451, PARISH OF GILSTON, COUNTY OF WARD
OWNER	:	GOLD COAST CITY COUNCIL
APPLICANT	:	GOLD COAST CITY COUNCIL
PROPOSED DEVELOPMENT	:	NOMINATION OF MAIN BEACH PAVILION TO BE PLACED IN THE HERITAGE REGISTER

*** PREVIOUS AGENDA MATERIAL

*** CORRESPONDENCE QUEENSLAND DEPARTMENT OF ENVIRONMENT & HERITAGE (FOLIO 9223578) (12/05/92) (PART)

As you may be aware, the new Queensland Heritage Act received assent on 17 March, 1992. The Act, which will be proclaimed in the near future and become law, will replace the interim Heritage Buildings Protection Act 1990.

The Act provides for the conservation of Queensland's cultural heritage by establishing a public register in which places with cultural heritage significance will be entered. The Act also provides for the creation of a Queensland Heritage Council with responsibility for the maintenance of the Heritage Register. Controls are imposed to regulate, but not preclude, specified forms of development to registered places that could result in the loss, or impairment, of their cultural heritage significance to the people of Queensland. Processes of review and appeal are included for the settlement of objections to the entry

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of places on the Register, and for objections to decision on applications for the development of registered places. Under each process the Act provides for right of final appeal to the Planning and Environment Court.

The Act provides discretionary powers of delegation to enable qualified local authorities to determine development applications on registered places within their jurisdictions.

The Minister is empowered to enter into agreements with owners of registered places to encourage and assist in their conservation for the long term benefit of the community.

In preparation for the proclamation of the new Queensland Heritage Act the Department of Environment and Heritage in association with the Department of Housing and Local Government is organising a series of workshops for local government authorities at regional centres throughout the State. The workshops are intended to acquaint local government with the provisions of the new Act.

*** REFERENCE DEPUTY PLANNING & DEVELOPMENT MANAGER (RC)(16/06/92)

For the information of Council, a copy of the proposed Act is contained on file.

*** OFFICER RECOMMENDATION

It is recommended that the information be noted.

COUNCIL DECISION CM03/07/92 (PD030)

- (A) That the information be noted.
- (B) That the Gold Coast Heritage Society be requested to provide Council with suggestions to buildings and/or structure that the Society considers would be appropriate for registration as a place with cultural heritage significance.

*** REFERENCE PLANNING AND DEVELOPMENT MANAGER (NH)(21/01/93)

Council, at its meeting on the 19th June, 1992, resolved that Council officers assess the future of the Main Beach Pavilion with a report being put to the relevant committee by December, 1992 for consideration during the 1993/94 budget discussions.

Council, at its meeting held on 3rd July, 1992 (PD030), noted the most recent information received relating to the new Queensland Heritage Act which was assented to on the 17th March, 1992.

Council further resolved that the Gold Coast Heritage Society be requested to provide Council with suggestions regarding buildings and/or structures that the Society considers would be appropriate for registration as a place with cultural heritage significance.

A report comprising an assessment of the historical value of the Main Beach Pavilion prepared by an architect, J. Herriot, for the Gold Coast Branch of the National Trust of Queensland, has been forwarded to Council for their information on 22nd October, 1992 (copy of report on file).

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It appears that the subject building, in its original form providing facilities for the general public as well as the life guards, was constructed in 1934 and is regarded by many as a historic building.

*** OFFICER RECOMMENDATION

It is recommended that the Heritage Council be advised that Council considers the Main Beach Pavilion has heritage significance and have it placed on the Heritage Registrar.

COUNCIL DECISION CM12/02/93(PD011)

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

*** CORRESPONDENCE QUEENSLAND DEPARTMENT OF ENVIRONMENT AND HERITAGE (FOLIO 9423833) (14/06/94)

I refer to your letter of 13 September 1993, enclosing a nomination form for the proposed entry of the Main Beach Pavilion, File No. 601265 in the Heritage Register, and thank you for the attached details providing information on the history of the place. The information will provide a valuable basis for the preparation of an entry in the Heritage Register. A second nomination for the Main Beach Pavilion was received by the Department of Environment and Heritage in March 1994.

I wish to advise also, that nominations proposing the entry of the Surf Life Saving Club, Southport, File No. 601486, and the Southport Bathing Pavilion, File No. 601514, in the Heritage Register have been received by the Department of Environment and Heritage. Preliminary research indicates that the Southport Surf Life Saving Club and the Southport Bathing Pavilion may be considered to have cultural heritage significance and may meet the criteria in the Queensland Heritage Act 1992.

The process of researching and drafting an entry in the Heritage Register usually involves research officers of the Cultural Heritage Branch visiting and documenting the place at a mutually convenient time, and a research officer from the Department will be in contact with you in the near future to arrange a suitable time to visit the building.

In writing to you, I am seeking to avoid any disagreement with the Gold Coast City Council, should the Heritage Council proceed with entering the Southport Surf Life Saving Club and the Southport Bathing Pavilion in the Heritage Register. Should you wish to discuss this matter further, please do not hesitate to contact Mr Ray Osborne, Manager, Historic Heritage, either by telephone on (07) 227 6732, or at the above address.

*** REFERENCE SENIOR DRAFTING OFFICER - PLANNING & DEVELOPMENT (TP) (06/07/94)

Council has received the above correspondence from the Department of Environment and Heritage dated 14 June 1994 regarding Council's application to have the Main Beach Pavilion placed in the Heritage Register.

The Department has advised that another nomination has also been received for the Main Beach Pavilion. The Department has also received nominations for the Southport

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Surf Life Saving Club, Main Beach, and the Southport Bathing Pavilion in Anzac park, both owned by Council.

On 30 June 1994 research officers from the Department of Environment and Heritage inspected the above buildings with Council officers. The research officers will be preparing a report and recommendation to be presented to the Heritage Council later this year, on the suitability or otherwise of these buildings to be placed in the Heritage Register.

Presently, the three buildings are entered in the National Trust Register.

It should be noted by Council that under the Queensland Heritage Act 1992, once a building has been placed in the Heritage Register, specified forms of development including alteration and renovation require approval from the Heritage Council prior to commencement of such works. Under the Act, the Heritage Council may empower a local government authority with a delegation to decide applications for development in registered places, however, this delegation does not extend to cover applications for work in registered places owned by a local authority or the Crown. Therefore Council's present plans for the refurbishment of the Main Beach Pavilion will require approval from the Heritage Council once the building is placed in the register. This could lead to alterations in the plan or possible rejection of the renovation, however, the latter is unlikely. The same would apply to any alterations planned for the Southport Surf Club and the Southport Bathing Pavilion.

As the above buildings are regarded by many as having significant heritage value, it is recommended that Council has no objection, should the Heritage Council proceed with entering the Southport Surf Life Saving Club and the Southport Bathing Pavilion in the Heritage Register.

*** OFFICER RECOMMENDATION

It is recommended that:

- (A) Council note the above information.
- (B) The Department of Environment and Heritage be advised that Council has no objection to the placing of the Southport Surf Life Saving Club and the Southport Bathing Pavilion in the Heritage Register, should the Heritage Council decide to do so.
- (C) It be noted that Council in determining this matter has had due regard to the information supplied by the Department of Environment and Heritage and has also relied on a report prepared in relation to this matter.
- (D) Council's City Architect be advised of the above information and that should the above buildings be placed in the Heritage Register, then any plan for the refurbishment of the buildings will need to be approved by the Heritage Council. This would include the renovations currently proposed for the Main Beach Pavilion.

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COUNCIL DECISION CM29/07/94(PD032)

- (I) The Director Development and Environment Planning bring forward a report on the limitations of the building in relation to use, signage, alterations and extensions if the building is placed on the Heritage Register.
- (II) Council note that Councillor Crichlow fully supported the Officer's recommendation and asked that her opposition to the Committee recommendation be recorded.

*** CURRENT AGENDA MATERIAL

*** REFERENCE SENIOR GIS/ENVIRONMENTAL OFFICER (TP) (TEAM 6) (05/10/94)

Following Council's decision on 29 July 1994 (PD032) for Development and Environment Planning to bring forward a report on the limitations of the Main Beach Pavilion in relation to use, signage, alterations and extensions if the building is placed on the Heritage Register, a letter was sent to the Department of Environment and Heritage requesting advice on these issues.

Subsequently, a meeting, including a site inspection, was held with Officers from the Department. Council has now received correspondence from the Department dated 16 September 1994, a copy of which is contained in full in the vide pages. This also includes copies of the draft submissions prepared by the Department for the main Beach Pavilion, the Southport Surf Life Saving Club and the Southport Pavilion, to be presented to the Heritage Council.

The main points raised in the Department's advice are:

- * It is the Department's opinion that the three buildings form an important group of buildings, which are of cultural heritage significance to not only the Gold Coast but to all of Queensland.
- * It is the Heritage Council's view that the inclusion of a building on the Heritage Register does not preclude development, including alterations and extensions.
- * The principal aim of heritage conservation is not to halt change but to ensure that any proposed changes give due consideration to the cultural heritage significance of a place.
- * Ideally proposals should aim to retain as much of the surviving internal original fabric as possible and try and match the proposed uses to the existing spaces. However, it is recognised that the introduction of additional uses to meet today's requirements is reasonable.
- * The Department welcomes the proposed reconstruction of the altered or removed original details. "

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With regard to Main Beach Pavilion alterations:

- * Advice is given regarding the proposed layout of the changing rooms to make the most appropriate use of the original internal walls and entrance.
- * The use of part of the building as living accommodation could result in different types of windows being used and may not be acceptable.
- * In relation to future extensions, it is considered that no objection in principle is likely to be raised. It is suggested that a detached building lightly linked would be satisfactory.
- * With regard to signage it is considered that the present situation, with a clutter of different signs, is unsatisfactory and visually detracts from the appearance of the building.
- * There would be no objection to advertising on the building in a more sympathetic manner. Greater use could be made of the signing opportunities offered by the architectural design of the building. The use of more modern discreet signs would be acceptable.
- * The re-establishment of the central hall as a single space is welcomed.
- * The introduction of a garage is likely to be problematic as the alterations required are likely to have a significant impact on the exterior.
- * Finally, the Department does not oppose changes to the Main Beach Pavilion, or indeed to the other two nominated buildings but only seeks that they be carried out in a manner which recognises the cultural heritage significance of the building.

The Department has recommended that Council gives consideration to commissioning a Conservation Plan for the Main Beach Pavilion. A Conservation Plan provides a management strategy for a building's protection, maintenance and future changes. The preparation of a Conservation Plan for a building which is on the Heritage Register would be eligible for financial assistance under the Queensland Heritage Grants Programme. In addition, if the building was also included on, or nominated to, the Register of the National Estate, it would also be eligible for assistance under the National Estates Grants Programme. Further information regarding these grants and Conservation Plans is held on the file.

The Department also considers that the inclusion of the buildings on the Heritage Register should be accompanied by publicity involving Council and the Department. It was suggested that it may be appropriate to plan the publicity around the sixtieth anniversary of the opening of the Main Beach Pavilion being 20 December 1994.

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*** OFFICER RECOMMENDATION

It is recommended that:

- (A) Council note the above information.
- (B) The Department of Environment and Heritage be advised that Council fully supports the inclusion of the Main Beach Pavilion, the Southport Surf Life Saving Club and the Southport Bathing Pavilion on the Heritage Register, should the Heritage Council decide to do so.
- (C) Council's Public Relations Section make the appropriate arrangements with the Department of Environment and Heritage to organise publicity, involving both Council and the Department, to accompany the inclusion of the three buildings on the Heritage Register.
- (D) Council give consideration to commissioning the preparation of a Conservation Plan for the Main Beach Pavilion after the building has been included on the Heritage Register.
- (E) Council's City Architect be advised of the above information.

*** RECOMMENDATION

That the recommendation of the Senior GIS/Environmental Officer be adopted.

*** ITEM 64

CM21/10/94(PD064)

TEAM 6 - QUEENSLAND LOCAL GOVERNMENT HOUSING POLICY

FILE REFERENCE(S)	390/001/001 PT 6
PREVIOUS DECISION(S)	CM09/09/94(PD007)
VIDE ITEM(S)	POLICY

*** PREVIOUS AGENDA MATERIAL

*** CORRESPONDENCE LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC (FOLIO 9424945) (22/06/94)

The Association has prepared a draft Local Government Housing Policy for consideration by the Annual Local Government Conference. A copy of the draft Policy is circulated to Councils for prior comment.

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Please find attached a copy of the draft Local Government Housing Policy and Discussion Paper.

The purpose of the Policy is to express a strategic vision that describes a Queensland Local Government position on housing. The Policy will provide guidance to Local Government in addressing local housing issues and establish a framework for improved cooperation with Commonwealth and State Governments, private industry and the community sector.

The draft Policy will be submitted for consideration to the 1994 Annual Local Government Conference in Townsville.

To assist in the development of the draft Policy, the Association established a large Advisory Group that reflected the diverse nature of Local Government throughout Queensland. The Group included Mayors, Councillors, Chief Executive Officers, Departmental Managers, Town Planners and Community Development Officers.

The Association also conducted a survey of 50 Mayors across Queensland.

The Advisory Group and key stakeholders representing Commonwealth and State Governments, private industry and the community sector participated in a Housing Workshop on 9 and 10 June. The draft Policy is the outcome of that Workshop.

I am seeking comments on the draft Policy by 15 July prior to submitting it to the Agenda Committee for Annual Conference. Further copies of the draft Policy and Discussion Paper are available from the Association.

I appreciate that many Councils will not be able to consider the draft Policy by this time. However, I encourage Councillors and Council Officers to review the draft Policy and discuss any issues with the Housing and Infrastructure Officer, Mr Ain Kuru. Ain will also be visiting many Local Governments before Annual Conference to discuss the draft Policy and other related initiatives with Councillors and Council Officers.

*** REFERENCE STRATEGIC AND ENVIRONMENTAL PLANNING MANAGER (KJH) (16/08/94)

The Policy was prepared in association with an advisory group made up of Councillors of various local authorities within the State, Chief Executive Officers of various local authorities within the State and Town Planners, Community Development Officers from a number of Councils and Officers from various Queensland Government Departments. The Policy also included a questionnaire that was directed to the Mayors of a number of local authorities which was responded to by Councillor Baildon on behalf of Gold Coast City Council.

The Policy is intended to provide an overall direction in terms of the provision of housing on a statewide basis and it is generally considered that the issues addressed in the Policy are satisfactory. Gold Coast City already adequately meets most of the Planning and Development issues that are raised within the Policy, however, Council's involvement in the social planning and community impacts associated with housing has been minimal to date. It is considered that in this regard the proposed new State Planning Legislation and Council's Corporate Plan will require Council to give greater

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TEAM 6 - QUEENSLAND LOCAL GOVERNMENT HOUSING POLICY

attention to the aspects of social planning and community development and the issues raised in the Policy will have to be addressed within the City in the near future.

The major thrust of the Policy is that, in general, local government sees itself as being a facilitator for the provision of housing and not specifically as a provider. However, the Policy does allow local government to become a provider if it is considered necessary in their particular area. It is interesting to note that, while this option is not taken up by the majority of local authorities in South East Queensland, in other parts of the State, local government has found it necessary to become involved in the provision of housing and subdivision for development as a means for facilitating growth within their areas which would not otherwise be provided for by the private sector.

*** OFFICER RECOMMENDATION

It is recommended Council note the Local Government Housing Policy and advise the Local Government Association of Queensland that Council has no objection to the introduction of this Policy.

COUNCIL DECISION CM09/09/94(PD007)

That the recommendation of the Strategic and Environmental Planning Manager be adopted.

*** CURRENT AGENDA MATERIAL

*** REFERENCE STRATEGIC AND ENVIRONMENTAL PLANNING MANAGER (KJH) (TEAM 6) (07/10/94)

Further to Council's previous decision on this matter it should be noted that the Policy was adopted with some minor changes by the Annual Local Government Conference on 23 August 1994 and a copy of the final Policy is included in the vide pages.

Council's attention is drawn in particular to the provisions of Clauses 4.1 to 4.6, 5.4, 6.2, 7.2 and 11.2 of the Policy which outline Local Government's responsibility in implementing the Policy.

As outlined in the previous report considered by Council, many of the issues dealing specifically with Planning and Development that are raised within the Policy are already adequately addressed by Council, however, Council's involvement in Social Planning and Community Impacts associated with housing has been minimal to date. The proposed new State Planning Legislation and Council's Corporate Plan will require Council to become more involved in aspects relating to Social Planning, Community Development and the issues raised in the Policy. The new team structure within the Development and Environment Planning Department will allow for the first time the ability to address many of these issues in a comprehensive manner with the Strategic and Environmental Planning Section having responsibility for Social and Community Planning. Upon introduction of the new legislation, it will be necessary for Council to review its Strategic Plan so as to incorporate the wider issues related to Social and Community Planning.

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ITEM 64 CONTINUED...
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*** OFFICER RECOMMENDATION

It is recommended that Council note the introduction of the Local Government Housing Policy.

*** RECOMMENDATION

That the recommendation of the Strategic & Environmental Planning Manager be adopted.

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*** ITEM 65

CM21/10/94(PD065)

TEAM 7 - COMMUNITY DEVELOPMENT AND PLANNING CONFERENCE - 1994
2 TO 4 NOVEMBER 1994

FILE REFERENCE(S)

163/000/017 PT5

*** CURRENT AGENDA MATERIAL

*** CORRESPONDENCE LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC. (FOLIO 9435265) (07/09/94)

The 1994 Local Government Community Development and Planning Conference will be held from 2 - 4 November 1994 at Kingfisher Bay, Fraser Island. The Conference will include a 2 day Community Development and Planning Forum and half day Integrated Local Area Planning workshop. A Registration form is attached.

Further to the circular of 5 July, attached is a registration form for the 1994 Community Development and Planning Conference. The Local Government Association of Queensland and the Local Government Community Workers Association are joint sponsors, with Hervey Bay city and Maryborough City hosting the conference.

This year's conference is clearly focussed on Local Governments' Community Development and Planning agenda. Issues to be addressed include Local Government involvement in community development, the context, the role of Community Development Officers and how to build the capacity of Local Government in communities. As previously advised, the forum will identify key policy issues to be addressed for a major conference to be held in Brisbane 1995.

The conference is an integral part of the Local Government policy development process. The conference is particularly important for Councillors, Community Development Officers, Community Services staff and Planners. I encourage Councils to participate in this year's conference.

*** REFERENCE PLANNING OFFICER (LJ) (TEAM 7) (11/10/94)

Approval is sought for one (1) member of the Development and Environment Planning Staff to attend the abovementioned conference co-sponsored by the Local Government Association of Queensland Inc. The venue will be at Kingfisher Bay Resort - Fraser Island. It is recommended that one (1) Planning Officer from Team 7 attend due to its content.

The conference will focus on Local Governments' community development and planning agenda. Areas to be addressed include the following:

- A workshop addressing the Integrated Local Area Planning (ILAP) Process providing background to ILAP including principles, State and Commonwealth involvement; use examples of projects used to explore ILAP's application in the Local Government Sphere, and discusses the relationship between ILAP and Community Development.
- Local Government involvement in community development and planning; the context including corporate, regional and social planning, ILAP, new legislation and the changing face of Local Government.

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It is perceived that attendance at this conference will be beneficial regarding Local Government policy development. With projects such as the Surfers Paradise Development Control Plan and the objectives of Council's Corporate Plan, such a conference will be of significant benefit.

Discussions with Council's Community Services Manager, Mr Brian Barker, have indicated that no representatives are available from Community Services to attend.

The total registration cost is as follows:

Full Registration Fee (Delegate)	\$240.00
Single Room Accommodation (2 Nights)	\$252.00
Total	<u>\$492.00</u>

Other expenses would include fuel (to and from Hervey Bay) and security parking fees (Hervey Bay).

This cost would be charged to the Department's Conference budget No. 40015 which contains sufficient funds. Travel to Hervey Bay would be by Council vehicle.

*** OFFICER RECOMMENDATION

It is recommended that one (1) Planning Officer from the Urban Design Team attend the 4th Annual State Conference on Local Government and Community Development and Planning with the conference expenses met by the Department's Conference Budget Account (No. 40015).

*** RECOMMENDATION

That the recommendation of the Planning Officer be amended to read two (2) Planning Officers from the Urban Design Team attend the 4th Annual State Conference on Local Government and Community Development and Planning.

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*** ITEM 66

CM21/10/94(PD066)

TEAM 8 - PROPOSED COBAKI DEVELOPMENT TWEED HEADS - BOYD STREET, TUGUN

FILE REFERENCE(S)	811/000/026 PT9
PREVIOUS DECISION(S)	CM17/06/94(PD021) CM12/08/94(PD006)
VIDE ITEM(S)	LETTER(S)

*** PREVIOUS AGENDA MATERIAL

*** REFERENCE PLANNING OFFICER (ST) (31/05/94)

Following a request from the prospective purchaser of Cobaki Lakes, Tweed Council has resolved to prepare and exhibit an amendment to the Development Control Plan for Cobaki Lakes.

As Council's previous concerns were associated with access and traffic flows, this matter has been referred to the Traffic Section for comment which is identified in the following reference:

*** REFERENCE TRAFFIC ENGINEER (IM)(20/05/94)

I refer to the proposal to amend Tweed Development Control Plan No. 17 - Cobaki Lakes.

I have some concerns about the proposed change in concept for the subject development, not only the increased residential lot yield but also the removal of the majority of internal employment opportunities.

The previously agreed conditions, set out in the Deed relating to Boyd Street road construction, require construction of a signalised intersection of Boyd Street/Gold Coast Highway generally in accordance with Burchill Bate Parker and Partners Drawing No. C1873.09.SK2A. In addition there were bonds for (a) future road widening of Boyd Street and (b) traffic calming in the streets to the north of Boyd Street.

Future widening of Boyd Street (N.S.W. border to Tugun Street) was to be triggered by a measured traffic volume in excess of 800 vehicles per hour eastbound on a typical day. Clause 4.1 of the Deed applies this condition.

This condition would transfer to any new proposal for the site. With a conventional residential development, with limited job and educational opportunities within the development, one might expect traffic use of Boyd Street to grow at a faster rate for any given level of residential development. In this regard changing the mix of uses in the development may only serve to bring about the full Boyd Street widening at an earlier date.

Tweed Shire Council's proposal to restrict development to 2900 lots prior to the Western Bypass may still result in the 800 vehicles per hour being passed, particularly if the other connections to the site are not upgraded and / or the estate is mainly settled by families.

I still believe that the development approval should have included the full upgrading of Boyd Street to a four lane dual carriageway from the entry road to Moran Hospital to the Gold Coast Highway. This was the original intent and formed the basis of the original

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TEAM 8 - PROPOSED COBAKI DEVELOPMENT TWEED HEADS - BOYD STREET, TUGUN

submission. Also, Council has just received correspondence from the Tugun Progress Association, requesting that full roads infrastructure, including a start on the Western Bypass, be in place to a start being made on the project.

It is suggested that Tweed Shire be advised that the current proposal is sufficiently different from the one originally approved as to require a full commitment to roads infrastructure from the border to Gold Coast Highway. This should take the form of a single carriageway road from the border to Moran Hospital and a dual carriageway road to Gold Coast Highway, with the fully channelised, signalised intersection at the Highway.

*** REFERENCE PLANNING OFFICER (ST)(31/05/94)

*** OFFICER RECOMMENDATION

It is recommended that Tweed Council be advised by the Director, Department and Environment Planning that the proposed amendment of the Development Control Plan No. 17 - Cobaki Lakes is sufficiently different from that originally approved and Gold Coast City Council would require a full commitment to roads infrastructure from the border to Gold Coast Highway. This commitment would require the construction, at no cost to Council, a single carriageway road from border to Moran Hospital and a dual carriageway road to the Gold Coast Highway with fully channelised, signalised intersection at the Gold Coast Highway.

*** REFERENCE DIRECTOR, DEVELOPMENT & ENVIRONMENT PLANNING (NH) (01/06/94)

The problems of bonding, assurances on future roadwork, Tweed Shire priorities versus Gold Coast roads, legal status of agreements etc., it is considered that it would be better to have a separate agreement with the developers of the Cobaki Lakes development. This would be legally obtained and enforced if Council obtained an access restriction strip on the extension of Boyd Street at the New South Wales border. In this way the developers would require an agreement with Council to legally access Boyd Street at all times in the future.

*** OFFICER RECOMMENDATION

It is recommended that Council's Property Officer obtain title to an appropriate strip of land adjacent to the New South Wales border. Funds for the survey and acquisition to be from Planning and Development Legal Expenses, Budget No. 064873.

COUNCIL DECISION CM17/06/94 (PD021)

That the recommendation of the Director Development & Environment Planning be adopted.

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- *** REFERENCE DIRECTOR, DEVELOPMENT & ENVIRONMENT PLANNING (NH)
(29/07/94)
*** OFFICER RECOMMENDATION

It is recommended that Council note a meeting has been arranged between the applicant's representatives and the Planning and Development Committee. This meeting has been arranged for Tuesday 2 August 1994.

COUNCIL DECISION CM12/08/94(PD006)

- (A) That Council note a meeting was held between the Planning & Development Committee and the applicant's representatives on Tuesday 2 August, 1994.
(B) Council note that the Planning & Development Committee had a further meeting with the owner's representatives on Tuesday 9 August 1994.
(C) The matter be deferred and the Director, Development & Environment Planning arrange to meet with the representatives in relation to the form of the agreement, and bring forward a further report on this matter.

*** CURRENT AGENDA MATERIAL

*** REFERENCE DIRECTOR, DEVELOPMENT & ENVIRONMENT PLANNING (NH)
(06/10/94)

The offer by the developer (see Vide pages) to upgrade Boyd Street now rather than at some future time is preferred. The offer though appears conditional on release of the other obligations (traffic calming devices) and the approval of an entry statement at the Gold Coast Highway/Boyd Street intersection.

*** OFFICER RECOMMENDATION

It is recommended

- (A) Council advise approval in principle to the road upgrading works in Boyd Street being constructed prior to any development occurring in the Cobaki Lakes proposal subject to a satisfactory resolution of the provision of traffic calming devices in the side streets of Boyd Street and details of the proposed entry statement at the Gold Coast Highway/Boyd Street intersection being satisfactory to Council.
(B) The applicant be invited to submit details of the proposed entry statement of the Gold Coast Highway/Boyd Street intersection for Council's consideration.

*** RECOMMENDATION

That the recommendation of the Director Development & Environment Planning be adopted.

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*** ITEM 67

CM21/10/94(PD067)

TEAM 8 - MAGIC MOUNTAIN DEVELOPMENT - "LOWER SITE" - CORNER CHAIRLIFT AVENUE AND GOLD COAST HIGHWAY, MIAMI

FILE REFERENCE(S)	818/094/039 PT2
PREVIOUS DECISION(S)	CM03/06/94(PD019)
VIDE ITEM(S)	LETTER(S)
	PLAN(S)

PROJECT NAME	:	MAGIC MOUNTAIN - "LOWER SITE" (RAPTIS)
LOCATION OF SITE	:	CORNER CHAIRLIFT AVENUE AND GOLD COAST HIGHWAY, MIAMI
REAL PROPERTY DESCRIPTION	:	LOT 3 ON REGISTERED PLAN 854949, PARISH OF GILSTON, COUNTY OF WARD
OWNER/APPLICANT	:	RAPCIVIC CONSTRUCTIONS PTY LTD
PROPOSED DEVELOPMENT	:	MULTI-UNIT BUILDING AND RETAIL
SITE AREA	:	4129m ²
ZONING OF THE LAND	:	SPECIAL FACILITIES

*** PREVIOUS AGENDA MATERIAL

RELEVANT CONDITIONS OF APPROVAL

- (20) In accordance with the Local Planning Policy "Stormwater Headworks Contributions at Building Approval Stage" a contribution may be required towards the cost of provision or upgrading of the stormwater system in the area. Where a contribution is required as part of a development it shall be paid to the Council prior to the commencement of construction and shall be determined at the time of processing the building application in accordance with the rates fixed by the Council applicable at that time.
(38) The applicant is to contribute 50% of the construction cost for the upgrading of the intersection as required by condition (38) prior to the release of the building application. The cost will be determined at the time of lodgement of the building application.
(44) Payment to Council of \$7800.00 per space (or other such rate as adopted by Council as being applicable to the appropriate area at the time of lodgement of a Building Application) in lieu of six (6) off-street car parking spaces, such amount to be paid to Council prior to occupation of the building. A bond, acceptable to the Chief Executive Officer for the required amount is to be lodged with Council prior to the issue of Building Approval. Should the development be designed in such a manner as to reduce the amount of required car parking, the required payment may upon application to the Planning and Development Manager, be amended accordingly.

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**TEAM 8 - MAGIC MOUNTAIN DEVELOPMENT - "LOWER SITE" - CORNER
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GEOTECHNICAL CONSIDERATIONS

(59) 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 and shall address issues such as:

- (a) the stability of the adjacent sites during and after construction;
- (b) protection of the development from moving boulders, dislodged from "Magic Mountain" from time to time;
- (c) the treatment of the batter bank / retaining wall at the property boundaries; and
- (d) take into consideration the proposed development of Lot 2 on Registered Plan 854949.

The geotechnical report is to be prepared in consultation with Council and the owners of Lot 2 on Registered Plan 854949, Parish of Gilston.

The recommendations to stabilise the slope as contained in the geotechnical report and any other works required by the Chief Engineer and the Director of Parks and Gardens are to be approved and implemented prior to the commencement of construction.

Prior to the commencement of the geotechnical report, the site will be required to be surveyed to determine the property boundary. All works to stabilise the slope are to occur on the subject site.

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

(61) 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 level and to preserve and protect adjoining site from damage.

COUNCIL DECISION CM03/06/94 (PD019)

That the recommendation of the Planning Officer be adopted subject to the deletion of Part (C) and the replacement with the following:

(C) That the request for a relaxation of the lift requirement in Block A is refused in order to ensure adequate internal safety and convenience within the building.

*** CURRENT AGENDA MATERIAL*** REFERENCE PLANNING OFFICER (LMCEC) (TEAM 8) (11/10/94)

Council at its meeting of 3 June 1994 approved a consent application for a multi-unit building with a retail component.

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In accordance with Condition 59, a geotechnical report was to be supplied to Council by the applicant. The report was to address:

- (1) the stability of the adjacent sites during and after construction;
- (2) protection of the development from moving boulders;
- (3) treatment of the batter bank; and
- (4) take into consideration the Walker's development at the top of the hill.

The purpose of obtaining this report was to ensure the stability of Magic Mountain, which consists of old and fragmented sedimentary rocks. The land between the two development sites (Lot 3) is in the ownership of the Crown and is in the process of being transferred to Council by the Department of Lands.

After detailed discussions between the applicant and Council's officers, a geotechnical report has been provided.

The applicant has advised, by letter dated 3 October 1994, that it is "prepared to carry out the work in accordance with the report". This offer is subject to Council agreeing to relax certain conditions, as follows:

- (1) Condition (20) - Stormwater drainage.
- (2) Condition (38) - A 50% contribution was required to the cost of upgrading the intersection.

This condition was not applied to the Walker's development. As design work has not been completed, a costing is not available.
- (3) Condition (44) - 9 carparking spaces are required to be paid for by cash-in-lieu at \$7000 per space.

*** REFERENCE MANAGER, PLANNING AND DESIGN (BL) (11/10/94)

An investigation has been undertaken by geotechnical engineers Golder Associates Pty Ltd for Rapcivic Constructions on the stability of the rock slope between the Rapcivic and Walker sites at Magic Mountain. The investigations and report was commissioned by Rapcivic as they agreed the study was a requirement under the conditions of their development approval.

The findings of the Consultant's Report and subsequent actions can be summarised as follows:

- (1) The Consultant's opinion is that the rock slope is unstable in its current condition with evidence of recent rock falls and open joints on several areas of the face indicating rock blocks about to fall. There is also potential for wedge failures to occur by sliding along lines of intersection of bedding planes. Ground support

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(rock bolts and rock fall netting) will be required to maintain long term stability when the face inclination exceeds 35° above horizontal.

(2) Two possible basic options for stabilisation exist:

(a) Flatten slope to 35° or less.

(b) Install ground support in the form of rock and rock fall netting.

Schematic details of these options are shown on appended Figure 3. Solutions involving a combination of the two basic methods are also possible.

(3) The Consultant's options for stabilisation are well recognised and accepted practice with the selection of the preferred option dependent upon compatibility with the adjacent Walker development and, of course, economics.

(4) As a general principle, the options involving lowering of the total height of the rock slope are technically preferable, however consideration needs to be given to the aesthetics of the final product as cutting down the height could potentially expose a "four storey" construction on top of the escarpment in lieu of a "three storey" above existing ground level. The appearance of the stabilised rock face will also need to be addressed. Some form of revegetation could be established which would also assist in surface stabilisation.

(5) Rapcivic Pty Ltd have undertaken to negotiate with the adjacent developer (Walkers) to determine their preferred option within the guidelines set down in the Golder Report and make a submission to Council in respect of the stabilisation works. This technical submission is still awaited and needs to be reviewed before the matter can be finalised.

*** OFFICER RECOMMENDATION

It is recommended that Council consider the applicant undertaking the necessary works to stabilise the proposed park to Council's satisfaction in exchange for the relaxation of Conditions 20, 38 and 44.

*** RECOMMENDATION

That Conditions 28, 38 and 44 not be relaxed and the applicant be advised accordingly.

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CORNER CHAIRLIFT AVENUE AND GOLD COAST HIGHWAY, MIAMI

File 818/094/039 PT2

Resolved on the MOTION of Councillor J A Sciacca, seconded 94/393
Councillor D I McDonald, that the recommendation be adopted subject to "Condition 28" being altered to read "Condition 20".

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*** ITEM 68

CM21/10/94(PD068)

**TEAM 8 - APPLICATION FOR TOWN PLANNING CONSENT FOR A RESTAURANT
AND FAST FOOD PREMISES - 17-21 FRANK STREET, LABRADOR**

FILE REFERENCE(S)
APPLICATION NUMBER

818/094/089
940089

LOCATION OF SITE	:	17-21 FRANK STREET, LABRADOR
REAL PROPERTY DESCRIPTION	:	LOT 1 ON REGISTERED PLAN 59820 AND LOTS 1 & 2 ON REGISTERED PLAN 68884, PARISH OF NERANG, COUNTY OF WARD
OWNER	:	B A ROGERS & HANDELI PTY LTD
APPLICANT	:	B A ROGERS & HANDELI PTY LTD
SITE AREA	:	1944m ²
ZONING OF THE LAND - EXISTING	:	RESORT RESIDENTIAL 1
DATE RECEIVED	:	16 JUNE 1994
DATE ADVERTISED	:	21 JUNE 1994
OBJECTION(S)	:	ONE (1) LETTER WAS RECEIVED
OBJECTOR(S)	:	MRS G LUKE

*** CURRENT AGENDA MATERIAL

*** REFERENCE PLANNING OFFICER (LMCEC) (TEAM 8) (12/10/94)

PROPOSAL

It is proposed to establish a restaurant and a takeaway food premises. The restaurant is to be 195m² and the takeaway food premises is to be 150m². A total of twenty-three (23) carparking spaces are proposed.

ADVERTISING

It would appear that the application has been advertised in accordance with the Act.

OBJECTION

One letter of objection was received and the grounds of objection are that the use will cause a nuisance, in particular with light and noise and increase the traffic congestion.

REPRESENTATION

Adequate conditions can be included in the approval to reduce the light and noise impact.

Carparking will have to be provided at the defined rate.

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QUEENSLAND TRANSPORT

Advice has been received from Queensland Transport noting that there is a road widening requirement of 3m to 4.5m across the Frank Street frontage. This road widening will be required to be dedicated to Council free of cost, as is Council's practice.

The buildings will be required to be setback six (6) metres from the road widening. No allowance has been made for a six (6) metre setback after the road widening.

ADJOINING LAND USES

Detached houses are located on two sides and a block of timber flats are to the east of the site.

TOWN PLANNING CONSIDERATIONSTABLE OF DEVELOPMENT

A restaurant and a takeaway food premises are consent uses in the Resort Residential 1 Zone.

PROVISIONS

The application has been assessed against Part 4:21 (Provisions for other developments in the Residential Zone). The proposal does not exceed the building height, site coverage or plot ratio provisions.

A six (6) metre setback is required from Frank Street, a 1.8 solid block or brick fence will be required along the residential boundaries, solid walls are proposed along the eastern walls of the buildings and twenty-three (23) carparking spaces are required.

CONCLUSION

The proposed uses are considered appropriate for the site. The proposal generally complies with the provisions.

Additional conditions have been included to protect the amenity of the adjoining residents. These conditions include a solid fence, no doorways in the walls abutting the residences, airconditioning and reduced numbers of windows.

***** OFFICER RECOMMENDATION**It is recommended

- (A) It be noted Council in determining this application had regard to a report which considered the relevant provisions of the State Planning Policies, Council's Planning Scheme, Local Planning Policies, the details and information submitted with the application and the submissions made by the objector.

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- (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 a restaurant and takeaway food premises on the land as described herein be approved subject to the conditions listed below:

DETAILS OF PREMISES

REAL PROPERTY DESCRIPTION:	LOT 1 ON REGISTERED PLAN 592820 AND LOT 1 & 2 ON REGISTERED PLAN 68884, PARISH OF NERANG, COUNTY OF WARD
LOCATION OF SITE:	17-21 FRANK STREET, LABRADOR
AREA OF LAND:	1944m ²
USE OF THE PREMISES AT THE TIME OF THE APPLICATION:	VACANT
APPROVED USE/S AS GRANTED IN THIS CONSENT:	RESTAURANT

CONDITIONS ATTACHED TO THE COUNCIL APPROVALAPPROVED PLANS

- (1) The development shall be in accordance with the plans (and elevations) submitted by the applicant (Plan/Drawing No. GC2217.00.02A submitted by Burchill Bate Parker & Partners dated October 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) Plot Ratio shall not exceed 0.8
- (c) Maximum Number of Storeys - One (1)
- (d) Approved Uses - Restaurant & Fast Food Premises
- (e) The building is to be setback 3m from the Robert Street frontage and 6m from the eastern line of the proposed Department of Transport road widening.
- (f) The following building setbacks shall be provided to the side and rear site boundaries -
 - (i) 1.5m to the outermost projection of that part of the building which is 4.5m or less above ground level.

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.

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- (3) Provision of fire services in accordance with the Building Act.
- (4) Compliance with the Food and Health Acts and all Regulations made thereunder.
- (5) Registration of the premises under the Workplace Health and Safety Act.

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) 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.
- (8) The premises are to be fully air-conditioned and sound-proofed to the reasonable satisfaction of the Planning and Development Manager.
- (9) 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.
- (10) The eastern walls of both buildings are to be solid with no windows or doors. Highlight windows are to be located along the southern wall of the proposed restaurant and there are to be no doors or access points on this wall. There is to be no pedestrian access to the buildings from Robert Street.
- (11) A 1.8m solid brick or block wall, with an appropriate finish is to be located along the eastern property boundary to the satisfaction of the Manager, Development and Environment Planning. The carparking lighting stands are not to exceed 1.5m in height. No garbage bins or containers are to be located on the property boundaries.

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 required landscaped open space (6m along the Frank Street frontage and 3m along the Robert Street frontage) shall be distributed about the premises and developed as follows -
 - (a) A 1.5m landscape strip is to be provided along the rear boundary.

REFUSE / RECYCLING FACILITIES

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

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If the refuse storage / recycling 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 / recycling 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 / recycling 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 / recycling area shall be screened by dense planting and mounding.

- (15) Provision shall be made for the storage, removal and screening of refuse and recycling facilities in accordance with the Council's By-laws and to the satisfaction of the Chief Health Surveyor.

ELECTRICITY FACILITIES

- (16) 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.

COMPLIANCE WITH SAFETY REGULATIONS AND FLAMMABLE AND COMBUSTIBLE LIQUID REGULATIONS

- (17) Storage of any flammable and combustible liquids to be in accordance with "Flammable and Combustible Liquids Regulations".
- (18) Compliance with the Work Place Health and Safety Regulations and relevant Australian Standards (for the storage and handling of flammable and combustible liquids).

ADVERTISING DEVICES

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

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INFRASTRUCTURE AND CONSTRUCTION PROVISIONS EXTERNAL TO
 DEVELOPMENT SITES

Stormwater Drainage

- (21) 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.
- (22) 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.
- (23) 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

- (24) Prior to the issue of a Certificate of Classification the following shall be required to the satisfaction of the Director, Development & Environment Planning:

An area of the site frontage is required for road widening purposes dedicated free of charge to the Crown. All survey costs are to be at the developer's expense.

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ROADWORKS AND FOOTPATH AREAS

- (25) 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.
- (26) 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.
- (27) The paving of the footpath area along the frontage of the site in paving material to a design and standard to be submitted to and approved by the Planning and Development Manager and Chief Engineer.
- (28) 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.
- (29) 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.
- (30) 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).

FILLING AND FLOOD LEVEL

- (31) Any filling of the site shall not cause ponding on adjoining sites.
- (32) 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'.

PERMANENT ACCESS AND PROVISION FOR TRAFFIC

- (33) 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.
- (34) 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.

CONSTRUCTION ACCESS AND PROVISION FOR TRAFFIC

- (35) Prior to the lodgement of an application for a building permit, discussions shall be held with Council's Traffic and Building Sections to ascertain how this development is to be undertaken without any encroachment of

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- construction activity or storage of material on the footpath or roadway. All agreements reached will be to the satisfaction of the Chief Engineer.
- (36) Access to site during construction shall be in accordance with the Local Planning Policy 'Requirements for Construction for Development Sites'.
- (37) 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'.
- (38) Provision of at least twenty-three (23) off-street car parking spaces and access and layout design to be provided and constructed in accordance with 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.
- (39) Car parking bays and aisle widths to be in accordance with Class 3 of the Australian Standard Code 2890.1-1986.
- (40) All of the required car parking shall be provided so as to be freely accessible to accommodate the vehicles of persons employed on the site for the time the development is open for business and those of bona fide visitors for the duration of any visit to the site. There shall be no encumbrance, fee or charge, and no gateways, doors or similar devices being erected or located which would restrict vehicular access to these spaces or no signs displayed which restrict the use of these spaces.
- (41) 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.
- (42) 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.
- (43) 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.
- (44) 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

- (45) 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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- 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.
- (46) The development shall be provided with Fire Hydrant installation conforming with the provisions of the Australian Standard AS2419 (as amended from time to time).
- (47) 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.
- (48) 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.
- (49) An easement shall be created over the existing sewer service and dedicated free of cost to Council prior to issue of a Certificate of Classification on the subject site. The existing Council 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

(50) 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 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

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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	\$360 per Equivalent Person
Sewerage	\$333 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 111.5 for the July/September 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.

(51) 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	\$281 per Equivalent Population/Person
Sewerage	\$413 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 111.3 for the July/September 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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PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS

- (52) 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

- (53) 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

- (54) 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 or prior to the commencement of the development whichever is the sooner.

GEOTECHNICAL CONSIDERATIONS

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

ENGINEERING DESIGN AND CONSTRUCTION

- (56) (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.

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- (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.

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

*** **RECOMMENDATION**

That the recommendation of the Planning Officer be adopted.

*** ITEM 69

CM21/10/94(PD069)

TEAM 8 - RUNAWAY BAY MARINA - COUNCIL OF THE CITY OF GOLD COAST & ORS -ATS- SHIPMODE PTY LTD & ANOR, P & E APPEAL NO 350/1993

FILE REFERENCE(S)	818/92/166 PT 3
PREVIOUS DECISION	CM04/06/93(PD019)
PROJECT NAME	: RUNAWAY BAY MARINA
PROJECT ADDRESS	: BAYVIEW STREET RUNAWAY BAY
REAL PROPERTY DESCRIPTION	: LOT 193 WD4984 COUNTY OF WARD
OWNER	: SHIPMODE PTY LTD
APPLICANT	: CT LITTLE & ASSOCIATES
PROPOSED DEVELOPMENT	: REDEVELOPMENT OF THE RUNAWAY BAY MARINA

*** **CURRENT AGENDA MATERIAL**

*** **REFERENCE PLANNING OFFICER (LMCEC) (TEAM 8) (21/10/94)**

Council at its meeting of 4 June 1993 refused an application to include the following uses at the Marina: Commercial services, commercial premises, indoor recreations, outdoor recreations, light industries, service industry premises, restaurant, takeaway food premises, service station, tourist facilities, tourist shop, vehicle sales premises, waterfront recreations, waterfront shops, warehouses and passenger terminals. An appeal was

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lodged against the decision, additionally some of the objectors, including the Proprietors of the adjoining "Marina Apartments" joined Council as Respondents by Election. Amended plans showing a reduction in the scale of the development were lodged and accepted by Council. The solicitors for Shipmode submitted a draft consent order to Council's Solicitors. Council's solicitors note in their letter dated 27 July 1994 that "the differences between the draft Consent Order and Council's published conditions are largely cosmetic and, in our opinion, do not, in any material way, alter the requirements of Council's conditions". A separate Consent Order will have to be entered into with the Respondents by Election.

*** OFFICER RECOMMENDATION

It is recommended that Council's solicitors be advised that the draft consent order prepared by the solicitors of the owner of the land is acceptable and that appropriate action be taken to finalise this appeal.

*** RECOMMENDATION

Council note that Councillor Smith declared a pecuniary interest and did not partake in any Committee discussion or decision in this matter.

*** ITEM 70

CM21/10/94(PD070)

TEAM 8 - SWIMMING POOL FENCING

FILE REFERENCE(S)	008/001/006
PREVIOUS DECISION(S)	CM09/09/94(PD015)

*** PREVIOUS AGENDA MATERIAL

*** REFERENCE DEVELOPMENT COORDINATION MANAGER (JWL) (19/08/94)

The State Pool Fencing Legislation requires that all "new" pools, i.e. those approved after 31 January 1992, be provided with isolation fencing within thirty (30) days of the pool being filled with water to a depth of 300mm or more. It is the responsibility of the property owner to comply with the legislation.

Council's practice is to only carry out inspections upon request which is consistent with that applicable to other building approvals, eg., houses. Also a follow-up inspection is not undertaken in the event that non-compliance is detected during a property inspection search.

Under the previous legislation, i.e. Council's Chapter 31 By-laws, arrangements were made to inspect outstanding pools to ensure compliance, although there was a substantial backlog at the time the legislation was superseded.

ITEM 69 - RUNAWAY BAY MARINA - COUNCIL OF THE CITY OF GOLD
COAST AND ORS -ATS- SHIPMODE PTY LTD AND ANOR, P & E
APPEAL NO 350/1993

File 818/092/166 PT3

Resolved on the MOTION of Councillor A J Rickard, seconded
Councillor D I McDonald, that the recommendation be
adopted subject to it being numbered 1. and the following
being added:

94/392

2. That Council's solicitors be advised that the draft
consent order prepared by the solicitors of the
owner of the land is acceptable and that appropriate
action be taken to finalise this appeal.

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TEAM 8 - SWIMMING POOL FENCING

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A recent survey of fifteen (15) 1992 pool approvals, selected at random, indicated that the fencing did not comply. In some instances, there was no isolation between the building and pool. Records indicate that there are 639 "new" pools for which a final clearance has not been requested. There is no spare capacity to undertake these inspections, however, if Council was to direct that "new" pools be inspected, arrangements could be made for them to be inspected in conjunction with other work over a period of time.

*** OFFICER RECOMMENDATION

It is recommended that Council gives a direction whether or not to undertake final inspections of "new" pools.

PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATION (06/09/94)

That all swimming pools are to be reinspected within six (6) months from the date of the first inspection.

COUNCIL DECISION CM09/09/94(PD015)

That this matter be referred back to the Planning and Development Committee for further consideration.

*** CURRENT AGENDA MATERIAL

*** REFERENCE DEVELOPMENT COORDINATION MANAGER (JWL) (03/10/94)

Pursuant to CM09/09/94 (PD015) this matter is referred back for further consideration.

*** RECOMMENDATION

That all new swimming pools be inspected for compliance within six (6) months of the date of approval.

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*** ITEM 71

CM21/10/94(PD071)

TEAM 8 - AUSTRALIAN INSTITUTE OF BUILDING SURVEYORS ANNUAL CONFERENCE - PERTH 3 - 10 SEPTEMBER 1994

FILE REFERENCE(S)	163/002/002 PT 6
PREVIOUS DECISION(S)	CM17/06/94 (CO005)

*** CURRENT AGENDA MATERIAL

*** REFERENCE COORDINATION MANAGER (JWL) (TEAM 8) (12/09/94)

I attended the 7th National Conference of the Australian Institute of Building Surveyors in Perth from 3 - 10 September, in company with Councillor Turner. There was a total of 270 delegates coming from all States and Territories and New Zealand. The program was possibly the best that I have encountered over the years, dealing with many facets of building surveying and development, together with an excellent coverage of the structural and management changes that are currently affecting all organisations, including local governments, Australia wide.

1. SATELLITE CITY DEVELOPMENT:

On Sunday 4 September, delegates travelled to the new satellite development of Joondalup which is situated within the City of Wanneroo, situated 25 km north of Perth. This included a trip on the newly established fast track rail system. Interestingly, suburban trains were abolished in the Perth region approximately 20 years ago, however a decision was taken three (3) years ago to provide a rapid transit system to service the new residential developments occurring to the north of Perth. Fortunately, the width of the freeway road system was sufficient to accommodate a dual track between the two road carriageways. As the topography is relatively flat, the road gradients also prove suitable for the train system. Trains commenced operation during 1993 and have proven so popular that already they are carrying passenger volumes in excess of that predicated for three (3) years hence. It is believed that the success of that transport system could prove valuable in addressing the mass transit problems of the Gold Coast region.

Some of the experiences of the development of Joondalup, which have relevance to South East Queensland and the Gold Coast region include: a high population growth, present population in excess of 200,000 people and increasing at approximately 9,000 per annum i.e., 4.5%; inground infrastructure designed to meet demand for the next 30 years; progressive urban design features including integrated sporting facilities; shopping centres; community and civic facilities; commercial - industrial estates and a broad mix of residential development styles. A number of design features of Joondalup are protected by copyright, to maintain the unique character of the development. It is believed that a number of aspects of the development could be of assistance in establishing future urban design criteria and objectives for the Gold Coast region.

2. LEGAL LIABILITY:

The Conference was addressed by the Hon Mr J D Malcolm Chief Justice of Western Australia who gave a historical summary of legal decisions associated with building development relevant to the question of liability and negligence. A number of those determinations included subsequent changes on appeal. Whilst earlier decisions indicated the need for a close proximity between parties to be demonstrated, which tended to exclude subsequent purchasers of property, a 1994 Queensland Decision, Mutual Life vs

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Coffey provided that builders do have a responsibility to future owners, to not act in a negligent manner. Similarly, a person seeking information direct from a Council, could claim damages if the information was found to be incorrect. This advice is consistent with earlier advice that particular care needs to be exercised in providing information such as property compliance searches.

3. CUSTOMER PERSPECTIVE:

Mr P Hunt, an architect, spoke on the need for local government to be more pro active and responsive to customer needs. For example to provide a customer advisory service on development requirements. This is consistent with the new direction currently being followed under Council's newly structured Development & Environment Planning Department.

He also spoke of Sydney City Council's monitoring program of structural silicon glazing. The long term durability of these installations is unknown and it is important that their performance be monitored to ensure the safety of persons in or about such buildings.

He also expressed the importance of civic projects being designed with account being taken of future maintenance costs. It was pointed out that some design and construct projects, whilst reducing initial construction costs, can result in exorbitant ongoing future maintenance costs.

4. MANAGEMENT CONSULTANT:

The first presentation by Mr Brian Greedy was entitled "The Challenge of Change". It revisited many of the points raised by other Management Consultants encountered in recent years and in particular the need for organisations to be customer focussed, striving to provide a customer service level of excellence and also to be innovative in the type of service provided. This is consistent with the objectives of Council's draft Corporate Plan. Other speakers at the conference reinforced these views.

5. TERMITE CONTROL:

This presentation explained the alternative treatments currently available compared to the present practice of providing a chemical treatment using organochlorine pesticides which are expected to be phased out by the middle of 1995. The most promising system appears to be Termiguard which comprises a fine stainless steel mesh which is installed around penetrations such as pipes through floor slabs and the perimeter of slabs and in the void at the base of brick veneer cavities. Extensive tests, conducted in Western Australia have indicated a very good success rate with the system. The additional cost appears to be of the order of \$250 - \$300 for a standard size house.

6. BUILDING DEVELOPMENT STATISTICS:

An Officer of the Australian Bureau of Statistics explained the many uses that Building Statistics collected from Local Government approval records, are put to. There is a statutory requirement for Local Government to provide this information to the Bureau. This information is most efficiently transferred to The Bureau by electronic means and accordingly the Bureau's requirements need to be taken into consideration when developing computer programs for recording of development information. In the event

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that private certification is introduced, consideration will have to be given to the form of recording such approvals for the purposes of the Bureau.

7. STEEL IN BUILDING CONSTRUCTION:

Mr S Urquart of the Australian Institute of Steel Construction spoke of the many innovations in steel products that have been developed to improve the efficiency of building construction in the domestic area. In addition to light weight metal framing, the industry has developed a number of more economic framing members such as floor joists and beams. He advised that the difference in cost between timber and steel is often marginal and such efficiencies could result in a shift from one medium to the other, although the different construction techniques involved and the need for tradesmen to have expertise in the form of construction, are often governing factors.

8. GEOGRAPHIC INFORMATION SYSTEMS:

An excellent presentation was given of the capabilities of Geographic Information Systems. This includes the ability to overlay subdivisional maps with aerial photos and other topographic information, together with details of infrastructure e.g., sewers, street lights etc. It is also possible to interact with property information files and include planning zonings in the system.

Council is developing a GIS system for the City, although it is understood that it may be 12 months before it is operable. Whilst the costs of establishing such a system can be quite high it is believed that the benefits will far outweigh the establishment costs.

9. WA LOCAL GOVERNMENT LEGISLATION:

The Executive Director of Local Government WA, advised that WA is currently reviewing building legislation which is less advanced than some other States at this stage. They do recognise the need for legislation to be brought into line with current day requirements, including the need to be more customer focussed, more flexible and be performance rather than prescriptive based. The State Government position is not to support the mandatory installation of fire alarms in new residential Class 1a buildings, i.e. houses, townhouses etc. New South Wales has introduced such legislation however no firm decision has been made in Queensland.

10. INSURANCE COUNCIL OF AUSTRALIA:

Mr T Carter expressed the need to ensure that appropriate fire safety standards are provided in buildings although he warned against over regulation. He also emphasised the need to ensure that such facilities are adequately maintained. Increased levels of fire protection have a number of benefits including a reduction in danger to life, the limitation of financial loss to business and affected staff and the loss of facilities to the community. The Insurance Industry recognises the advantages of the incorporation of fire safety facilities in buildings and does take this into account in determining insurance premiums.

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11. TILT UP CONSTRUCTION:

This paper reviewed the emergence of concrete slab tilt up construction techniques, which have also become popular for commercial and industrial buildings on the Gold Coast in recent years. In other States, this has included the construction of two storey town houses and it is possible that this trend will spread to other areas such as the Gold Coast if efficiencies in time and cost are able to be demonstrated.

12. COMPUTERS:

A demonstration was given of the latest techniques for the creation of site information plans using computer technology. Using electronic theodolites, the collection of site data is much more efficient and comprehensive. Once loaded into a computer, functions such as site calculations, contour levels, the determination of cut and fill volumes associated with earthworks and the establishment of minimum boundary setbacks, especially on irregular shaped allotments can be relatively easily determined. In addition to reducing the cost of generating such information, the ready availability of such facilities should prove a substantial benefit to the development approval process and hopefully overcome some of the problems experienced previously with site drainage and encroachment onto adjoining properties, because of the lack of accurate information.

13. EXPORT INITIATIVES & OPPORTUNITIES:

A presentation was made by the WA - MBA and the Midland Brick Company. Australian construction companies attempting to undertake building work overseas have generally been unsuccessful, due primarily to preference being given to local companies and the fact that a number of other nations have had relatively long term involvements in other countries and are therefore well established. However, expertise and technology is sought including professional services such as building surveying. Whilst in general this topic is not of interest to local government in Australia, it is conceivable that any local government wishing to be entrepreneurial could profitably export technical development expertise overseas, particularly to the developing Asian countries.

It was also surprising to hear that the Midland Brick Company in Western Australia exports clay bricks and pavers to a large number of overseas countries including Japan, Hong Kong, Spain and Italy. Whilst this in itself may not appear to be relevant to local government, it confirms that Australians can excel in most difficult situations and should prove a source of inspiration to management in all areas of endeavour.

14. INSULATION:

Mr R Thompsen, Principal Building Surveyor of the City of Berwick Victoria explained the provisions of the 1991 Victorian Regulations which require buildings to be constructed and insulated to achieve a minimum standard of energy efficiency. The main purposes of the regulations are to conserve energy and minimise the adverse effect on the atmosphere of the burning of fuels which contributes to the Green House Effect. Victoria and the ACT are the only areas where such regulations currently exist, however there is a potential for similar regulations to be adopted by other States and Territories. Although identical regulations are unlikely to be adopted in Queensland because of the different climatic conditions the southern experience does provide some valuable lessons about

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energy conservation, including the design of buildings for maximum solar efficiency. It is known that the Queensland Government is presently investigating and testing various solar efficient designs in some "Housing Commission" developments. It is considered desirable to encourage building owners to adopt energy efficient designs and the development of appropriate information brochures should prove a useful community service.

15. BUILDING PRODUCT APPRAISALS:

The Building Research Association of New Zealand (BRANZ) presented a paper on the research and appraisal work undertaken by that organisation in connection with building products and systems, including the fire testing of various building components. These services are similar to those provided by Australia's CSIRO which in the past has been unable to meet the demand and as a result, a number of Australian manufacturers have utilised the services of BRANZ. In addition, many building products are now being marketed internationally, particularly in the Asian region and the availability of a reputable testing authority is important to the Building Industry. The presentation helped provide an assurance as to the acceptability of the services provided by BRANZ, for use in building construction in Australia.

16. BUILDING CONTROL LIABILITY:

A very detailed paper (32 pages) was presented by Ms R Varghese, Barrister and Construction Industry Consultant. Her paper entitled "Limitations on Quantum & Duration of Liability - Truth or Illusion?", reviews recent changes to building legislation in Victoria, South Australia and the Northern Territory and proposals to amend Queensland legislation. The move to legislate to limit the extent of exposure of Local Governments to claims for negligence associated with the administration of building legislation, stems from a Local Government Minister' conference held in 1987. Legislation subsequently introduced to embrace this, attempted to establish liability limitations on time and the apportionment of damages in proportion to the extent of involvement of each party in a development. Unfortunately, due to the complicated nature of the law affected, parties have a number of litigation options which effectively negate the intent of the legislation. Hence the intention to reduce or limit the liability of local governments may be found to be ineffective.

Another major initiative recently introduced into legislation, in conjunction with the introduction of private certification, has been the requirement that building control certifiers carry compulsory liability insurance. This requirement for professional Building Surveyors to be insured appears to be inequitable as other professions e.g., Architects, Engineers and subcontractors who have a much greater role in the construction of buildings, are not required by legislation to be insured. It is therefore hoped that when the Queensland Government introduces private certification legislation, these issues are properly addressed.

17. BUILDINGS AND BUSH FIRES:

Two papers were presented by Dr G Ramsay of CSIRO "Ignition and Destruction of Buildings in Bush Fires" and "The Design and Construction of Buildings for Bush Fire Survival (Local Government Initiatives)".

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It appears that little has occurred legislatively, particularly in other States, as a result of the disastrous bush fires that have occurred including the Victorian Ash Wednesday bush fire disaster. A recent example is the extent of damage caused to buildings by the disastrous bush fires that occurred in the Sydney area last summer.

At the time of the conference, the topic did not appear particularly relevant to Gold Coast City, however with the proposed amalgamation and the recent bush fires in Queensland, there does appear to be a need to improve the resistance of buildings exposed to bush fires.

It is understood that a task force was established in Queensland following the Sydney bush fires, however I am unaware of any initiatives resulting therefrom. It is understood that it was intended to identify bush fire prone areas and possibly to legislate accordingly, however this has not occurred to date.

In view of the ferocity of fires in the high wind conditions encountered, the declaration of bush fire prone areas could give building owners in non declared areas a false sense of security.

It is considered appropriate for this issue to be reviewed following resolution of the amalgamation question.

18. MULTI STOREY TIMBER FRAME CONSTRUCTION:

A paper was presented by the Timber Development Association (New South Wales) Limited on recent developments in the construction of three storey buildings using fire and sound rated timber frame walls and floors, separating different dwelling units. Traditionally, such construction has previously been in concrete and masonry, although overseas the use of timber framing in multi storey buildings is common. In 1993 the Building Code of Australia was amended to permit such construction in Australia.

The Queensland Production Management Division (previously Housing Commission), intends to construct a 3 storey block of dwelling units in Brisbane, commencing October 1994. The success of this form of construction will be largely dependent upon costs and public acceptance of this alternative form of construction, which may be somewhat limited in the private sector of the market. There is a potential for timber framing to be cost competitive with traditional methods, however this will be partly dependent upon the availability of the required trades.

19. CIVIC RECEPTIONS:

A number of civic receptions were hosted by various local governments in and around Perth. Most of these were attended by elected members who mixed with delegates thereby providing an excellent opportunity for an exchange of views and experiences.

The City of Perth does not presently have an elected Council as the Government is dividing the City into four separate Municipalities, which is against the general trend elsewhere.

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ITEM 71 CONTINUED...
**TEAM 8 - AUSTRALIAN INSTITUTE OF BUILDING SURVEYORS ANNUAL
CONFERENCE - PERTH 3 - 10 SEPTEMBER 1994**

20. GENERAL:

A large proportion of the topics dealt with were of interest to Gold Coast City and Councillor Turner and myself gained considerable benefit from attending the conference. In addition to making the conference papers available to other Development staff I propose to make a number of presentations to staff on those issues which are of particular relevance to this Council.

The personal Management skills gained from the management segment of the conference were most valuable and will be utilised to foster and advance the change process that is currently occurring within Council.

I wish to place on record my appreciation to Council for the opportunity afforded to me in attending the conference.

*** OFFICER RECOMMENDATION

It is recommended that the report be noted.

*** RECOMMENDATION

That the report be noted and the Coordination Manager be congratulated on the extent of the report.

*** ITEM 72

CM21/10/94(PD072)

TEAM 8 - PROPOSED REDEVELOPMENT OF 3 DOLPHIN AVENUE NOBBY BEACH

FILE REFERENCE(S)	07-01511-0000-(5)
LOCATION OF SITE	: 3 DOLPHIN AVENUE NOBBY BEACH
REAL PROPERTY DESCRIPTION	: LOT 22 ON RP113350
OWNER	: MR S DIAMOND
APPLICANT	: MR S DIAMOND
PROPOSED DEVELOPMENT	: SMALL OFFICE DEVELOPMENT
SITE AREA	: 693M ²
ZONING OF THE LAND	: RESIDENTIAL - DUPLEX DWELLING

*** CURRENT AGENDA MATERIAL

*** REFERENCE PLANNING OFFICER (LMCEC) (TEAM 8) (27/09/94)

The owner of this site has requested Council consider the proposed redevelopment of the site for a "small office development".

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ITEM 72 CONTINUED...
TEAM 8 - PROPOSED REDEVELOPMENT OF 3 DOLPHIN AVENUE NOBBY BEACH

The site is on the north western corner of the Gold Coast Highway and Dolphin Avenue. It is immediately north of the major signalised intersection serving the shopping centre.

The site is designated as Residential Multi Unit under the Strategic Plan. The Strategic Plan limits the future use of this area to multi unit buildings in a residential environment.

The owner's consultant notes that the "property is at the edge of the residential precinct directly adjacent to the highway and is significantly affected by large volumes of traffic and congestion associated with the highway, disturbance through noise, headlight glare and proximity to the signalised intersection".

The proposed development would be a new two (2) storey professional office building that "would display a residential character".

The proposal is in direct conflict with the intent of the Strategic Plan. There is no intention to allow for the retail/commercial area of Nobby Beach to extend to the western side of the Highway. No adequate town planning reasons have been given to justify a departure from the Strategic Plan. It is intended that this area including the subject site be developed for residential purposes.

*** **OFFICER RECOMMENDATION**

It is recommended that the owner of Lot 22 on RP113350 be advised that an application to develop the site for commercial purposes would not be considered favourably as the application would conflict with the Strategic Plan and there have been insufficient planning grounds given to justify an approval of the application. Approval for commercial development on this site would create amenity impacts which may preclude Council from maintaining the residential integrity for this area as detailed in the Strategic Plan on any subsequent applications in this location.

*** **RECOMMENDATION**

That the Director Development & Environment Planning provide a planning study and report back to the Planning & Development Committee.

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*** ITEM 73 CM21/10/94(PD073)

TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO GENERAL COMMERCIAL ZONE

FILE REFERENCE(S)	663/093/099
APPLICATION NUMBER	930099
PREVIOUS DECISION(S)	CM11/03/94(PD066) CM29/07/94(PD020)

PROPOSED DEVELOPMENT	:	MAJOR ENTRANCE TO SHOPPING CENTRE AND CAR PARK ASSOCIATED WITH SHOPPING CENTRE (ROAD TO BE CLOSED AND ADDED TO ADJOINING LAND)
APPLICANT	:	FAMILY ASSETS PTY LTD
OWNER	:	CROWN
SITE LOCATION	:	CURRUMBURRA ROAD, ASHMORE
EXISTING ZONING	:	UNZONED (ROAD)
PROPOSED ZONING	:	GENERAL COMMERCIAL ZONE
AREA	:	1526 SQUARE METRES
RPD	:	PART OF LOT 193 ON CP 860763, PARISH OF NERANG, COUNTY OF WARD

*** **PREVIOUS AGENDA MATERIAL**

COUNCIL DECISION CM29/09/94(PD020)

*** **REFERENCE ASSISTANT PLANNING OFFICER (AS) (18/02/94)**

PROPOSAL

An application has been lodged with Council to include an area of land within the General Commercial Zone. The subject land borders Ashmore City Shopping Centre to the south and is currently being used as the major vehicular entrance into the centre off Currumburra Road. The land also contains a number of car parks which are ancillary to the shopping centre and for users of the park area to the south of the site. The subject land through means of permanent road closure is to be sold to the applicant by the Department of Lands. Ownership has not yet been transferred to the applicant as the Department is awaiting the satisfactory compliance with a number of conditions relating to easement dedication, survey plan lodgement etc.

ADVERTISING

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

No objections to the proposal were received.

PLANNING CONSIDERATIONS

The purpose of the rezoning application is to formalise the lands existing use. The land has been used as a vehicular entry/car parking area since 1987. According to Council

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TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO GENERAL COMMERCIAL ZONE

traffic reports (refer file 779/3/136 Pt 4) the entrance is best sited in its existing location as it creates a four way intersection with Currumburra Road and United Drive. The intention was to signalise this intersection at a latter date.

The land was originally excised from existing park land (Council decision 27 March 1987 (PD020)) to assist with the traffic management of Currumburra Road and the adjoining intersection including United Road, Green Glen Road with Currumburra Road and the intersection of Nerang/Southport Road with Currumburra Road.

The Strategic Plan designation of the subject land and area to the west of the existing shopping centre is for "Detached Housing". These land use objectives seek to maintain residential amenity in line with community demands and to provide a range of accommodation types within the area.

The proposed rezoning to the General Commercial zone is in conflict with the Strategic Plan and subsequently could be refused. Clause 4.4(5A) of the Local Government (Planning & Environment) Act, however, suggests that approval of an application contrary to the Strategic Plan can be granted if there exists sufficient planning grounds. Such grounds are as follows:

- * The current use has been operating with the approval of Council since 1987 and now functions as an integral part of the shopping complex. The location of the entrance was determined by Council to alleviate vehicular conflict.
- * The current use is of a low key nature and while visually integrated with the Commercial Development, impacts minimally upon the surrounding environs.
- * The land is visually and physically alienated from the adjoining neighbourhood park from which the land was originally excised.

CONCLUSION

Essentially, the land is functioning as part of the existing shopping centre and its continuance is justified. Zoning of the land to General Commercial would formalise the existing use.

Problems associated with traffic and amenity have been identified, however, and these have been specifically conditioned within the conditions of approval. As mentioned previously, Council approved the location of the vehicular entrance into the shopping centre from Currumburra Road in anticipation of a signalised intersection. The Department of Transport who control this road, have indicated that traffic signals within this location would not be acceptable. Consequently, there exists conflict with vehicles wishing to turn right from the shopping centre into Currumburra Road.

The landscape setback area along the Currumburra frontage is of a poor physical and visual quality and needs upgrading to accord with the purpose of 5.4.2 (Landscape Open Space) of "the Planning Scheme" which seeks to create a pleasant streetscape and functional pedestrian environment. There has been no allowance made previously for any landscape treatment along this frontage and subsequently the vehicles utilising the parking bays appear to butt directly against the property boundary. The lack of

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landscaping certainly does not produce an attractive streetscape and does not create identifiable visual boundaries to the shopping centre.

In accordance with provision 5.4.4 of the Planning Scheme the two (2) metre wide buffer strip will need to be maintained along the land's southern boundary to minimise the visual intrusion of the Commercial Centre upon the adjoining open space and neighbouring residential areas.

***** OFFICER RECOMMENDATION****It is recommended**

- (A) 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 AND PROPOSED REZONING

PROPERTY DESCRIPTION:	PART OF LOT 193 ON CP 860763, PARISH OF NERANG, COUNTY OF WARD
POSTAL ADDRESS:	CURRUMBURRA ROAD, ASHMORE
AREA OF LAND:	1526 SQUARE METRES
ZONE FROM WHICH THE LAND IS TO BE EXCLUDED:	UNZONED (ROAD)
ZONE INTO WHICH THE LAND IS TO BE INCLUDED:	GENERAL COMMERCIAL ZONE

**CONDITIONS ATTACHED TO THE COUNCIL APPROVAL
BUILDING AND DEVELOPMENT COMPLIANCE**

- (1) The provisions of the Rezoning Approval are to be effected prior to the commencement of the specific use as granted by the said Approval.

LANDSCAPING

- (2) The two (2) metre wide buffer strip in accordance with provisions of 5.4.4 of the Planning Scheme is to be maintained along the land's southern boundary to the satisfaction of the Planning and Development Manager.
- (3) Ten (10%) of the site shall be provided as landscape open space. At least half of the landscaped open space is to be provided for planting and distributed in a manner satisfactory to the Planning and Development Manager.
- (4) The area of landscaped open space required shall include an area of at least two (2) metres in width along the Currumburra Road frontage. This area is to be landscaped and maintained at all times to the satisfaction of the Planning and Development Manager.

ADVERTISING DEVICES

- (5) Any advertising device located upon the subject land is to comply with Chapter 13 of Council's By-laws.

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**TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO
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- (6) 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

- (7) 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.

PERMANENT ACCESS AND PROVISION FOR TRAFFIC

- (8) The applicant shall provide a site plan for investigation by the Traffic Section, showing existing parking and traffic regulations with existing access locations along the frontage of the site, to determine necessary on street or internal modifications. This plan shall be submitted so that any modifications to internal car parking arrangements, access locations or access direction relating to entry/exit to and from the centre can be resolved prior to the forwarding of the application to the Minister for approval.

HEADWORKS CONTRIBUTIONS

- (9) WATER SUPPLY AND SEWERAGE COMPONENT 1 HEADWORKS
In accordance with Council policy "Development Charges for Water Supply and Sewerage Services" contributions are applicable towards water supply and sewerage headworks (Component 1).

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

Water Supply (Account No. 6635) 6.4 e.p	\$2,278.00	
Sewerage (Account No. 6637) 12.2 e.p		\$4,028.00
Total Component 1 Headworks Contribution		\$6,306.00

The above rates are valid for the period of this approval only and subject to alteration in accordance with changes in the Consumer Price Index (All Groups) Brisbane which was 110.2 for the January/March quarter of 1994 (Note the C.P.I. figure quoted has a 1989/90 base of 100).

An agreement and security (both in a form acceptable to the Town Clerk/Chief Executive Officer) are to be lodged with Council to cover the total component 1 contribution prior to the application for rezoning being forwarded to the Minister for approval.

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**TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO
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The agreement and security will be released on payment of the contribution in cash or bank cheque.

WATER SUPPLY AND SEWERAGE COMPONENT 2 HEADWORKS

- (10) 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 or Consent or Subdivision application, for the site the subject of this application, whichever is the earlier.

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

Water Supply	\$277.00 per Equivalent Population / Person
Sewerage	\$408.00 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 110.2 for the January/March quarter of 1994 (Note the C.P.I. figure quoted has a 1989/90 base of 100).

PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS

- (11) The contributions are payable to Council by the applicant in cash or bank cheque within ninety (90) days of gazettal.

SUBDIVISION OF LAND

- (12) Amalgamation of the existing part allotments into one allotment and the issue of a new Certificate of Title to cover the new allotment as created prior to forwarding the application to the Minister for approval.

CASH IN LIEU OF PARK PROVISION

- (13) 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.

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**TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO
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**PREREQUISITE PRIOR TO APPLICATION BEING FORWARDED TO THE
MINISTER AND REVOCATION OF APPROVAL CONDITIONS**

(14) Prior to the matter being forwarded to the Minister for approval the applicant within two (2) years of the date of the Council decision is to lodge with Council:

- (i) 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.
- (ii) A legal Agreement on terms and conditions satisfactory to the Town Clerk/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".
- (iii) 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.

(B) Where the Governor-in-Council approves the application pursuant to Section 4.5 of the Local Government (Planning and Environment) Act, the subject land be included in the General Commercial Zone.

COUNCIL DECISION CM11/03/94(PD066)

That Council will further consider the application following finalisation of the road closure.

*** **CURRENT AGENDA MATERIAL**

*** **CORRESPONDENCE FAMILY ASSETS PTY LTD (FOLIO 9414001)(05/04/94)**

In relation to Council's meeting of 11 March and agenda item 66, Family Assets make the following submissions.

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**TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO
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Ownership has now been transferred to Family Assets and we are now in the final process of issue of new title.

All conditions set by the Land's Department have been met satisfactorily.

The landscape setback along Currumburra Road was done in accordance with Gold Coast City Council's approval of 1987. We ourselves have not been happy with the present visual effect of this part of the Shopping Centre and are very keen to improve such.

The southern corner of the site has recently been connected to our master irrigation system and rolled A grade turf has been laid, in keeping with the balance of the site. Further garden planting and irrigation has also been finalised in the southern corner facing Currumburra Road.

We will now be improving the northern side of the site facing Currumburra Road by planting further garden beds and connecting to our irrigation system. These gardens will be located around the main Ashmore City sign and running to the north.

An inspection on site by your Mr Andrew Stewart (29/03/94) will confirm how detailed the landscaping has been on the south side. In fact it is our intention to enter the Gold Coast Garden Competition this year now that we own the balance of our site, through the completion of the Land's Department transfer.

Ashmore City employs a gardener full time, such is the extent of our landscaping.

It is not feasible or possible to have a two metre buffer strip along Currumburra Road. By widening the current buffer to two metres it will create an unsafe and impossible situation. If the buffer was to be widened the car parks would have to be moved back, so too will the access road under the overhand of the building. Trucks and semi-trailers using the road would not be able to get under the building. Neither the car parks nor the road are able to be shortened, as current widths would have to be maintained.

The layout currently in place has Council approval. Headworks charges of \$6,306.00 have been set on the site. We seek for these charges to be waived. The site is being used as the main entrance for Ashmore City.

Council approached Family Assets in 1987 to shift our main entrance to solve what had become a dangerous situation on Currumburra Road. Family Assets agreed to the shift and further agreed to pay half the road works and auxiliary costs on Currumburra Road. This amount was over \$27,000.00. Family Assets declined Council's offer to pay half the internal road works costs and payed the full cost ourselves, a further \$60,000.00. We ask Council to consider the costs Family Assets has already born on this site and the fact it is, and can only be, an entry to the Centre. Council may wish to place a provision that if Family Assets apply to build on this site (which we cannot) headwork charges will then have to be met - Component 1 et.

In summary, if Council's concern is one of visual impact along Currumburra Road, which the agenda item suggests, Family Assets will be substantially upgrading this area with further landscaping. An on site inspection by Council is welcomed, such is our pride in

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TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO GENERAL COMMERCIAL ZONE

Ashmore City gardens. We also seek a waiver on headworks charges due to the makeup of the site and the considerable expenses that Family Assets has already met.

We request to meet with Council to discuss these matters further at a time suitable to the Committee.

*** **REFERENCE ASSISTANT PLANNING OFFICER (AS) (02/06/94)**

Further to Council's decision of 11 March 1994 (PD066) to defer determination of the application pending the finalisation of the road closure, it is noted that the land acquisition is now finalised. The applicant (Family Assets Pty Ltd) has submitted further information which they consider to be relevant in assessing the application which can now proceed.

The correspondence addresses two of the conditions outlined within the report submitted to Council at the abovementioned meeting (refer to Folio 9414001 above).

The stated correspondence raises the following issues:

- * The existing car park works set out and landscaped in accordance with an approved Council plan;
- * The proposed Headworks 1 charges of \$6,306.00 be waived due to the considerable expense incurred by the applicant to upgrade Currumburra Road; and
- * The fact that the area will still function as a car park associated with the shopping centre.

In response to the first point raised, the Council approval referred to within the correspondence relates only to an engineering/services plan showing layout and car park hydraulics. No landscape plan can be located on file. It is unlikely that a plan was submitted as no landscaping exists to that part of the site.

Landscaping provided to the south of the site abutting the park reserve has been planted and maintained to a high visual standard.

While the applicant maintains that to supply the required two metres of landscaping along the Currumburra Road frontage is physically impossible without changing the internal car parking layout. It is possible to achieve this setback requirement if the two metre strip was landscaped from the concrete crib retaining wall extending along the property boundary.

In response to the second point raised, the \$6,306.00 mentioned refers to Water Supply and Sewerage Component 1 Headworks. This contribution is for the construction and augmentation of service infrastructure such as dams, treatment plants, pump stations and the like. It is a contribution associated with the rezoning of land and is worked out upon the potential to increase population (persons/per hectare). In this case, the land is sought to be zoned to General Commercial. The zoning if approved will imply development rights upon the land as per the appropriate table of development contained within the Planning Scheme. It is standard for this contribution to be paid or bonded prior to the

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TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO GENERAL COMMERCIAL ZONE

application being forwarded to the Chief Engineer for gazettal. If bonded, the applicant has 90 days after gazettal in which to pay the contribution. While it is argued by the applicant that it is not intended to build upon the land and will be used as car park, the zoning still carries development rights forever and as such Headworks 1 contributions should be paid up front.

*** **OFFICER RECOMMENDATION**

It is recommended that with due consideration given to the applicant's submission of 5 April 1994, Council adopt the recommendation as presented at its meeting of 11 March 1994 (PD066), with amendments, as follows:

- (A) It be noted Council in determining this application had regard to a report which considered the relevant provisions of the State Planning Policies, Council's Planning Scheme, Local Planning Policies, the details and information submitted with the application.
- (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 AND PROPOSED REZONING

PROPERTY DESCRIPTION:	PART OF LOT 193 ON CP 860763, PARISH OF NERANG, COUNTY OF WARD
POSTAL ADDRESS:	CURRUMBURRA ROAD, ASHMORE
AREA OF LAND:	1526 SQUARE METRES
ZONE FROM WHICH THE LAND IS TO BE EXCLUDED:	UNZONED (ROAD)
ZONE INTO WHICH THE LAND IS TO BE INCLUDED:	GENERAL COMMERCIAL ZONE

CONDITIONS ATTACHED TO THE COUNCIL APPROVAL

BUILDING AND DEVELOPMENT COMPLIANCE

- (1) The provisions of the Rezoning Approval are to be effected prior to the commencement of the specific use as granted by the said Approval.

LANDSCAPING

- (2) The two (2) metre wide buffer strip in accordance with provisions of 5.4.4 of the Planning Scheme is to be maintained along the land's southern boundary to the satisfaction of the Planning and Development Manager.
- (3) Ten (10%) of the site shall be provided as landscape open space. At least half of the landscaped open space is to be provided for planting and distributed in a manner satisfactory to the Planning and Development Manager.
- (4) The area of landscaped open space required shall include an area of at least two (2) metres in width along the Currumburra Road frontage. This

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TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO
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area is to be landscaped and maintained at all times to the satisfaction of the Planning and Development Manager.

ADVERTISING DEVICES

- (5) Any advertising device located upon the subject land is to comply with Chapter 13 of Council's By-laws.
- (6) 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

- (7) 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.

PERMANENT ACCESS AND PROVISION FOR TRAFFIC

- (8) The applicant shall provide a site plan for investigation by the Traffic Section, showing existing parking and traffic regulations with existing access locations along the frontage of the site, to determine necessary on street or internal modifications. This plan shall be submitted so that any modifications to internal car parking arrangements, access locations or access direction relating to entry/exit to and from the centre can be resolved prior to the forwarding of the application to the Minister for approval.

HEADWORKS CONTRIBUTIONS

- (9) WATER SUPPLY AND SEWERAGE COMPONENT 1 HEADWORKS
In accordance with Council policy "Development Charges for Water Supply and Sewerage Services" contributions are applicable towards water supply and sewerage headworks (Component 1).

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

Water Supply	(Account No. 6635) 6.4 e.p	\$2,278.00
Sewerage	(Account No. 6637) 12.2 e.p	\$4,028.00

Total Component 1 Headworks Contribution	\$6,306.00
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The above rates are valid for the period of this approval only and subject to alteration in accordance with changes in the Consumer Price Index (All Groups) Brisbane which was 110.2 for the January/March quarter of 1994 (Note the C.P.I. figure quoted has a 1989/90 base of 100).

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TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO
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An agreement and security (both in a form acceptable to the Town Clerk/Chief Executive Officer) are to be lodged with Council to cover the total component 1 contribution prior to the application for rezoning being forwarded to the Minister for approval.

The agreement and security will be released on payment of the contribution in cash or bank cheque.

(10) 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 or Consent or Subdivision application, for the site the subject of this application, whichever is the earlier.

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

Water Supply	\$277.00 per Equivalent Population / Person
Sewerage	\$408.00 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 110.2 for the January/March quarter of 1994 (Note the C.P.I. figure quoted has a 1989/90 base of 100).

(11) PAYMENT OF WATER SUPPLY AND SEWERAGE HEADWORKS CONTRIBUTIONS

The contributions are payable to Council by the applicant in cash or bank cheque within ninety (90) days of gazettal.

SUBDIVISION OF LAND

- (12) Amalgamation of the existing part allotments into one allotment and the issue of a new Certificate of Title to cover the new allotment as created prior to forwarding the application to the Minister for approval.

CASH IN LIEU OF PARK PROVISION

- (13) 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

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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.

PREREQUISITE PRIOR TO APPLICATION BEING FORWARDED TO THE MINISTER AND REVOCATION OF APPROVAL CONDITIONS

(14) Prior to the matter being forwarded to the Minister for approval the applicant within two (2) years of the date of the Council decision is to lodge with Council:

- (i) 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.
- (ii) 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.
- (iii) Three coloured copies of the Plan of Development amended where necessary to comply with the conditions of approval.
- (iv) Documentation to be submitted to Council identifying the transfer of title and new ownership details of the subject land to the satisfaction of the Director Development and Environment Planning.

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 applicant be advised that Headworks 1 Contributions as referred to condition (9) in Part (A) above, not be applicable provided no development (i.e. buildings, structures) be constructed on this part of the site the subject of this application. Should the site be developed for uses other than uncovered car parking and access, then the Headworks 1 Contribution, as referred to in Part (A) of this approval, shall be applicable.
- (D) That Council's Rates Encumbrance system be notated of the requirements of Part (C) above.
- (E) Where the Governor-in-Council approves the application pursuant to Section 4.5 of the Local Government (Planning and Environment) Act, the subject land be included in the General Commercial Zone.

COUNCIL DECISION CM29/07/94(PD020)

That the recommendation of the Assistant Planning Officer be adopted.

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ITEM 73

CONTINUED...

TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO GENERAL COMMERCIAL ZONE

*** CURRENT AGENDA MATERIAL

*** CORRESPONDENCE BENNETT & BENNETT (FOLIO 9434654) (92/09/94)

We wish to refer to Council's letter of 1 August 1994 and to a meeting held on 17 August 1994 between Mr Hodges, Mr N Rix, Mr G Rix, Mr P Bell and the undersigned, to discuss certain of the conditions in Council's letter, and we write to confirm items agreed at that meeting, and to request a review of other items.

Items 2, 3 & 4 Landscaping:

As agreed at our meeting, due to the nature of the site it is not possible to meet these conditions. However, previously paved areas have now been removed and further extensive landscaping (in keeping with Ashmore City's high standard) has been planted.

Items 3 & 6:

Advertising devices located on the subject land were shown and approved in the original plans of 1987, such approval no doubt remains today.

Item 8:

It is agreed that no action is required on condition 8 as the entry from Currumburra Road and the internal car parks and driveways have been previously approved in the original application of 1987.

Item 13 - Park:

It was agreed that the zoning of this land would not create any additional requirements for park and we request deletion of this condition.

Item 14 - Pre-requisites:

Items (i), (ii), (iii) are not appropriate in this matter and no action is required with regard to them. We will submit a copy of the new Deed of Grant as soon as we can obtain one.

Could you please confirm the final zoning conditions. We will be pleased to submit any further information which may be required.

*** REFERENCE DIRECTOR DEVELOPMENT & ENVIRONMENT PLANNING (NH) (07/10/94)

Discussions were held with representatives of the Shopping Centre. This land is fully developed as a carpark and there are limited areas for landscaping. It was agreed that further landscaping would be carried out through integration with the footpath area. In view of the nature of the site most of the conditions which have been imposed are irrelevant.

ITEM 73 CONTINUED...
**TEAM 8 - APPLICATION FOR REZONING AT CURRUMBURRA ROAD, ASHMORE TO
GENERAL COMMERCIAL ZONE**

*** OFFICER RECOMMENDATION

It is recommended that conditions 1, 2, 3, 4, 6, 8, 13 & 14 (i), (ii) & (iii) be deleted from the approved conditions.

*** RECOMMENDATION

That the recommendation of the Director Development & Environment Planning be adopted.

*** ITEM 74

CM21/10/94(PD074)

TEAM 8 - JABIRU

FILE REFERENCE(S) 663/087/068 PT 4

PREVIOUS DECISION(S) CM11/02/94(PD025)
CM01/07/94(CO002)

*** PREVIOUS AGENDA MATERIAL

COUNCIL DECISION CM11/02/94(PD025)

- (A) The owner of the Special Lease be advised that, unless the action as advised on the 17 August 1993 is taken to carry out supplementary planting to the satisfaction of Council within the next three (3) weeks, Council will advise the Department of Lands that the Lessee is breaching the Town Planning Approval conditions and the Lease should be extinguished.
- (B) The Council's Parks and Gardens Director present a planting specification to the Maintenance and Construction Committee for streetscaping for the roadside between the two (2) Jabiru Island bridges. The object is to enhance the northern approach to the City. The location of the planting should be such that it will not be affected by the eventual widening of the road.

*** REFERENCE CHIEF EXECUTIVE OFFICER (RHB) (07/06/94)

A request was received for agreement to the transfer of Harbours Corporation lease from Hughes Haulage Pty Ltd to Boral Resources (Qld) Pty Ltd.

The agreement to transfer has been signed.

ITEM 74 CONTINUED...
TEAM 8 - JABIRU

Boral Resources (Qld) Pty Ltd should be advised formally of any deficiencies in the approval given for this site and requested to rectify such deficiencies within a reasonable period of time (say 90 days).

*** OFFICER RECOMMENDATION

It is recommended that Boral Resources (Qld) Pty Ltd be advised of the shortcomings in Council's approval for the lease granted by the Harbours Corporation of land on or near Jabiru Island and the Company be requested to comply with Council's conditions within 90 days.

*** CORRESPONDENCE HUGHES HAULAGE PTY LTD (FOLIO 9413401) (30/03/94)

I refer to Item A of your letter. We feel Gold Coast City Council is over reacting in asking to have the lease extinguished. When on the overall lease area for the past seven years and with what we have had to content with noted in prior letters we think the matter is not of such a serious concern as Council notes.

Our Company is presently obtaining quotes for the following:

- (1) 26 metres of 8 ft high fencing across the entry, constructed of treated pine with a dressed capping.
- (2) The boundary parallel with the bridge - 2 metre high fence of treated pine 52 metres long.
- (3) Landscaping the above area eg Item 2 in a more dense form. These works should be carried out after the Easter break.

Hoping these works will fulfil Council's requirements.

Please note to Council's attention. The rubbish bins which were installed to keep the area neat and tidy are no longer there, could Council please have new ones installed. The road reserve parallel to the bridge also needs grass cutting and whipper snipping around the temporary fence.

*** CORRESPONDENCE MICHAEL J ADAMSON (FOLIO 9422048) (02/06/94)

I wish to advise that I act on behalf of Hughes Haulage Pty Ltd the current lessee of the above described premises under the Lease dated 23 November 1989. By Agreement dated 26 May 1994 my client company has agreed to assign its interest in the Lease to Boral Resources (Qld) Pty Ltd ACN 009 671 809 of 147 Coronation Drive, Milton, Brisbane.

Application has been made to the relevant statutory authority for consent to assignment of the Lease. I am advised that the Department of Transport has requested I obtain confirmation, in writing, that Council has no objection to the assignment of the Lease, in its capacity as an adjoining land owner.

I understand that the Council has no such objection and would accordingly request that you confirm that in writing to The Regional Manager South East Queensland, Queensland Department of Transport, Harbours Corporation of Queensland.

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ITEM 74
TEAM 8 - JABIRU

CONTINUED...

I will have no objection if the letter of Council is handed to the bearer of this letter.

*** REFERENCE DIRECTOR DEVELOPMENT AND ENVIRONMENT PLANNING (NH) (16/06/94)

A recent inspection has revealed that supplementary planting of screening trees and shrubs have been planted on the perimeter of the sand stockpile site. In addition timber fences have been constructed at the entry to the site and along the top of the northern sand wall. It would appear that the screening of the site is adequate and regular on-going maintenance will be required on the grassed slopes.

In view that this aspect has been on-going for quite some length of time and has raised concerns from residents of Boykambil and Albert Shire Council, it may be appropriate for committee to inspect the site to determine if the landscape works as carried out are acceptable.

Committee should also note that negotiations for a transfer of the lease from Hughes Haulage Pty Ltd to Boral Resources (Qld) Pty Ltd are under way and accordingly, the legal representatives for Hughes Haulage Pty Ltd has requested confirmation that Council has no objection to the assignment of the lease.

On the basis that landscaping works are now complete, Council raises no objection to the assignment of the lease to Boral Resources (Qld) Pty Ltd.

*** OFFICER RECOMMENDATION

It is recommended

- (A) Council in determining this matter has had due regard to the report prepared in relation to this matter.
- (B) Council confirm the action taken by the Chief Executive Officer to assign the lease to Boral Resources (Qld) Pty Ltd and that the Regional Manager South East Queensland, Queensland Department of Transport, Harbours Corporation of Queensland be advised of Council's decision.
- (C) Boral Resources (Qld) Pty Ltd to provide a written undertaking to Council to comply with all Conditions of Rezoning Approval 663/087/068, and the lease agreement dated 23 November 1989.

COUNCIL DECISION CM01/07/94 (COO02)

- (A) Council in determining this matter has had due regard to the report prepared in relation to this matter.
- (B) Council note the action taken by the Chief Executive Officer to assign the lease to Boral Resources (Qld) Pty Ltd and that the Regional Manager South East Queensland, Queensland Department of Transport, Harbours Corporation of Queensland be advised of Council's decision.

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ITEM 74
TEAM 8 - JABIRU

CONTINUED...

- (C) Boral Resources (Qld) Pty Ltd to provide a written undertaking to Council to comply with all Conditions of Rezoning Approval 663/087/068, and the lease agreement dated 23 November 1989.

- (D) A meeting be arranged by the Director Development and Environment Planning with the Division representatives, Councillors Rickard and Sciacca, Boral Resources and Planning and Development staff on site to determine the level of landscaping required.

- (E) That a report be prepared detailing as to why approval for the assignment of the lease was given when Council has previously resolved (in March 1994) to request the termination of the lease if landscaping work was not carried out to Council's satisfaction within three weeks of that resolution.

*** CURRENT AGENDA MATERIAL

*** REFERENCE DIRECTOR DEVELOPMENT & ENVIRONMENT PLANNING (NH) (11/10/94)

Council was requested to comment on the issue of a lease to Boral Resources (Qld) Pty Ltd for the special lease sand stockpile site at Jabiru Island in its capacity as an adjoining landowner. Council has no power to refuse the issue of the lease. The issue of the lease to Boral Resources (Qld) Pty Ltd in lieu of Hughes Haulage Pty Ltd was solely in the jurisdiction of the Department of Transport and there was no basis to refuse the application. The landscaping for the site had been previously approved by a Council decision on 14 December 1990. Council's Landscape Officer Mr B Wallace inspected the site on 2 June 1994 and advised the supplementary planting requested had been carried out and that the general screening requirements for the landscaping had been met. The Chief Executive Officer advised that Council had no objection to the issue of the lease under delegated authority.

An on site meeting between Council representatives and the new lessee, Boral Resources (Qld) Pty Ltd was held on 4 October 1994. Boral Resources (Qld) Pty Ltd have agreed to carry out further supplementary planting in the landscaping to overcome the concerns raised by the Division Councillor A Rickard.

*** OFFICER RECOMMENDATION

It is recommended Council note the above information.

*** RECOMMENDATION

That the recommendation of the Director Development & Environment Planning be adopted.

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*** ITEM 75

CM21/10/94(PD075)

TEAM 8 - APPLICATION TO AMEND A PLANNING SCHEME FROM RESIDENTIAL DWELLING HOUSE TO SPECIAL FACILITY (SERVICE STATION & NEIGHBOURHOOD SHOP) - CURRUMBURRA ROAD & TYALLA DRIVE

FILE REFERENCE(S)	663/094/060
APPLICATION NUMBER	940060
VIDE ITEM(S)	MAP(S)
	OBJECTION(S)
	PETITION(S)
LOCATION OF SITE	: CURRUMBURRA ROAD & TYALLA DRIVE ASHMORE
OWNER	: GA & E LUNDIN & M&MC MORENA
APPLICANT	: ALPHA DRIVE PTY LTD
SITE AREA	: 2784M ²
ZONING OF THE LAND - EXISTING	: RESIDENTIAL DWELLING HOUSE
- PROPOSED	: SPECIAL FACILITY (SERVICE STATION AND NEIGHBOURHOOD STORE)
PROPOSED DEVELOPMENT	: SERVICE STATION & NEIGHBOURHOOD SHOP
DEFINED USE	: SERVICE STATION & NEIGHBOURHOOD SHOP
DATE RECEIVED	: 16/06/94
DATE ADVERTISED	: 01/07/94
OBJECTION(S)	: 61 LETTERS WERE RECEIVED
OBJECTOR(S)	: SEE ATTACHED VIDE
PETITION(S)	: 544 SIGNATURES

*** CURRENT AGENDA MATERIAL*** REFERENCE PLANNING OFFICER (LMCEC) (TEAM 8) (11/10/94)**PROPOSAL**

It is proposed to rezone the subject site from the Detached Dwelling House Zone to the Special Facility (service station and neighbourhood store) Zone.

It is proposed to demolish the existing detached dwellings and erect a service station and a neighbourhood store.

Separate entry and exit points are proposed from Currumburra Road. Another entry and exit point is proposed from Tyalla Drive.

ADVERTISING

It appears that the application has been advertised in accordance with the provisions of the Act.

61 written objections were received.

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ITEM 75

CONTINUED..

TEAM 8 - APPLICATION TO AMEND A PLANNING SCHEME FROM RESIDENTIAL DWELLING HOUSE TO SPECIAL FACILITY (SERVICE STATION & NEIGHBOURHOOD SHOP) - CURRUMBURRA ROAD & TYALLA DRIVE

One petition was also received and it contained 544 signatures.

The main grounds of objection include:

1. The negative impact on the amenity of the area.
2. The negative effect of measured traffic into the area.
3. That there is no need for either another service station or a neighbourhood store in the area.
4. That the proposal conflicts with the strategic plan.
5. That the proposed use is not in accordance with the expectations of residents living in the Residential Dwelling House Zone.
6. That the establishment of the proposed use will effect the safety of the nearby residents.

LAND USE

Currumburra Road is the major north south traffic route bisecting Ashmore. It is a four lane divided road.

The Ashmore City Shopping Centre is located just to the north of the subject site.

To the rear and to the south of the site is detached housing.

Across Currumburra Road, to the east is a mixture of light industrial, warehouse and some retail uses.

Service Stations are located at:

1. The southern side of the Ashmore Road & Currumburra Road roundabout.
2. The intersection of Southport Nerang Road & Currumburra Road.
3. The immediate west of the Ashmore City Shopping Centre (see attached Land use Map).

All three service stations are within 0.5 kilometres of the subject site.

TOWN PLANNING CONSIDERATIONS

1. Strategic Plan

The subject site is included in the "Detached Housing" designation of the Strategic Plan.

The preferred dominant land use of this designation is detached housing on individual allotments.

In the intent of this designation, it states that "a very limited range of non-residential development which is either ancillary to residential development or directly serves the convenience needs may also be appropriate.

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ITEM 75 CONTINUED...
TEAM 8 - APPLICATION TO AMEND A PLANNING SCHEME FROM RESIDENTIAL DWELLING HOUSE TO SPECIAL FACILITY (SERVICE STATION & NEIGHBOURHOOD SHOP) - CURRUMBURRA ROAD & TYALLA DRIVE

"Ancillary" is defined in the Planning Scheme as "necessarily associated with a particular development but incidental to that development".

Given the location of three service stations within 0.5 km of the subject site, a fourth service station could not be defined as ancillary to the residential area. The existing service stations would adequately serve this neighbourhood. It is considered that the proposed service station would be ancillary and that the "convenience needs" of the area are already being met by the close proximity of the existing service stations.

2. Provisions

The application has been assessed against Part 12-1 of the Town Planning Scheme.

The application generally accords with the site area, dimensions, site layout and landscaped open space.

In accordance with advice from Queensland Transport, access is to be solely from Tyalla Drive with no access from Currumburra Road.

There is sufficient length of frontage to Tyalla Street to accommodate 2x9 metre crossover, a 12 metre setback from Currumburra Road, a 14 metre separation between the crossovers and a five metre landscaped strip. However, the sole accessing of the proposed service station from Tyalla Drive is not acceptable as it would bring non residential traffic into a residential street. This would effect the amenity and residential character of Tyalla Drive. Additionally, if all access is from Tyalla Drive, the internal manoeuvring arrangements would be difficult.

NEIGHBOURHOOD STORE

Under Section 12.2 of the Planning Scheme, a neighbourhood store would not be permitted within 400m² of:

1. An existing neighbourhood store.
2. Any site contained within a zone in which shops are permitted or permissible development.

The proposed neighbourhood store conflicts with this provision given the location of Ashmore City Shopping Centre and the 7-11 Shop.

*** **OFFICER RECOMMENDATION**

It is recommended that:

- (A) It be noted Council in determining this application had regard to a report which considered the relevant provisions of the State Planning Policies, Council's Planning Scheme, Local Planning Policies, the details and information submitted with the application and the submissions made by the objectors.

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ITEM 75 CONTINUED...
TEAM 8 - APPLICATION TO AMEND A PLANNING SCHEME FROM RESIDENTIAL DWELLING HOUSE TO SPECIAL FACILITY (SERVICE STATION & NEIGHBOURHOOD SHOP) - CURRUMBURRA ROAD & TYALLA DRIVE

- (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 as described herein be refused for the reasons listed below:

DETAILS OF PREMISES

REAL PROPERTY DESCRIPTION:	LOTS 1, 2 & 3 ON RP 225598 & LOT 7 ON RP 142948
LOCATION OF SITE:	CURRUMBURRA ROAD & TYALLA DRIVE ASHMORE
AREA OF LAND:	2764M ²
USE OF THE PREMISES AT THE TIME OF THE APPLICATION:	DETACHED HOUSES
PROPOSED USE/S:	SERVICE STATION & NEIGHBOURHOOD STORE

REASONS FOR COUNCIL REFUSAL

The application should be refused on the following grounds:

1. The proposal is inconsistent with the Strategic Plan as it does not accord with the intent of the "detached housing" designation.
2. The application will have a negative effect on the amenity of the neighbourhood and would constitute commercial intrusion into a residential area.
3. Advice from Queensland Transport, noted that all access is via Tyalla Drive. The use of Tyalla Drive as the sole access point is unacceptable as it will introduce non residential traffic into a residential neighbourhood.
4. There is no demonstrated need for the proposal.
5. That the proposed neighbourhood store does not comply with the site location provisions contained in Part 12.2 of the Planning Scheme (Neighbourhood Stores).

*** **RECOMMENDATION**

That the recommendation of the Planning Officer be adopted.

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*** ITEM 76

CM21/10/94(PD076)

TEAM 8 - REQUEST FOR DEFERRED PAYMENT OF CONTRIBUTION RELATING TO SPECIAL FACILITIES (INTEGRATED HOTEL AND RESIDENTIAL RESORT COMPLEX) ZONE -FERNY/STAGHORN/OCEAN AVE AND GOLD COAST HIGHWAY SURFERS PARADISE

FILE REFERENCE(S)	663/089/074
PREVIOUS DECISION(S)	CM14/12/90(PD062) CM13/12/91(PD052)

*** PREVIOUS AGENDA MATERIAL

*** CORRESPONDENCE DAIKYO DEVELOPMENT PTY.LTD.(FOLIO 9134329)(05/09/91)

We refer to the \$300,000 contribution towards the upgrading of The Esplanade in Surfers Paradise as required under Condition (61) of the Rezoning Deed.

We confirm our discussion by telephone today in which it was agreed that this \$300,000 Bank Guarantee would be converted to cash simultaneously with the \$2,041,400 Bank Guarantee for the 118 shortfall of car parking spaces as required under Condition (32)(v) of the Rezoning Deed.

The current program indicates the Rezoning Gazettal may occur in late October.

*** CORRESPONDENCE DAIKYO DEVELOPMENT PTY.LTD.(FOLIO 9147454)(03/12/91)

As you are already aware, the above property was rezoned by Order in Council on 2 November, 1991. Closed Pandanus Avenue was also zoned on 9 November 1991. Under condition A(32) the car parking shortfall contribution of \$2,041,400.00 is payable within 30 days after gazettal of the rezoning application. Council already holds a bank guarantee securing payment of this sum.

Because of the currently depressed economic climate, the project the subject of the application, is not currently viable. Were Daikyo to proceed with development of the site in the near future, it would be in a reduced form from that approved. It is likely the car parking spaces could be totally or partially provided within the site and therefore the contribution in lieu of a shortfall of parking spaces would have to be recalculated.

Daikyo accordingly requests Council to defer payment of the car parking shortfall contribution until 30 days after receipt of building approval when the exact number of car parking spaces has been determined.

If Council should agree to such deferral, it will be necessary for a deed to be entered into by Council and Daikyo, whereby Council will agree to take no action against Daikyo for failure to pay the contribution as required by the rezoning conditions, until 30 days after building approval is received.

The deed in this form is necessary, because Council no longer has the power to amend the conditions of the rezoning.

Daikyo confirms our intention to convert to cash the \$300,000 bank guarantee already held by Council as a contribution toward Esplanade upgrading. This contribution was essentially offered by Daikyo to improve beachfront facilities.

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ITEM 76

CONTINUED...

TEAM 8 - REQUEST FOR DEFERRED PAYMENT OF CONTRIBUTION RELATING TO SPECIAL FACILITIES (INTEGRATED HOTEL AND RESIDENTIAL RESORT COMPLEX) ZONE -FERNY/STAGHORN/OCEAN AVE AND GOLD COAST HIGHWAY SURFERS PARADISE

*** REFERENCE DEPUTY PLANNING & DEVELOPMENT MANAGER (RC)(02/12/91)

The Council decision of the 14th December, 1990 (PD062) provided for the provision of car parking in condition (32) as follows:

"(32) The proposed form of development shall comply generally with the submitted plans numbered GGAD (01) 01-10 and the requirements as listed below.

Prior to the matter being forwarded to the Minister for approval, the developer shall lodge with Council detailed plans including Architectural Drawings that will be deemed to be the Approved Plans of the Special Facilities Zone. These plans shall be amended where necessary to comply with the conditions contained in this approval and shall comply with the following minimum requirements:

Plans to be amended where necessary to meet the following requirements:

- (i) The proposed height of the buildings are to accord with the number of storeys indicated on the plans submitted by the applicant. The amended plans as submitted comply with the requirements in this regard and do not require re-advertising.
- (ii) (a) The maximum number of rooms in the existing International Hotel is not to exceed 298.
(b) A maximum of 694 bedrooms shall be provided in the proposed multi-unit building.
- (iii) Population Density for:
 - (a) The existing International Hotel is not to exceed 596 persons;
 - (b) The multi-unit building is not to exceed 1388 persons.
- (iv) The plot ratio for all new buildings is not to exceed 4.77.
- (v) Provision of off-street car parking to be in accordance with the following Schedule:

Residential - 1.1 per unit
Other Components - 1 per 40 m2 of total use area Plus relocation of 38 spaces displaced in Pandanus Avenue by the road closure.

Total provision of car parking should be as follows except where plans are amended prior to the matter being referred to the Minister for approval:

Residential 1.1 per Unit	= 530
Other components at 1 per 40 m2 of total use area	

ITEM 76 CONTINUED...
TEAM 8 - REQUEST FOR DEFERRED PAYMENT OF CONTRIBUTION RELATING TO SPECIAL FACILITIES (INTEGRATED HOTEL AND RESIDENTIAL RESORT COMPLEX) ZONE -FERNY/STAGHORN/OCEAN AVE AND GOLD COAST HIGHWAY SURFERS PARADISE

= 174

Displacement of car parking provision in Pandanus Avenue = 38
Existing provision in Gold Coast International Hotel = 242

The applicant in a "without prejudice" submission dated the 21st June, 1990, indicates that there is a 118 shortfall of car parking spaces because of the future widening of Ferny Avenue and Gold Coast Highway. Council, to assist the developer in this regard, is prepared to accept a cash-in-lieu contribution in respect of the 118 car spaces that are not to be provided on-site. The contribution shall be Two Million Forty-One Thousand Four Hundred Dollars (\$2,041,400.00). This contribution shall be secured by a Bank Guarantee or cash to be lodged with Council prior to the matter being forwarded to the Minister for rezoning approval. This contribution is to be paid in cash to Council within thirty (30) days after gazettal of the rezoning application.

In acknowledgement of the developer's obligation to construct various works associated with the development including the following:

- (a) Payment of the costs for the road widening construction and relocation of services for Gold Coast Highway and Ferny Avenue.
- (b) Relocation of traffic lights at the intersection of Ocean Avenue with Ferny Avenue and Gold Coast Highway.
- (c) Provide traffic lights at the intersection of Staghorn Avenue, Ferny Avenue and the Gold Coast Highway.
- (d) Construction of The Esplanade from Ocean Avenue to View Avenue.
- (e) Placement of excavated sand from this site onto the beach area.

Council grants a relaxation of thirty-two (32) car parking spaces from the total requirement of car parking spaces that is to be provided on-site as referred to in the letter of offer by the applicant dated the 29th May, 1990.

The application of the above ratios is to be applied to the Building Application when lodged with Council for assessment to determine the car parking requirement for this development. Council grants a reduction to the total requirement of 32 car parking bays.

If the developer elects to provide the 32 car parking bays on-site, the provision of these 32 car parking bays may be provided in tandem (stacked) car parking spaces. These spaces shall comply with the following:

ITEM 76 CONTINUED...
TEAM 8 - REQUEST FOR DEFERRED PAYMENT OF CONTRIBUTION RELATING TO SPECIAL FACILITIES (INTEGRATED HOTEL AND RESIDENTIAL RESORT COMPLEX) ZONE -FERNY/STAGHORN/OCEAN AVE AND GOLD COAST HIGHWAY SURFERS PARADISE

- (1a) Location and number of tandem (stacked) car parking spaces are to be to the satisfaction of the Planning and Development Manager.
- (1b) For the purposes of assessing, the calculation of the car parking requirement shall be such that one (1) tandem (stacked) car parking space shall be equivalent to 1.25 car parking spaces.
- (1c) The minimum length of the tandem (stacked) car parking bay shall be 10.5 metres.

It is noted that all car parking is to be provided on-site or under the Council land in accordance with the relevant Australian Standards apart from the relaxation as referred to above.

- (vi) The site cover for the total development is not to exceed:

Commercial / Podium levels - 63%
Residential Component - 10.4%

(Any part of the buildings and car parks exceeding one metre above natural ground level shall be included in site coverage, unless otherwise approved by Council.)

- (vii) Access points to and connections in the underground car park are to be sufficient to allow traffic to freely exit to the northbound or southbound direction so as to reduce off property traffic circulation around the block.
- (viii) Car park and service areas are to have combined access / egress wherever possible to minimise conflict points on the external traffic system.
- (ix) Provision for tourist buses, taxis / limousines and stretch limousines to be in accordance with plans submitted with a minimum height clearance of 4.8 metres.
- (x) All setback areas are to be landscaped so as to provide a suitable buffer to buildings or structures and integrated with the streetscape so as to provide a pleasing pedestrian network around the site. The maintenance of these networks are to be the responsibility of the developer at all times.
- (xi) All new buildings are to be located in accordance with the plans submitted with the development application."

The applicant has requested that Council give further consideration to the deferred payment of this contribution.

***** OFFICER RECOMMENDATION**

It is recommended that the Planning and Development Committee hold discussions with the applicant's representatives on Tuesday 10th December, 1991.

ITEM 76 CONTINUED...
TEAM 8 - REQUEST FOR DEFERRED PAYMENT OF CONTRIBUTION RELATING TO SPECIAL FACILITIES (INTEGRATED HOTEL AND RESIDENTIAL RESORT COMPLEX) ZONE -FERNY/STAGHORN/OCEAN AVE AND GOLD COAST HIGHWAY SURFERS PARADISE

*** COUNCIL DECISION (13/12/91) (PD052)

- (A) That Council note a meeting was held between the Planning and Development Committee and the developer's representatives on Tuesday the 10th December, 1991.
- (B) Council notes the developer's representatives submissions of the \$300,000.00 contribution towards the upgrading of the Esplanade in Surfers Paradise as required by Condition (61) of the Rezoning Approval is due to be paid to Council and appropriate action has been taken to complete this payment within three (3) weeks.
- (C) Council has considered the developer's representations in relation to the provision of cash-in-lieu car parking contribution as required by Condition (32) of the Rezoning Approval and in this regard, Council acknowledges that the calculation of the required car parking for the site shall be deferred until the lodgement of the appropriate building applications.
Any car parking not provided on site shall then be paid to Council at the rates prevailing at the time of issue by Council of the Building Approval. The payment to Council of the cash-in-lieu of car parking not provided on site shall be made thirty (30) days after the approval issued by Council.
- (D) The applicant is requested to suitably maintain the grassed areas of the sites, the subject of this application.

*** CURRENT AGENDA MATERIAL

*** REFERENCE DIRECTOR & ENVIRONMENT PLANNING (NH) (12/10/94)

Council has held a bond for \$2,041,400 being for cash in lieu of carparking for a major extension to the Gold Coast International Hotel. The developer's representatives now advise that the full extension is unlikely to proceed and carparking will be provided on site. A deed of variation to the rezoning agreement has been signed which requires the developer to contribute a cash contribution for carparking in the unlikely event that the full development proposed proceeds. In view of the costs to the developer for maintaining the bond, the deed of variation to the rezoning agreement which runs with the land and the likelihood that a lesser development will now proceed without any carparking shortfall.

*** OFFICER RECOMMENDATION

It is recommended that Council agree to the release of the \$2,041,400 bond.

*** RECOMMENDATION

- (I) That the recommendation of the Director Development & Environment Planning be adopted.
- (II) Council note that the \$300,000 contribution towards work in The Esplanade has been received.

v /
VIDE ITEM (PD/-/)
BEFORE COUNCIL 21/10/94



VIDE ITEM (PD/-1)
BEFORE COUNCIL 21/10/94



TOWN PLANNERS,
BUILDING DESIGNERS, ENGINEERS

C.T. LITTLE & ASSOCIATES

RESEARCH PARK, BOND UNIVERSITY, V. 141: 950213. SURFERS PARADISE, P. 1: 314785, FAX: 950212

INNOVATIVE SOLUTIONS TO LANDUSE DEVELOPMENT
WITH MAXIMUM CLIENT & CORPORATE ACHIEVEMENT.
SPECIALISING IN:
• TOWN PLANNING & URBAN DESIGN
• COUNCIL APPLICATIONS & BUILDING SERVICES
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TOTAL DEVELOPMENT CONSULTANTS

The Chief Executive Officer
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE QLD 4217

27th June 1994

Our Ref: L1085.EM/fw
Your Ref: 818/94/96

Dear Sir

RE: APPLICATION FOR TOWN PLANNING CONSENT AT 55 GORDON
STREET, LABRADOR.

Our client has instructed us to prepare and lodge an application for Town Planning Consent for a child care centre at 55 Gordon Street, Labrador.


We therefore enclose three sets of the following:

- Completed application form
- Town Planning submission
- Site plan
- Proposed Local Area Traffic Management plan

We also enclose our clients cheque for \$2,500.00 covering your administration fee.

If you require any further information please contact our office.

Yours faithfully
LITTLE & ASSOCIATES PTY LTD


Eamonn McLynskey
TOWN PLANNER
encl.



CONSULTANTS TO THE BUILD AND CORPORATE ENVIRONMENT

VIDE ITEM (PD/-1)
BEFORE COUNCIL 21/10/94

SUBMISSION SUPPORTING

AN APPLICATION FOR

TOWN PLANNING CONSENT FOR

CHILD CARE CENTRE

AT

GORDON STREET, LABRADOR.

LOCAL AUTHORITY: GOLD COAST CITY

PREPARED ON 22ND JUNE 1994.

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CONSENT APPLICATION FOR CHILD CARE CENTRE
PREPARED BY LITTLE & ASSOCIATES PTY LTD

1.0 SITE DETAILS

1.1 Real Property Description/Site Area/Location

The land is described as Lot 151 on Wd 2384 Parish of Nerang and contains an area of 1148 m².

The postal address of the land is 55 Gordon Street, Labrador.

1.2 Topography/Vegetation/Site Features

The land is generally flat and sparsely vegetated. Some existing vegetation will be retained, however, the construction of the proposed car parking area at the front of the site will require the removal of some vegetation. Landscape buffers will be constructed generally in accordance with the attached plan.

The site contains an old single storey dwelling.

1.3 Access to Site/Road Frontages

The site has a 20 m frontage to Gordon Street, Labrador. It is proposed to use a single centrally located crossover to Gordon Street to access the proposed development.

2.0 PROPOSED DEVELOPMENT DETAILS

It is proposed to establish a child day care centre for forty (40) children on the land.

The existing dwelling on the site will be renovated for the purpose.

The renovations and internal layout will be carried out in accordance with the requirements of the Children Services (Day Care Centres) Regulations.

Car parking will be provided on site for four (4) staff and eight (8) visitor spaces in accordance with town plan requirements.

The staff car parking is provided in tandem since all staff will start and finish at the centre at the same time. We have observed this system in operation on other sites and it appears to be successful.

All external play areas will be allocated on the detailed building plan and will be discussed with Family Services Department prior to lodgement of the plan for building approval.

3.0 TOWN PLAN CONSIDERATIONS

3.1 Town Plan Zoning

The land is included in the Residential Duplex Dwelling Zone.

3.2 Town Plan Considerations

Under the town planning scheme a child care centre is by Council consent in the Residential Duplex Zone.

The performance criteria for child care centres is set out in sec. 12.4 of planning scheme.

Compliance with the provisions is as follows:

Sec. 12.4.1.1: *Area of site shall be at least 1,000 m².*

The site area is 1148 m².

Sec. 12.4.2.1: *All car parking and manoeuvring areas to be set back minimum 6 m from road frontage.*

The car parking area will be set back 6 m behind a landscaped buffer.

Sec. 12.4.2.2: *All buildings and car parking areas shall be set back minimum 2 m from side boundaries unless otherwise approved.*

The building, being existing building, is set back the required residential setback distance of 1.5 m. Although this is less than the 2 m requirement, the residential use is an established use and no significant alterations are proposed externally.

Sec. 12.4.3.1: *Development to be designed and constructed to a high standard and to ensure that building aesthetics and signage do not conflict with existing residential architecture.*

Since the existing building will be retained for the purpose of the child care centre, we consider that no significant alteration to street architecture or streetscape will result from the application.

We expect adjacent lots to be redeveloped in the future for the purpose of duplex or townhouse in accordance with the new strategic plan.

Sec. 12.4.4.1: *Car parking to be provided at the rate of one space per employee and one space for every five (5) children.*

The centre will have a total staff of four (4) to cater for the forty (40) children.

Four (4) spaces are therefore provided for staff parking and eight (8) spaces for patrons of the centre.

We consider the proposal will generally comply with the performance criteria for child care centres.

3.3 Justification for Use

The proposed child care centre will be located directly opposite Labrador State School.

We understand that the State School does provide limited after school car and half day care for pre school two or three days per week. Our client has contacted nearby full day care centres and has been informed there are waiting lists in most age groups.

We consider that the vacancy situation in nearby centres will not improve in the future in light of the expected increase in residential density resulting from the recently gazetted strategic plan.

We perceive a future need for additional child care facilities in appropriate locations.

We consider the location ideal for the purpose as it will enable parents with pre school and school age students to drop children off and pick them up at the same location.

The following statistical data is considered relevant to this application:

- Labrador rates second only to Nerang for the number of zero-four year old children.
- Labrador has the second highest proportion of single parent families and is in the top 10% for couples with dependent children.
- Labrador is in the top 10% of low income households and rates highly in the percentage of unemployed.

CONSENT APPLICATION FOR CHILD CARE CENTRE
PREPARED BY LITTLE & ASSOCIATES PTY LTD

Page 4

The above information shows that a need will always exist for child care centres and it also shows that the location, close to the school, is ideal for the purpose.

3.4 Amenity Issues

We consider that the child care centre will not impact on the amenity of adjacent properties, over and above the school.

Any noise emanating from the child care centre will be at levels and frequencies currently experienced by residents of the area.

The issue of impact on residents by additional traffic in the street will be discussed later.

4.0 STRATEGIC PLANNING

4.1 Strategic Plan Designation

The land is designated mixed low density residential on the current strategic plan.

4.2 Strategic Plan Considerations

The proposal is consistent with the intentions and objective for this designation since

- (a) The proposal will use the existing dwelling thereby ensuring architectural compatibility.
- (b) The proximity of the land to the State School will ensure compatibility of uses.
- (c) The child care centre will service the surrounding neighbourhood in particular those residents already dropping children at the State School.

5.0 TRAFFIC

5.1 Traffic and Access Considerations

At present the majority of traffic associated with the school uses Gordon Street for set down and pick up of students.

CONSENT APPLICATION FOR CHILD CARE CENTRE
PREPARED BY LITTLE & ASSOCIATES PTY LTD

Page 5

We understand from our client, who has discussed the proposal with Cr. Corby, that numerous complaints have been made to Council based on traffic intrusion in the street.

The objections appear to be associated with the school and not general traffic in the street.

The addition of the child care centre in the street will not exacerbate the traffic situation since a high percentage of the users of the centre will have a dual purpose in dropping children at the State School and the child care centre.

The peak traffic times will therefore be between 8.30-9.30 am and 3.00-3.30 pm. This situation is unavoidable and residents of the area would have dealt with these peak traffic times since the school has been operating.

We have studied the situation in Gordon Street and consider that a solution to the traffic situation is available by way of a Local Area traffic management plan for the street.

The main features of our proposal are:

- Lane narrowing barriers at the Turpin Road and Government Road intersections.
- Angle parking on the school side of Gordon Street.
- Imposition of a 40 km speed limit.
- Pedestrian crossing centrally located in Gordon Street.

The advantages of our proposal for the residents of Gordon Street are:

- Provision of adequate parking bays in Gordon Street for school purposes.
- Reduction of traffic speeds therefore increased safety.
- Lane narrowing devices will create a quiet neighbourhood atmosphere after school hours.

Our client recognises that as a user of the benefits of our proposed Local Area traffic management plan a contribution toward the scheme is appropriate.

CONSENT APPLICATION FOR CHILD CARE CENTRE
PREPARED BY LITTLE & ASSOCIATES PTY LTD

Page 6

We are therefore authorised to offer a contribution of \$3,000.00 toward the plan.

Since Gordon Street has been recognised in the new strategic plan as being in a redevelopment area, we consider that a contribution could be levied on all future development applications in the street toward implementation of the proposed plan.

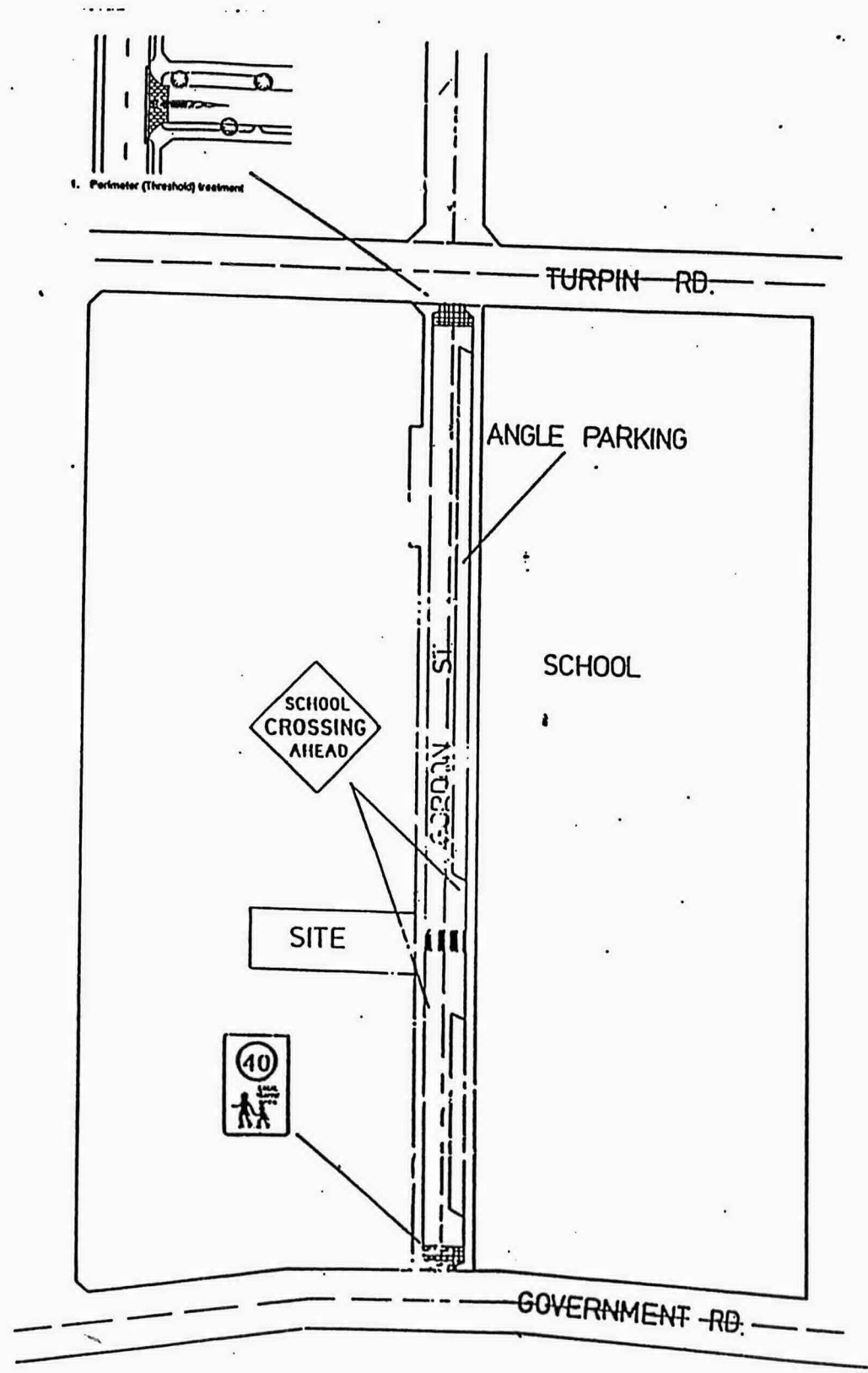
6.0 CONCLUSION

We consider the proposal has merit and is ideally located for the purpose.

The information provided in the report demonstrates a need and justifies Council approval.

We therefore request Council to approve the application as soon as possible.

APPENDICES

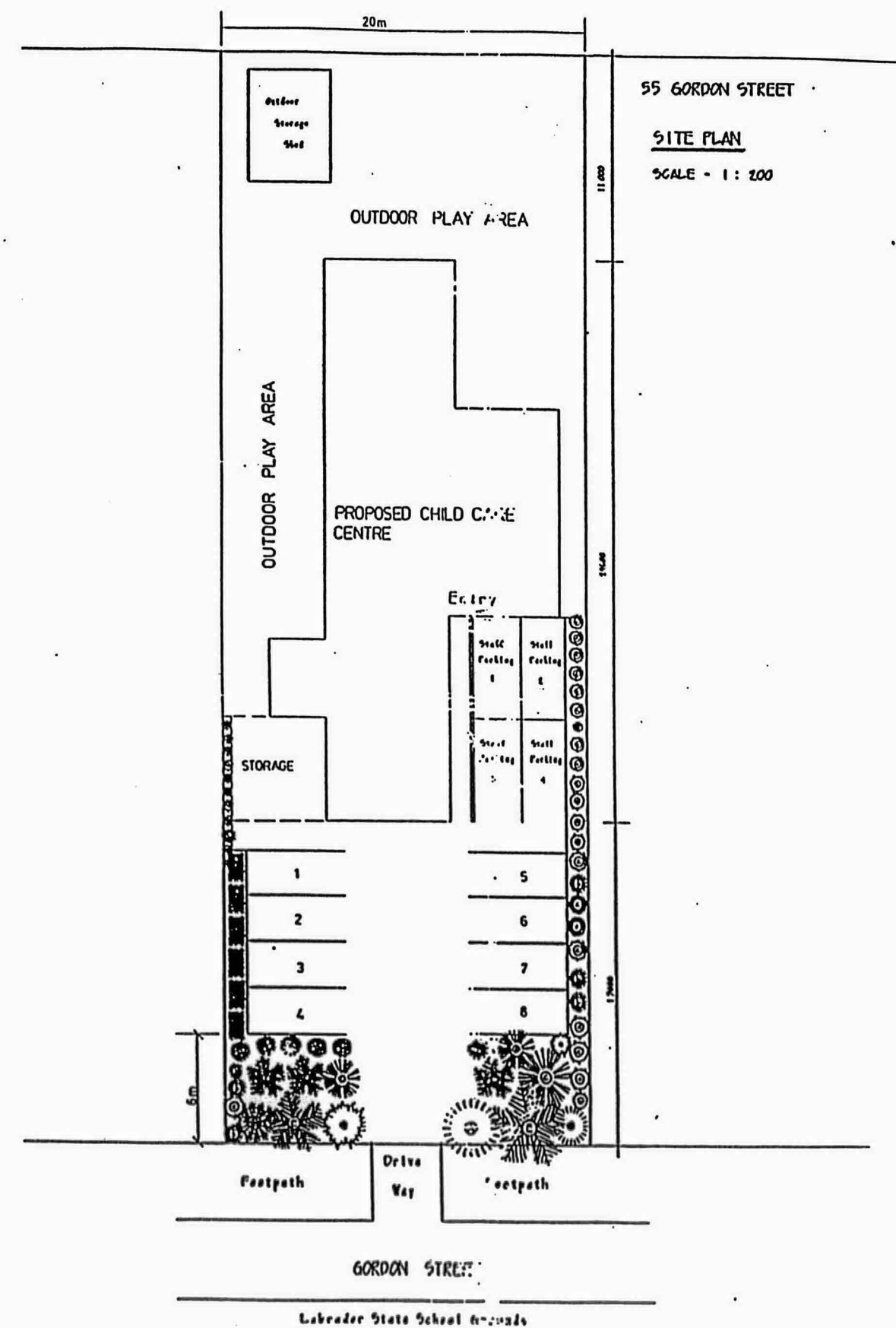


C.T. LITTLE & ASSOCIATES
CONSULTANTS TO THE BUILT AND CORPORATE ENVIRONMENT

DIGITAL BUILDINGS
BOHO UNIVERSITY
STEPHENS QLD. 4217.
TEL : 0753 952213
FAX : 0753 952215
63 CONDOORE DRIVE
PARADISE WATERS
QLD. 4217.
TEL : 0753 314785

PROPOSED LOCAL AREA TRAFFIC MANAGEMENT PLAN

DRAWING NO. L1085-2
ISSUE NO. 1
DESIGNED ETM
DRAWN EM
DATE 24.6.94



6 July 1994

Chief Executive Officer
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE Q 4217



File # 818 94 96
9426747

Dear Sir

**RE: APPLICATION FOR TOWN PLANNING CONSENT 55 GORDON STREET,
LABRADOR CHILD CARE CENTRE 818/94/96**

I am a resident of the Gold Coast City and own the premises situated at 2/59 Gordon Street, Labrador. I wish to object to the above consent application on the following grounds.

1. **Traffic and Access problems:** With a very large State School situated directly opposite the proposed Child Care Centre, traffic must be a major concern. There is complete traffic chaos now in Gordon Street in the section between Turpin Road and Government Road. Between 8.30am and 9.30am vehicles are parked two and three abreast as parents drop their children off to School. Driving down the street is like driving through an obstacle course as you are forced to dodge and weave your way in and out of the cars. Accidents are common.

This procedure is repeated every afternoon between 2.45pm and 3.30pm.

If this Child Care Centre is approved this situation will be greatly exacerbated. The 40 children at this Centre would have to be driven, and this section of Gordon Street just could not accommodate another 40 vehicles. The possible danger to young children running across the street must also be taken into account.

2. **Noise and Amenity:** This section of Gordon Street is entirely residential. The proposed Child Care Centre has dwelling houses very close up on both sides and behind. By their very nature, very young children are noisy and this must be to the detriment of the residents in the immediate vicinity. This would particularly be the case if the Child Care Centre were to open until early night or even 24 hours a day as is the present trend elsewhere.

In my opinion, a Child Care Centre would not fit in with the general amenity of the area, and this combined with the major traffic problems which would be generated, should be sufficient reason for Council to reject the application.

Yours faithfully

L. McDonald

L. McDonald

2/59 Gordon St, Labrador

Chief Executive Officer
Gold Coast City Council



Re: Application for Town Planning Consent
55 Gordon Street, Labrador Childcare
Centre 818/94/96.
and
Proposed Local Area Traffic Management
Plan.

Dear Sir,

818 94 96
9426748

I am employed by the Transport Department as a Crossing Supervisor for Labrador State School.

I have worked on Imperial Parade and Turpin Road for 26 months so have a reasonable knowledge of the traffic flow in the area. My work on the school crossing has meant I am a receiver of many traffic complaints from parents of the school.

The main complaint over the 26 months has been regarding the traffic congestion in Gordon Street, with the main concern being 'It is only a matter of time before a child is hit by a car in this street'.

Even a one-way street will put further congestion at the intersections of Turpin Road or Government Road causing more problems for these two, already, busy Roads. I therefore strongly object to any further traffic congestion resulting from a Childcare Centre and a proposed traffic change to Gordon Street.

VIDE ITEM (PD/-/1)
BEFORE COUNCIL 2/11/94

My concern is for the children of our area and as my responsibility as a School Crossing Supervisor is the safety of the children I speak on their behalf - Please do not add further traffic problems to this Street.

Thank you for listening
Yours faithfully,

Patricia A. McDonald

VIDE ITEM (PD/-/1)
BEFORE COUNCIL 2/11/94

8 July 1994
Chief Executive Officer
Gold Coast City Council
P. O. Box 5042
Gold Coast Mail Centre Q 4217



File S 818 94 96
Foto 9426893

PLAN & DEV.

Dear Sir

Re Application for Town Planning Consent
55 Gordon Street Labrador Child Care Centre
8/8/94/96

I am a resident of the Gold Coast City Council and own premises situated in Gordon Street + have lived at my present address for the last 20 yrs I wish to object to the above consent application on the following grounds

1. Cars associated with the Labrador State School commence parking at 6 AM (cleaners) to after 6 PM. (After School Care) Monday to Friday
2. Parents commence letting off children from 7-30 AM + onwards
3. When the Garbage truck is collecting, with parks cars in the Street it is not possible to pass this vehicle owing to road conditions and with the

ment need 40 extra cars in the Street will increase the dangers

4 Some residents now park their vehicles on the footpath + so do their visitors + this then forces children to walk on the roadway with other moving traffic.

5 The present "No Standing" and "Loading Zones" areas do not work as they are ignored daily.

6 This road is not wide enough for two cars travelling in the opposite direction to pass safely from about 43 Gordon Street to where it intersects with Turpin Road

7 There are now 2 entrances to School Grounds in Gordon Street + at 2-30PM to 3-15PM parents double park completely stopping all moving traffic

8 On sporting + other activities involving Parents conditions are exacerbated.

9 Every day before and after school vehicles park on our drive-way preventing us from entering or leaving our property with the police. The more we are verbally abused.

1 I walk daily along this Street also increasing the problem

2 I am aware of the major increase in population in this area, increasing congestion.

3 With the amount of large cars such as 4WI it is now impossible to see traffic moving in the Street as vision is restricted with such parked vehicles.

4 I am aware prior to and after the local election of Councillor Corby's concern of traffic dangers on Brisbane Road + in his area generally and I feel Gordon Street is becoming an accident prone area where school children are involved

5 I am a handicapped person at times confined to a wheel-chair + I find I am unable to make medical appointments between the hours of 8-15AM to 9-10AM and 2-30PM and 3-15PM as I cannot be sure of being able to drive out of my premises

6 In my opinion, a Child Care Centre would not fit in with the general amenity of the area, and combined with extra traffic movement which would be generated by a car, should be

v20

VIDE ITEM (PD /-1)
BEFORE COUNCIL 21/10/94

Page 4

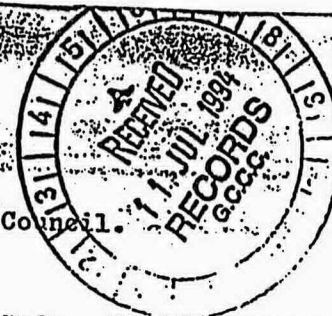
insufficient reason for Council to reject this application

As a former member of the Old Police Force which major involvement in Road Safety throughout this State I am genuinely concerned with what impact this proposed Child Care Centre will have with traffic generally in the area is the reason for our objection.

Yours faithfully
R & E Banister
R + E BANISTER
45 GORDON STREET
LABRADOR 4215

v21

VIDE ITEM (PD /-1)
BEFORE COUNCIL 21/10/94



R & M Peers
37 Gordon Street
Labrador 4215
9 July 1994

The Town Clerk
Gold Coast City Council

Dear Sir,

Ref: Proposed Child Care Centre
55 Gordon Street, Labrador.

818.94.96
9426947

We wish to lodge a strong protest against the above proposal.

The application lodged by C.T. Little and Associates appears to presume quite a lot on behalf of the Gordon Street residents - in particular page 5 - "West to Erie time etc. This situation is unavoidable as residents of the area do not have a lot of time to pick up their children since the school has been operating."

Who says we have been able to deal with this situation? The inconvenience has certainly exacerbated over the years, and having a Child Care Centre in the street can only add to the problem at 'peak times'. Parents park in No Standing Area, double park on the brow of the hill thus narrowing the available driveway considerably, and cause the driveway servicing...

As a former member of the Old Police Force which major involvement in Road Safety throughout this State I am genuinely concerned with what impact this proposed Child Care Centre will have with traffic generally in the area is the reason for our objection.

As a former member of the Old Police Force which major involvement in Road Safety throughout this State I am genuinely concerned with what impact this proposed Child Care Centre will have with traffic generally in the area is the reason for our objection.

Reference page 4, 5 of the Application - "It is not the majority of traffic associated with the school uses Gordon Street for pick up and drop off of students". This is definitely not the case, the majority use Imperial Parade as any of the area residents can verify.

Traffic congestion objection: The traffic congestion with the school (the Little's parents) is not general traffic, it is only the school drop off/pick up times. All streets are quiet, it is only during the school...

PLAN & DEV.

UNCLEAR TEXT

v22

VIDE ITEM (PD/-1)
BEFORE COUNCIL 21/10/94

[Faint, illegible text]

The Application speaks only of Peak Times, but I understand if the Developer so wishes, the Child Care Centre may operate up to twenty four hours daily, and not necessarily only during school hours. This would detract greatly from the amenity of our neighbourhood. Will the residents of Commodore Drive Paradise Waters embrace this proposal? I wonder, and think not.

Simply parents dropping off children at the school or school would not be the only parents utilising the proposed Child Care Centre, thus there would be more traffic in Gordon Street adding to traffic congestion, noise and safety of children.

We hope your Council will give the right consideration to our objection to the proposed Child Care Centre which would detract greatly from the amenity of our neighbourhood, and add to the traffic chaos at peak times.

Yours sincerely,

Ralph and Marion Peers

*Ralph R. Peers
Marion Peers*

UNCLEAR TEXT

v23

VIDE ITEM (PD/-1)
BEFORE COUNCIL 21/10/94

TELEPHONE
(075) 946775
FAX: (075) 377450

39 GORDON STREET,
LABRADOR, 4215,
GOLD COAST,
AUSTRALIA.

VICTORY MARINE
INTERNATIONAL

JULY 8 1994

TOWN CLERK
CHIEF EXECUTIVE OFFICER
POST OFFICE BOX 5042
GOLD COAST MAIL CENTRE 4217.



818 94 96
9427152

DEAR SIR,

RE APPLICATION FOR TOWN PLANNING CONSENT AT 55 GORDON STREET LABRADOR.

I LIVE WITH MY FAMILY AT NO. 39 GORDON STREET LABRADOR. WE ARE VERY DISTURBED AT THE APPLICATION RECEIVED BY THE GOLD COAST COUNCIL DATED 27 JUNE 1994 FROM C.T. LITTLE & ASSOCIATES. GORDON STREET RESIDENCES ARE MAINLY PEOPLE WHO HAVE LIVED IN THIS STREET FOR MANY YEARS. AS THINGS HAVE PROGRESSED THE STREET HAS BECOME ONE OF THE MOST CONGESTED STREETS IN LABRADOR. MY WIFE AND MYSELF HAVE EXTREME DIFFICULTY GETTING IN AND OUT OF OUR OWN DRIVEWAY DURING SCHOOL HOURS. THE APPLICATION YOU HAVE STATES THAT CAR PARKING SPACE FOR EACH EMPLOYEE EG 4 CARS AND 8 FOR CUSTOMERS. THIS DEVELOPER HAS OBVIOUSLY DONE VERY LITTLE RESEARCH INTO CHILD CARE CENTRES. HE OBVIOUSLY THINKS CHILDREN ARRIVE IN LOTS OF 5 IN ONE CAR. ALSO IN SECTION 12.4.3.1 HE EXPECTS ADJACENT LOTS TO REDEVELOP FOR DUPLEX OR TOWNHOUSES. THERE AGAIN HE HAS NOT CONTACTED THE NEIGHBOURS. IN THIS APPLICATION IN SECTION 3-3 JUSTIFICATION OF USE THEY STATE THAT THEY CONSIDER THE LOCATION IDEAL FOR THE PURPOSE OF DROPPING CHILDREN AND PICKING THEM UP BUT THERE AGAIN C.T. LITTLE & ASSOCIATES HAVE OBVIOUSLY NOT DONE ANY RESEARCH IN THIS STREET AT ALL. THE LAST THING ANYONE NEEDS IN GORDON STREET IS MORE CARS BEING DRIVEN BY PEOPLE WITHOUT ANY CONSIDERATION FOR LOCALS AND OTHERS. YOUR COUNCIL HAS ERRECTED SIGNS (NO PARKING) ECT. TO TRY AND HELP BUT NOBODY TAKES ANY NOTICE. THE RESIDANCE CALL THE POLICE REGULARLY BUT VERY LITTLE IS DONE. THE STREET IS USED BY APPROXIMATELY 15 TEACHERS CARS FOR PARKING EACH DAY. THIS ALONE CAUSES PROBLEMS. ON PAGE 5 OF THE APPLICATION THEY STATE THAT THE PEAK TRAFFIC TIME IS BETWEEN 8-30 TO 9-30 AM AND 3-00 TO 3-30 PM BUT THEY HAVE NOT MENTIONED THAT IT IS ALMOST IMPOSSIBLE TO PARK AT ANY TIME AFTER 7-30 AM (TEACHERS START TO ARRIVE) AND TEACHER'S CARS AND OTHERS ARE STILL THERE UNTIL 6-30 PM. YOUR AFLICANT ALSO SUGESTS NARROWING THE TURPIN ROAD AND GOVERNMENT ROAD INTERSECTIONS. THIS ALSO WOULD BE A COMPLETE DISASTER. THERE AGAIN YOUR APPLICANTS HAVE NOT DONE CORRECT RESEARCH AS TO HOW MANY VEHICALS USE THIS STREET. YOUR APPLICANTS HAVE NOT EVEN DRIVEN ALONG GORDON STREET OR THEY WOULD KNOW IT HAS BEEN 40 KMS FOR A CONSIDERABLE TIME. THEIR PROPOSAL ALSO SUGESTS ANGLE PARKING, THIS WOULD BE REALLY GREAT IN A STREET THAT IS ALREADY TOO NARROW!

v24

VIDE ITEM (PD 1-1)
BEFORE COUNCIL 2110194

TELEPHONE
(075) 946 775
FAX: (075) 377 450

39 GORDON STREET,
LABRADOR, 4215,
GOLD COAST,
AUSTRALIA.

**VICTORY MARINE
INTERNATIONAL**

2.

CONCLUSION.

THE CENTRE WILL GREATLY DE VALUE THE PROPERTIES ON EACH SIDE.
I AM PERSONALLY NOT AGAINST CHILD CARE CENTRES, BUT I WOULD
ASK YOUR COUNCIL TO PLEASE LOOK VERY CLOSELY AT THIS APPLICATION
AS I BELIEVE THERE HAS BEEN ALMOST NO RESEARCH INTO THIS PROJECT.
OBVIOUSLY THE ONLY BENEFICIARIES WILL BE C.T. LITTLE AND ASSOCIATES
AND THEIR CLIENT NOT ANY OF THE RESIDENTS OF GORDON STREET.

REGARDS

Ian Trevaskis
IAN TREVASKIS.

Maree Trevaskis
MAREE TREVASKIS.

v25

VIDE ITEM (PD 1-1)
BEFORE COUNCIL 2110194



2/57 Gordon Street

Labrador 4215

7-7-94

Chief Executive Officer

Gold Coast City Council

Post Office Box 5042

Gold Coast Mail Centre 4217

Dear Sir,

RE. Application for Town Planning

Consent for rebuild Care Centre at

55 Gordon Street - Labrador 4/12/94/96

9427532

I have been a resident at the above address for ten years and I am writing this letter to give my views on the subject of the proposed Day Care Centre at 55 Gordon Street, Labrador.

After having viewed the proposed plans for the site I am not in favour of the establishment because of the following reasons:

The proposed play area is less than four metres from my bedroom window and would naturally create more noise than I would like to have to put up

with. I am not young anymore and mostly have an afternoon rest.

My privacy in my small outdoor living area should be invaded because the dividing fence is only 90cm high.

The property is very badly drained, if at all, as after a couple of days rain the whole place is a quagmire and silt seeps into my cement and constantly causes it to become black and very slippery. I then have to have it water blasted clean. It is a fact that water lies under the front of the house for

days after heavy rain and one of the rooms at the rear becomes flooded as water drains in from the leaks inside at ground level. It must certainly be damp and unhealthy inside and not considered a decent place for young children.

As there are to be young children taken care of, I feel that the site is far too exposed and neighbours on either side

and at the rear would be greatly inconvenienced.

Gordon Street is a very busy street at the times of dropping off and picking up children at the school. Also there are a lot of children walking to and from unattended by adults. Extra cars feeding the Centre would cause more chaos particularly on sports and special days.

I must suggest that if Council is considering the application, in a favourable light, an inspection should come out and inspect the property before considering granting permission.

It has not been revealed for how many days a week or for what hours the Centre would be used.

I would strongly object to the proposal if it operated for any

277092

v28

VIDE ITEM (PD/-1)
BEFORE COUNCIL 21/11/1994

more than five days.
I would also insist on adequate
provision for my privacy and steps
taken to structure the water
course on flow to rectify the
seeping problem that now exists.

Trusting you find the above
reasons are enough for rejection
of the proposed Day Care Centre.

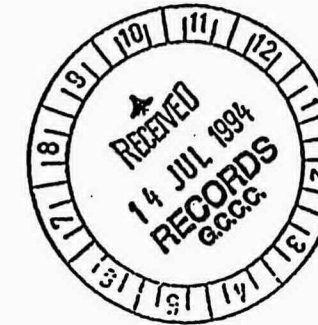
Yours faithfully

P. J. Latham
(MRS. P. J. LATHAM)

277093

v29

VIDE ITEM (PD/-1)
BEFORE COUNCIL 21/11/1994



Unit 1
57 Gordon Street
LABRADOR QLD 4215

13 July 1994

Chief Executive Officer
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE QLD 4217

818 9496
9427533

Dear Sir

REF.: 818/94/96
APPLICATION FOR TOWN PLANNING CONSENT FOR CHILD CARE CENTRE
AT 55 GORDON STREET, LABRADOR

Set out below, very briefly, are some major points for objection to this proposal. These points can be amplified by objectors upon request.

1. The present building is inadequate for the purpose and is poorly built. Both numbers 55 and 57 are subject to considerable problems with run-off from the surrounding houses. Two rooms in 55 are unusable due to permanent water and/or damp. Water runs across 53, 55 and 57. The garden of 55 is frequently muddy and always damp - not suitable for young children's play areas at all.
2. The space available for play areas, after parking, buildings etc., is too small and restricted to provide "good" outdoor play for some 40 children. It is also a disaster in terms of winter sun, summer breezes and encroachment upon neighbours.
3. Labrador State School, with its large open spaces, is across the road from present housing - it is indeed rarely noticeable to the residents. The proposed Centre is surrounded by private housing. The proposed layout places play areas very close to Unit 2, at Number 57 and Unit 2 at Number 70, Broad Street with resultant disturbance to their lives. A large town complex has been approved for properties at the rear to front Broad Street, further increasing residential density.
4. Traffic and parking are further problems. Gordon Street has cars parked on both sides of the street all day up to Numbers 53 - 55. Locals use it as an access road - it is a busy road.
5. Angle parking bays in place in Imperial Avenue are rarely used, most often being empty (though they are used at weekends for sport, etc.).

v30

VIDE ITEM (PD 1-1)
BEFORE COUNCIL 21/10/94

- 2 -

- 6. At no stage in the proposal, do the applicants outline any educational or enrichment goals which would be offered to their small clients. If many of the children are from disadvantages circumstances (as cited in the application), then their sparse little lives require, as a matter of national urgency, good support, stimulation and enjoyment.

Yours faithfully

R FINUCAN B.A.

Written by Roseann Finucan on behalf of P Latham, P MacDonald, R Finucan, A Bowden, H Hodge and B Clarke.

v31

VIDE ITEM (PD 1-1)
BEFORE COUNCIL 21/10/94



D. J. DODD & G. J. COO
2/70 BROAD ST
LABRADOR 4215

The Town Clerk
Gold Coast City Council
P.O. Box 5042

Gold Coast Mail Centre 4217.

818 9496
9427531

Dear Sir,

Reference is made to an application made to Council for the issue of a Town Planning Consent permit for the use of premises at 55 GORDON ST LABRADOR as a child care centre (Ref. No. 8189496).

The property in question lies directly on to my property and is most strenuously object to any permit being issued for the use of these premises as a child care centre.

When I purchased my property one of the primary considerations behind and purchase was the fact that this is a relatively quiet area. As I understand it, the playground of the proposed child care centre would be adjacent to my rear fence. Consequently, noise, which would no doubt emanate from a child care centre would be clearly audible from my property and other surrounding properties and thereby disturb the peace and tranquility of residents in a residential area.

It is my opinion that the establishment of a child care centre in an residential area is not a desirable use of the land. I am therefore objecting to the issue of a Town Planning Consent permit for the use of the premises at 55 Gordon St Labrador as a child care centre.

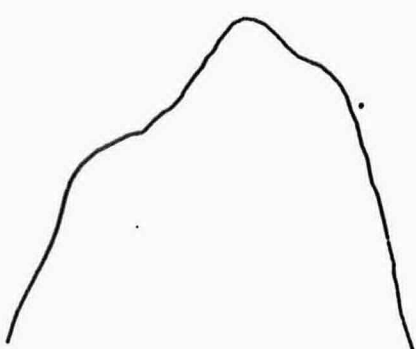
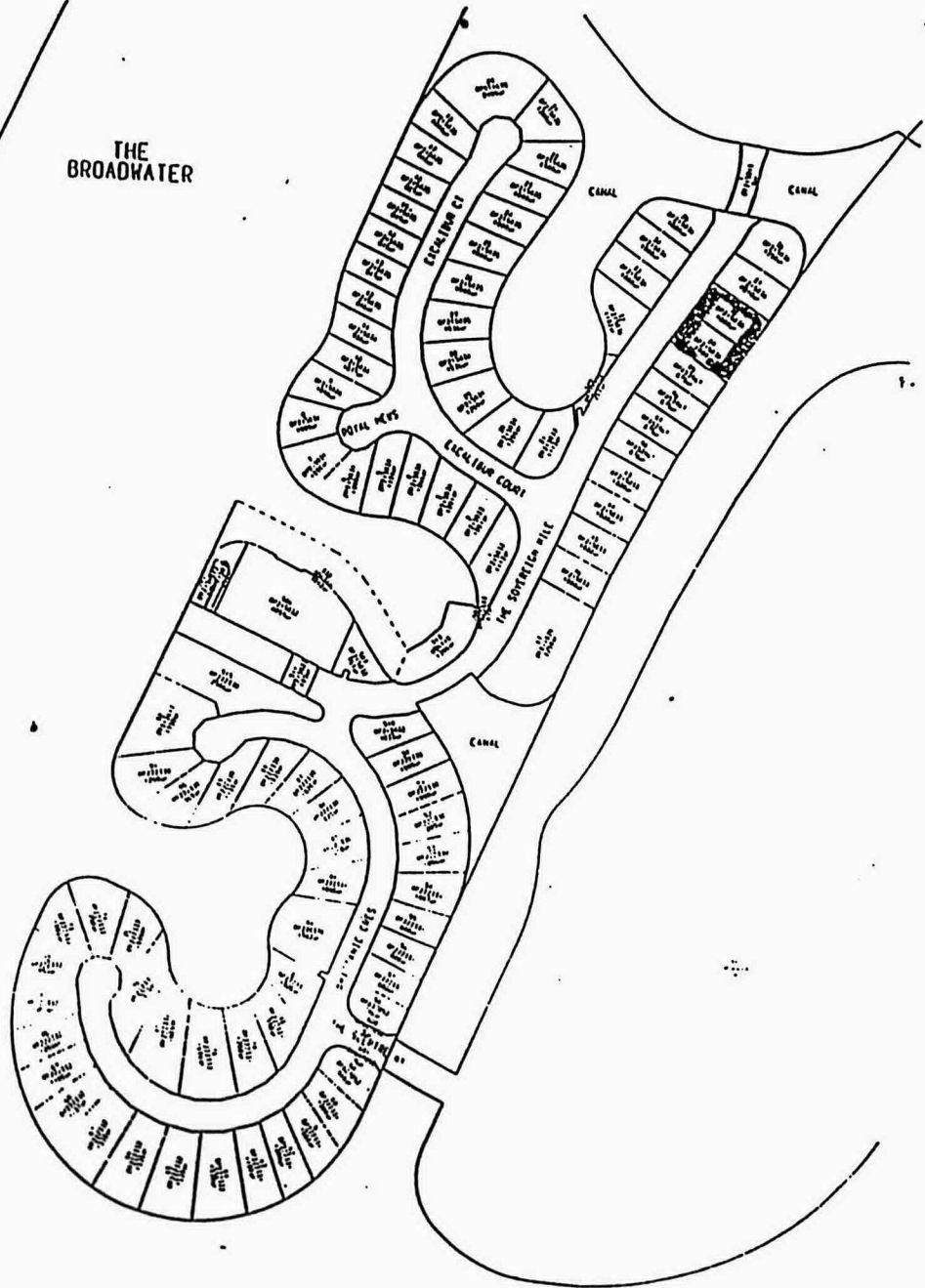
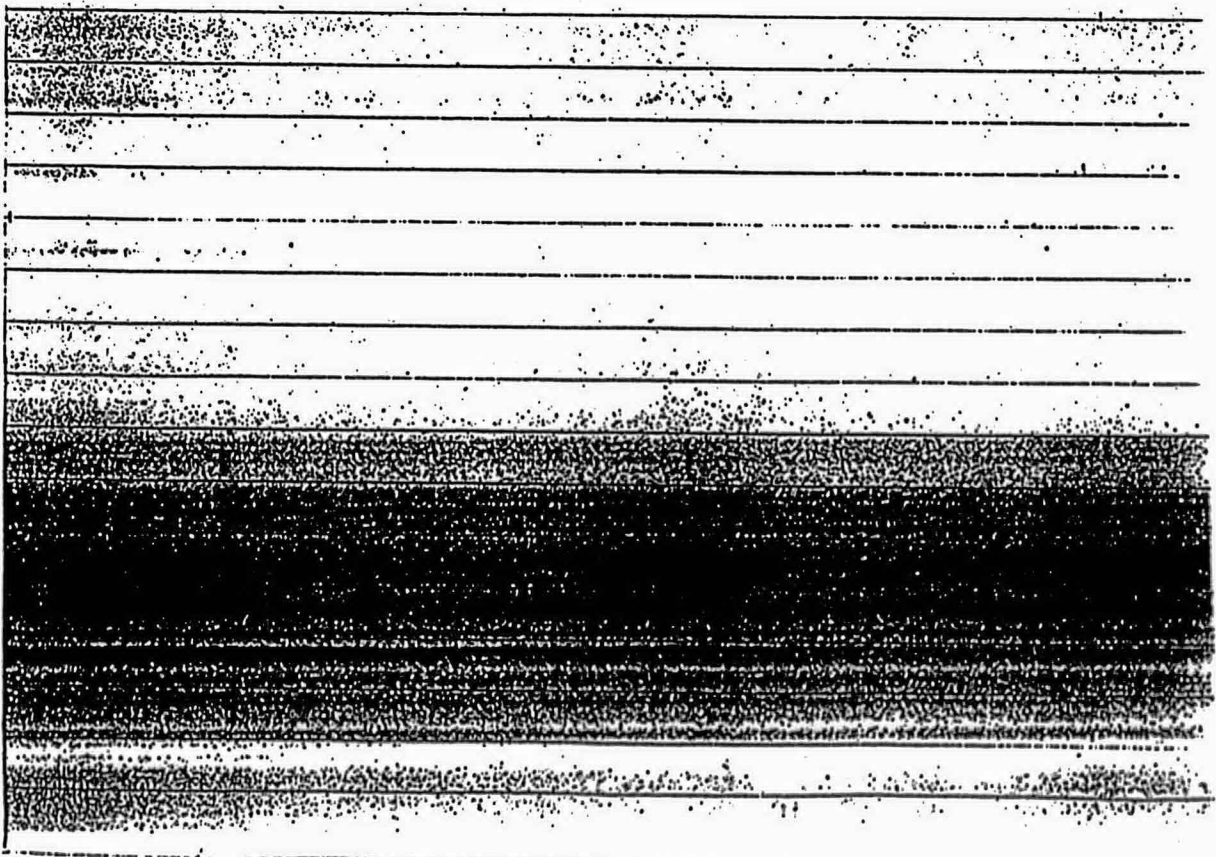
Yours faithfully,
D. J. DODD & G. J. COO

PLAN & DEV.



Available location for a child care centre and am
definitely opposed to a Town Planning consent permit being
issued for such a proposal.

yours faithfully,
A. Edge.
B.C.C.



11
BROAD

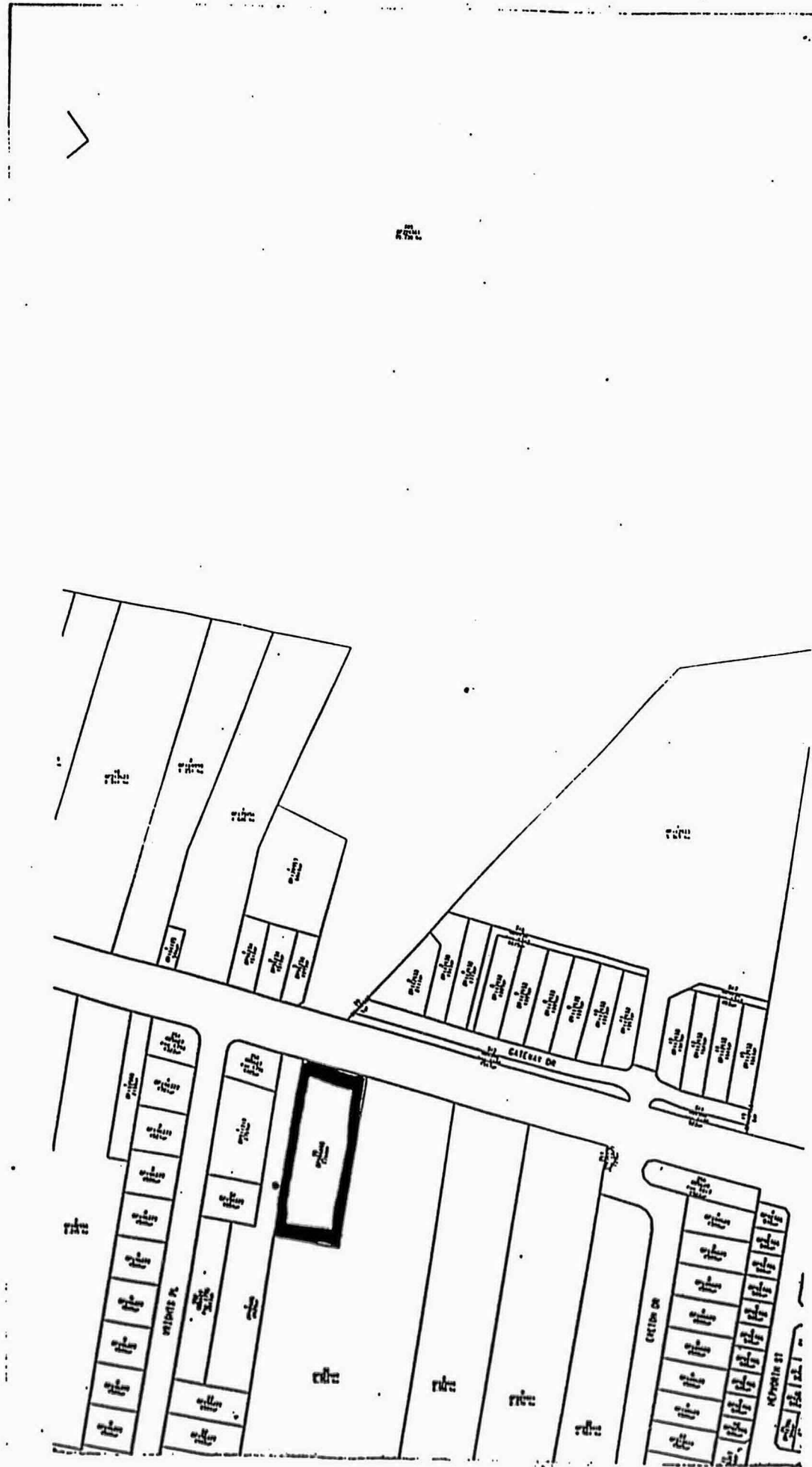
V34

VIDE ITEM (PD 6-2)
BEFORE COUNCIL 21/10/94



V35

VIDE ITEM (PD 11-2)
BEFORE COUNCIL 21/10/94



JOHN VENN CONSULTING

Town Planning
Land Surveying

REF: corr/jun/47/736

DATE: 24 June 1994

The Town Clerk
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE Q 4217

Dear Sir

RE: Consent Application
Upgrading of Premises - 244 Brisbane Road, Labrador

This brief report is written in support of the accompanying Consent Application to Gold Coast City Council which seeks to upgrade certain works at an existing fuel depot and retail sales outlet. Accompanying this letter are the following:

- Consent Application
- Plan of Proposed Upgrading
- Figure 1 - Locality Plan
- Figure 2 - Existing Depot - Labrador
- Figure 3 - Example of proposed works - Strathpine

Background Information

The land is known as Lot 25 on RP 206503 (Parish of Barron County of Ward) and is located at 244 Brisbane Road, Labrador, 4215. The property has a frontage to Brisbane Road of 54.7 metres and a frontage to Gibb Street of 140.18 metres - this latter road being the dominant access to the site.

A fuel depot and retail sales outlet has been operating on the site since the mid 1970's. Additional underground storage was installed in 1980 but since that time some underground storage tanks have been abandoned.

The site is 7764 sq.m. in area and it is known that the Gold Coast City Council intends the resumption of part of the land fronting Brisbane Road for road widening purposes.

Brisbane Road (also known as Gold Coast Brisbane Highway) is the major highway thoroughfare through Labrador from Helensvale to the northern end of the Gold Coast, Runaway Bay and Southport. The general area surrounding the site contains many industrial uses as well as much land in the process of development for this purpose. Hence the site is located within an existing industrial area adjacent to a major highway making it a strategic location for a product distribution centre such as this.

cont..2

Principal - John Venn (S. 0400 00 0000) M. 0400 00 0000

XXXXXXXXXXXXXXXXXX

Fax (07) 870 0228

9425736

ACTPlan

663

Gold Coast City Council
24 June 1994
Pag.

Discussions between Ampol representatives and Council Planners (M/s Pam Meeghan and Mr Ken Harris) have taken place recently. Correspondence would be found on Council reference 2-10648-(8).

The Proposal

The Proprietors, Ampol Petroleum (Q'ld) Pty Ltd, consider that the depot is strategically located and hence important in the long term. They wish to rebuild the depot installation to the latest safety and environmental standards and to maintain the use of the retail service station component.

The Proposal does not involve the installation of any additional storage tanks but is to maintain the current capacity of 752,000 litres which is merely 49% of its former capacity. The proposed reconstruction mainly comprises concrete pavement, stormwater drainage, tradewaste treatment plant, fire protection, electrical wiring, pipework and a new tanker fillstand building.

The proposed development is illustrated on the accompanying Plan of Proposed Upgrading and is divided into three stages:

1. Upgrading the existing depot facility in line with the requirements of AS1940 and current "best practice" in the oil industry. This involves the construction of a new tanker fillstand building, new pumps and pipework, extensive concrete and asphalt paving, stormwater drainage, trade waste treatment system, firemains and new electrical switchboard and wiring. The attached photographs of Ampol's new depot at Strathpine (Figure 3) are indicative of the type of installation proposed.
2. Upgrading the existing retail installation to modern standards. This involves extensive concrete and asphalt paving, new pipework and pumps, stormwater drainage, collection of trade waste, new electrical switchboard and wiring, new industrial crossovers and landscaping.
3. Installation of autogas refuelling as part of the retail sales improvements.

Town Planning

The land is zoned 'General Industry' under the Gold Coast City Council Town Planning Scheme and is designated 'Industrial Centre' on the Strategic Plan.

The use is defined under the scheme as a 'Toxic or Dangerous Goods Store', a use which requires Consent for land in General Industry Zone as described in the Table of Zones. The Service Station use is also a Consent Use in the zone.

Bulk Depot falls under the category of a 'Petroleum Product Storage and Processing Works' as included in Schedule 2 of Section 8.2 of the Local Government (Planning & Environment) Act. The capacity of such a works must exceed 1,000,000 litres for it to be termed a 'Prescribed Development' to fall within the requirements of Section 8.2 of the Act. Section 8.2 deals with the need to prepare an Environmental Impact Statement for any proposal. As the depot has a storage capacity which is significantly beneath that of the Schedule 2 definition threshold, this proposal and Application does not require the submission of an Environmental Impact Statement.

John Venn Consulting

Gold Coast City Council
24 June 1994
Pag. 1

Section 8.3A of the Local Government Planning and Environment Act contains provision under which proposals for development should require Site Contamination Assessment. Schedule 1 of the Contaminated Land Regulations includes "Petroleum Industries" as a "Prescribed Purpose" for consideration of Land Contamination issues. Clause (2) iterates this requirement where it states that assessment is required in the case where 'the proposal or Application involves a change from a prescribed purpose to a purpose that is not prescribed.' The proposal has existed for many years and is to continue to exist and hence is exempt from the need to prepare and submit such an assessment as it is not changing to 'a purpose that is not prescribed'.

Summary

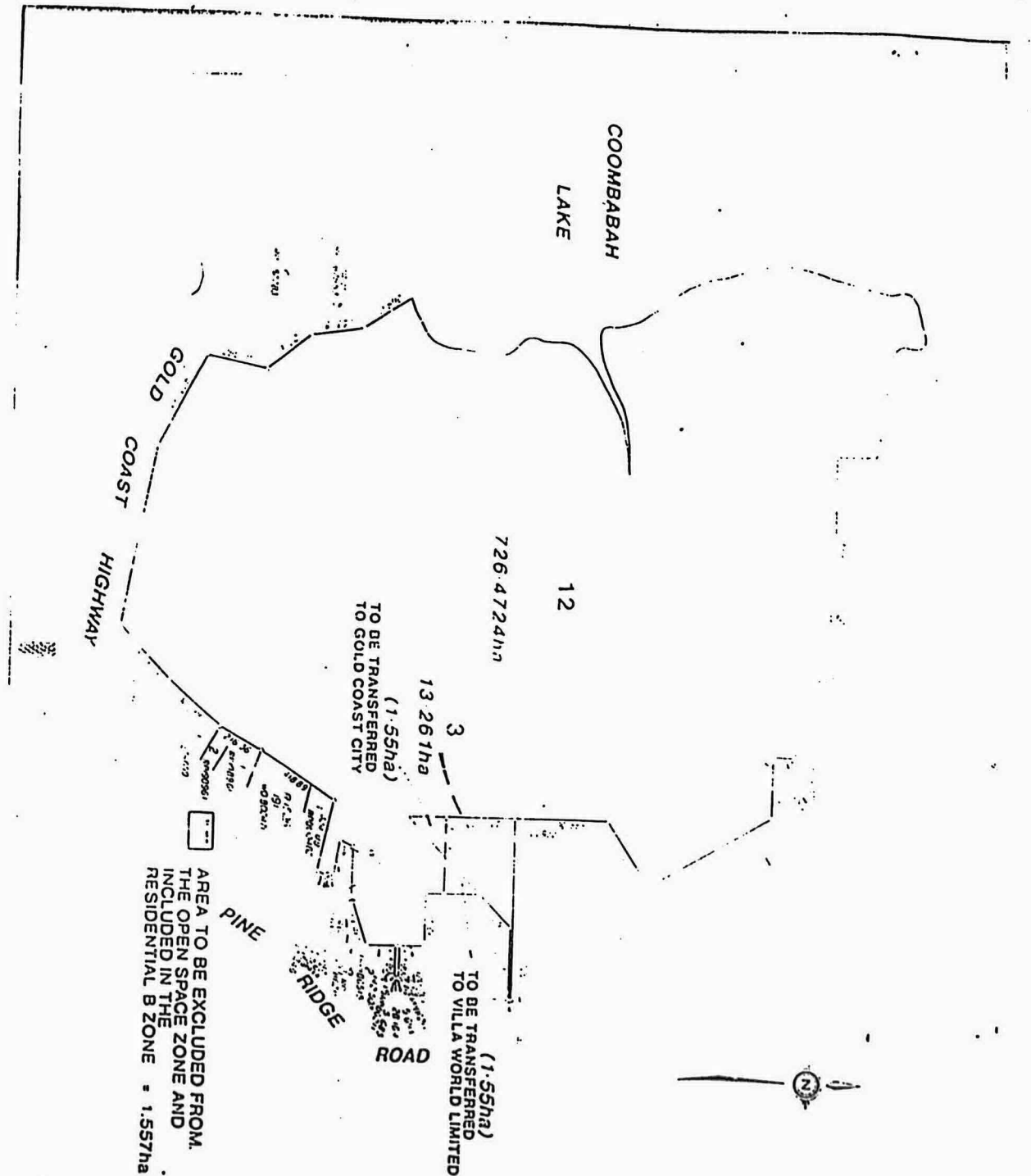
The proposal therefore seeks Council permission to carry out certain works to an existing establishment. No increase in throughput of trade is intended. In fact the capacity for trade has been significantly reduced in the last few years. The Application seeks the installation of 'State of the Art' Waste Treatment systems to improve the efficiency of the depot and to greatly enhance the appearance.

The development, owing to its size and its pre-existing function, does not incur the need to carry out Environmental Impact Statement and Site Contamination Assessment requirements. The Proposal will not have any detrimental impacts on the surrounding industrial estate but will instead improve the amenity of the area both in terms of aesthetics and the treatment of waste.

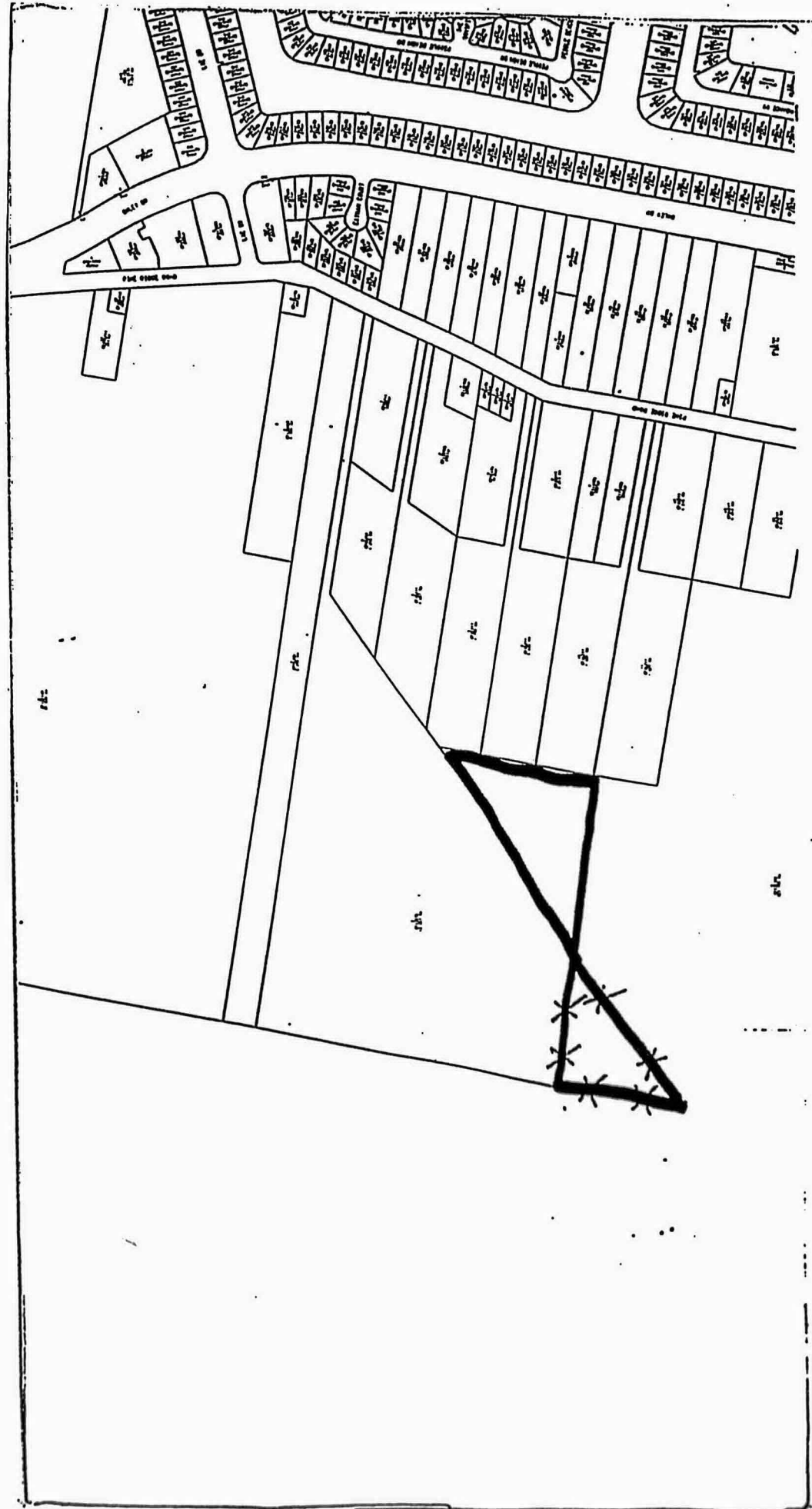
The Proposal is therefore recommended for approval.

Yours faithfully
JOHN VENN CONSULTING

JOHN VENN



VILLAWORLD	
PROJECT	
PROPOSED SUBDIVISION	
OF	
LOT 3 ON RP 83096 / 1	
LOT 12 ON RP 83593	
LOCAL AUTHORITY -	
GOLD COAST C.C.	
WARD	
BARROW	
Ward	
LOCAL AUTHORITY -	
GOLD COAST C.C.	
STATISTICS	
NO OF LOTS	3
NEW BOLD	
AREA OF PLOT	
TOTAL AREA	739.2914ha
CONTIGUOUS	
ORIGIN	
INTERVAL	
NOTE	
This plan is a preliminary plan and is subject to the provisions of the Land Use Management Act 1997 and the Gold Coast City Council's Local Government Planning and Environment Act 1994. It is not to be used for any purpose other than the purposes stated herein.	
SCALE 1:15000	
Kellar Fox & McKone Pty U	
MARINE & LAND SERVICES	
P.O. BOX 494 SPRING HILL, Q. 4050	
PHONE (07) 427 0885 FAX (07) 427 0886	
GOLD COAST 24-28 CLEARVIEW DRIVE	
PHONE (07) 55 3412 FAX (07) 55 3413	
PROPOSED/ISSUED	



REFERENCE 4

COMMUNITY AND
ENVIRONMENTAL CONSIDERATIONS
OF
CMTS RADIO BASE STATIONS

M. Wright
SE NW Development
Telecom Mobile N/W
NE Region

April 1994

- 1.0 INTRODUCTION
- 2.0 VISUAL
- 3.0 SHADING
- 4.0 NOISE
- 5.0 TRAFFIC AND VEHICULAR ACCESS
- 6.0 PARKING
- 7.0 ELECTROMAGNETIC INTERFERENCE
- 8.0 ELECTROMAGNETIC SAFETY
- 9.0 DUST
- 10.0 WATERSHED
- 11.0 ODOURS AND/OR POLLUTION
- 12.0 ADVANTAGES FOR THE COMMUNITY

1.0 Introduction

This document appraises the community and environmental impacts of CMTS Radio Base Stations in urban areas.

2.0 Visual

Clearly the major impact of a CMTS base is the aesthetics of the structure necessary to support the antennae array (typically 9 to 12 antennae). Telecom is very aware of this and every effort is made to minimise the visual effect by establishing bases (where possible) away from predominant ridges and by positioning poles on properties so as to take advantage of existing foliage, land or building structures.

In the early stages of development, the system utilised a small number of relatively high sites with typical pole heights of 25 to 30 metres and large antennae (3 to 4 metres in length). As the system matures, the height of new structures can be reduced to 15 to 25 metres, typically 20 metres (or on top of buildings) in the inner city area which is just sufficient to clear nearby obstructions to the radio signals. Also, in some cases smaller antennae may be used. These appear as small rectangular panels which are approximately 900 x 300 x 150 millimetres in external dimension.

Apart from the location of the antenna structure, the other important factor of its visual impact is size and type of construction. In the early stages of CMTS introduction, Telecom considered various options of poles, guyed masts and lattice steel towers to support the antennae. After consultation with an architectural adviser, a hollow steel pole was selected as the most aesthetically suitable structure which still met the engineering requirements.

With the need to establish new base sites in established built-up areas, Telecom became conscious of the need to further reduce the visual impact of the support structures. Unfortunately the requirements of strength and maintainability are at odds with those of aesthetics. An alternative design was developed which reduced the profile of the pole to little more than that of a large power pole with a three armed head frame to support the antennas. This is the standard pole in use today.

Although the maintenance costs to Telecom are higher because of the need to use mechanical aids ("cherry pickers") to get access to aerials etc, we believe the reduced visual impact, and consequent acceptance by local residents, will more than offset these additional ongoing costs.

Also of consideration regarding visual impact at a radio base station site, is the equipment shelter which houses the control and transceiver equipment. This, however, can be more readily adapted to suit its surroundings by selection of position on site, building style, surrounding trees, landscaping, or even the use of, or integration with, existing buildings.

It is felt that judicious selection of new sites in consultation with town planning officers will enable us to best determine an appropriate structure for each site, with minimum possible local impact, yet within the strict timing demands of system expansion.

3.0 Shading

The location and relatively small cross sectional area of any antennae support structure would have negligible shading effect on neighbouring properties.

4.0 Noise

Initial external construction activities would last between a few days and a few weeks, depending on the accommodation type and would be confined to normal working hours between 8am and 5pm Monday to Saturday.

Subsequently the only ongoing noise related to the site would be the operation of air conditioners of similar rating to those found in domestic applications.

Any specific concerns relating to the operation of these units would be addressed in the proposal relating to the specific base station.

5.0 Traffic and Vehicular Access

During the initial construction period of four to eight weeks there would be regular visits by construction staff vehicles and some heavier machinery such as backhoes, cranes and cement trucks in a similar manner to the construction of a small domestic residence. There would be minimal impact on traffic during this period, as vehicles would enter and leave the site, usually without disturbance or hindrance to traffic flow.

Subsequent to completion, there would be occasional short visits by maintenance staff whose vehicles would be parked on the base station site where this is possible. Once again, access to the site would have minimal impact on traffic flow.

Any variation to the above or special conditions would be addressed in documentation relating to the specific base station proposal.

6.0 Parking

In general there will be no impact on parking unless specific sites cannot provide on-site parking. In these circumstances street parking would be required for the short periods while maintenance staff attend the site, again, this would be addressed in documentation relating to the specific Base Station proposal.

7.0 Electromagnetic Interference

All Cellular Mobile base station equipment complies strictly with Department of Transport and Communications specifications and other international standards and accordingly, will not interfere with any properly designed and operating radio, television or other electronic equipment.

8.0 Electromagnetic Safety

As with other radio based communication systems such as two way radio, television and radio broadcasts, Cellular Mobile Radio Base Stations emanate radio frequency radiation.

Levels of non-ionising radiation from these installations, at ground level, are many hundreds and even thousands of times lower than those limits which are set by Australian Standard 2772-1985.

9.0 Dust

It is not envisaged that dust would be a problem during the short construction phase of a radio base station.

10.0 Watershed

In general, there will be no effect on storm water drainage as a result of these installations. Where watershed is of specific concern, this will be addressed in documentation specific to the base station proposal.

11.0 Odours and/or Pollution

There will be no odours or other pollution of the air as a result of radio base station installations or operation.

2.0 Advantages for the Community

There will be immediate and specific advantages to users of mobile telephones in terms of reduced congestion and improved coverage and performance, particularly to handheld units in and around the adjacent suburbs of a base.

Indirectly, these benefits will also accrue to every member of the community who has occasion to contact, perhaps urgently, the increasing number of businesses eg. plumbers, builders, real estate agents, doctors and emergency services who are relying on the mobile telephone as an essential business tool and their only source of contact.

Current growth trends and analysis by Telecommunications organisations world wide suggest that by the year 2000 at least sixty percent of telephone calls will involve a mobile call as part of the connection. On this basis provision of the MobileNet service could be considered as important to the community as other services such as conventional telephones, power, water, waste removal, roads and sewerage.

Edge & Bell
PLANNING PTY LTD

TOWN PLANNING AND DEVELOPMENT CONSULTANTS
A.C.N. 011 007 060

LARRY DREDGE BTRP MRAP IGTIP (C) A/H Ph (075) 30 5919
PETER BELL BTRP MRAP IGTIP (C) JP A/H Ph (075) 78 3121

4 Carrara Street, Benowa, PO Box 6793, Gold Coast Mail Centre, Q. 4217. Ph (075) 97 3411 Fax (075) 97 3511

OUR REF: PB:SYA.94544

29th August, 1994

The Chief Executive Officer
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE Q 4217

ATTENTION: MR BILL DANIEL

Dear Sir,

Land at Brisbane Road, Coombabah - 663/91/02
Rix/Ellison

We refer to our recent discussions with Mr Daniel of Council's Town Planning Department and we enclose for your attention copy of amended Plan of Development showing revisions to the existing zoning approval contained under cover of letter dated 22nd February, 1993 as modified by letter dated 11th June, 1993

It is our clients proposal to change the approved form of development from three storey walk ups to two storey townhouses at a lower density in order to make the property more attractive to the existing market. It is also for the purposes of reducing the amount to be paid by way of headworks charges

The enclosed modified Plan of Development (drawing no 94159(DA01)) is to be compared with the approved Plan of Development being drawing no S1467-01 and has the following changes:

1. The site is identified as having an access restriction strip and making provision for future road widening along the Gold Coast Highway
2. The existing zoning of the land is shown as Future Urban to reflect the new Town Plan.
3. Purposes approved on the Plan of Development have been changed to include lower density forms of development such as dwelling houses, duplex dwelling, integrated housing and townhouse developments. Multi-unit buildings have been retained but the density of all developments is to be limited to 110 units and 33C bedrooms on each of lots 2 and 3.

PLAN & ENVIRON₂



663 91 2
9434385

Gold Coast City Council

DREDGE & BELL PLANNING PTY LTD

4. Development parameter 2 has been amended to reflect the current town plan by deleting reference to the group title policy.
5. The building development area criteria have been modified to:
 - (a) reduce the height of development from 3 storeys to 2 storey maximum;
 - (b) incorporate the relevant town planning scheme requirements and development parameters contained in condition 1 of Council's letter of approval which is modified as follows:
 - (i) introduce building height - maximum 2 storeys.
 - (ii) retain site coverage to a maximum of 40% including existing buildings.
 - (iii) specify unit density of 35/ha calculated on the gross site area and including existing dwellings. This deletes (ii) and (iii) contained in the letter of approval.
 - (iv) maximum number of units - 220. This deletes (v) and (vi) in the letter of approval.
 - (v) number of bedrooms have been limited to 660.
 - (vi) set backs have been retained in accordance with the approval.
 - (vii) park provision of 10% has been inserted into the Plan of Development as this is specified in condition 44 and 45 of Council's approval. Clause (4) and (5) have been retained as written on the approved Plan of Development except they have been modified to reflect the changed development parameters.

The notes contained on the approved Plan of Development have been deleted as they are not relevant to the future land use and zoning requirements and do not assist in further clarifying the nature of the zoning approval or the specific development parameters related to the approval.

We consider that these amendments are a significant reduction in the approved intensity of the site development and will create a more attractive and more appropriate form of development in this locality.

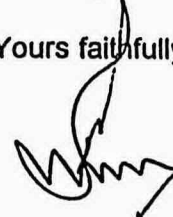
We also request that Council review its requirement for the bonding of component 1 headworks charges prior to the application being forwarded to the Minister. As Council would be aware, the Planning and Environment Act allows for conditions of rezoning approval to run with the land and in practice component 1 contributions can be paid at subdivision or building application stage. This will remove the need for our clients who will not be developing the site, to obtain bank guarantees which achieve nothing other than to give Council security it already enjoys under the Act

Gold Coast City Council

DREDGE & BELL PLANNING PTY LTD

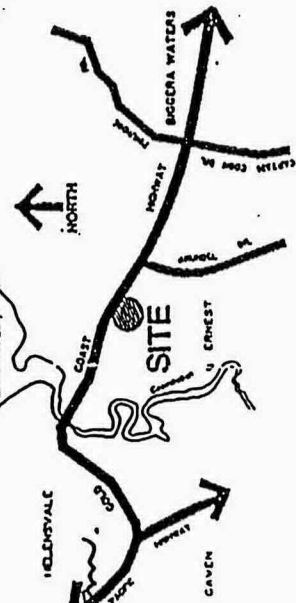
Should you have any enquiries with respect to this matter, please contact our office.

Yours faithfully,



Peter Bell
DREDGE & BELL PLANNING PTY LTD

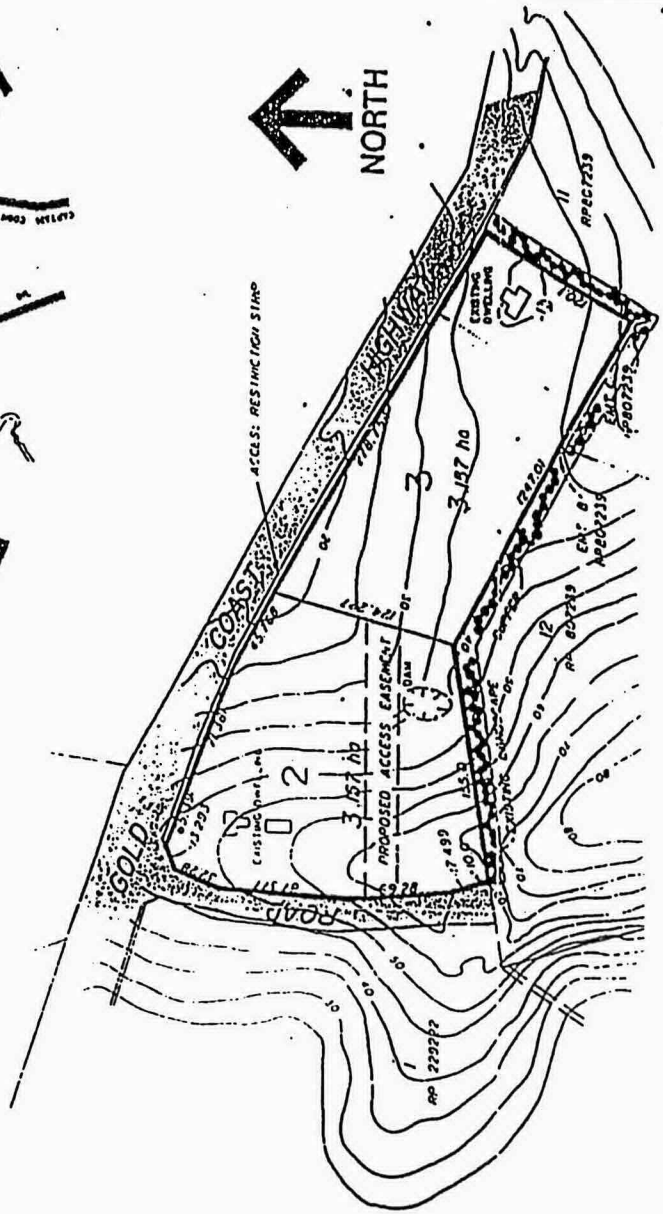
LOCALITY PLAN



PROPERTY DESCRIPTION
LOTS 2 & 3 ON RP229222
PARISH OF BARROW
COUNTY OF WARD

TOTAL AREA 6.314 ha

EXISTING ZONE: RURAL
PROPOSED ZONE: SPECIAL RESIDENTIAL



PLAN OF DEVELOPMENT

SITE AT GOLD COAST HIGHWAY, ERNEST
D. RIX AND R & S ELLISON
PROPOSED SPECIAL RESIDENTIAL ZONE

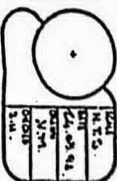
Table with columns for status (LOTTED, DRAWN, CHECKED) and a scale of 1:3000.

Professional details for JONES FLINT & PIKE (OLD) PTY. LTD., including company address and contact information.

NOTES: 1) The site is located on the Gold Coast Highway... 2) The site is zoned Special Residential... 3) The site is bounded by Gold Coast Highway to the north and Ernest to the east...

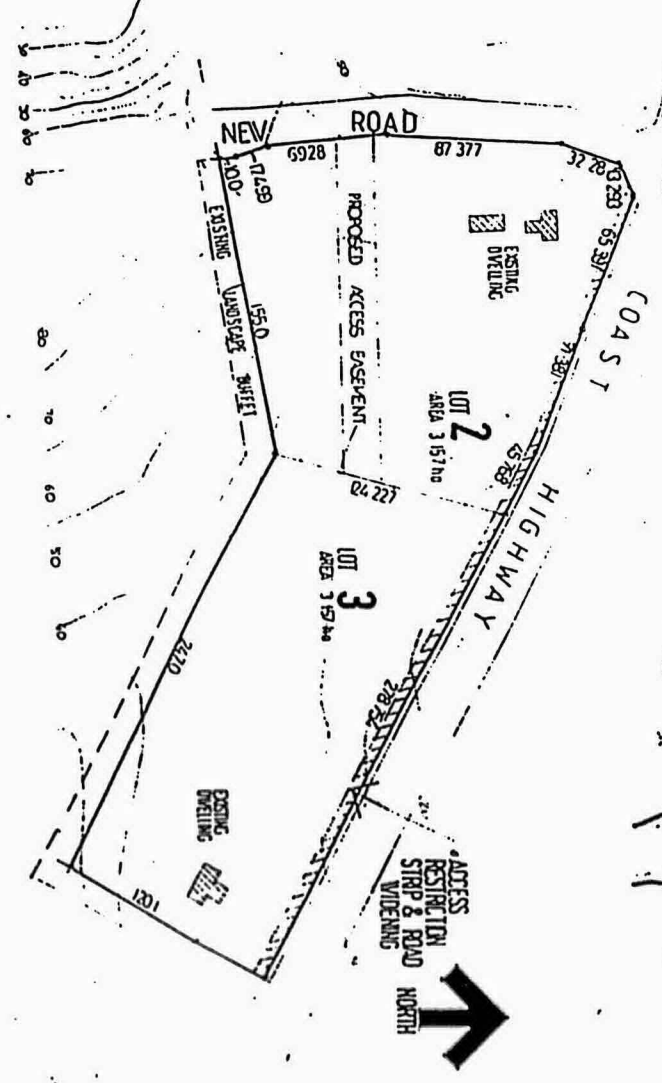
LEGEND OF DEVELOPMENT PARAMETERS
Proposed specified on this plan of development:
Building height - maximum 2 storeys
(a) height of building - maximum 2 storeys
(b) site coverage - 10% maximum
(c) unit density - 25 units per hectare
(d) area of site - 6.314 ha
(e) area of site - 6.314 ha
(f) area of site - 6.314 ha
(g) area of site - 6.314 ha
(h) area of site - 6.314 ha
(i) area of site - 6.314 ha
(j) area of site - 6.314 ha
(k) area of site - 6.314 ha
(l) area of site - 6.314 ha
(m) area of site - 6.314 ha
(n) area of site - 6.314 ha
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(p) area of site - 6.314 ha
(q) area of site - 6.314 ha
(r) area of site - 6.314 ha
(s) area of site - 6.314 ha
(t) area of site - 6.314 ha
(u) area of site - 6.314 ha
(v) area of site - 6.314 ha
(w) area of site - 6.314 ha
(x) area of site - 6.314 ha
(y) area of site - 6.314 ha
(z) area of site - 6.314 ha

FRANKLAND & ASSOCIATES
BUILDING & DESIGN CONSULTANTS
100/101 GOLD COAST HIGHWAY, ERNEST
TEL: 07 553 1111



PLAN OF DEVELOPMENT
SITE AT GOLD COAST HIGHWAY, ERNEST
D RIX AND R & S ELLISON
PROPOSED SPECIAL RESIDENTIAL ZONE

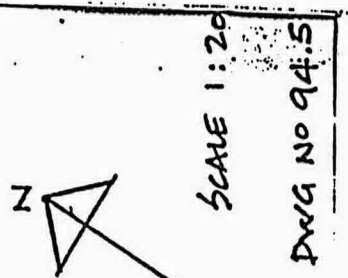
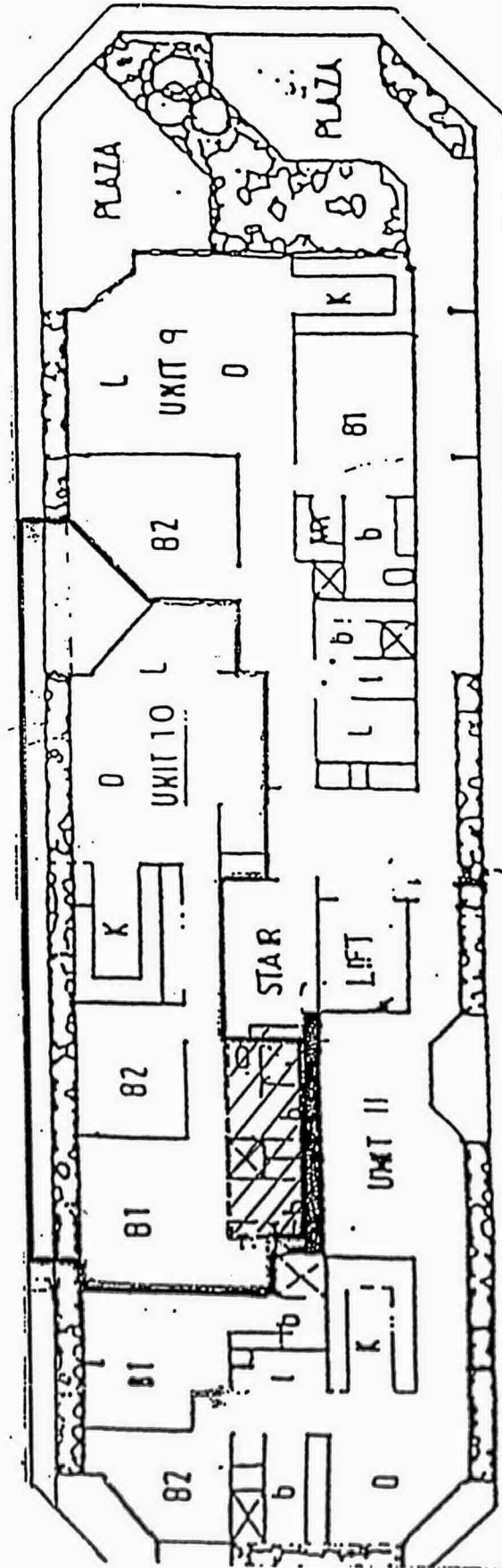
Professional details for JONES FLINT & PIKE (OLD) PTY. LTD., including company address and contact information.



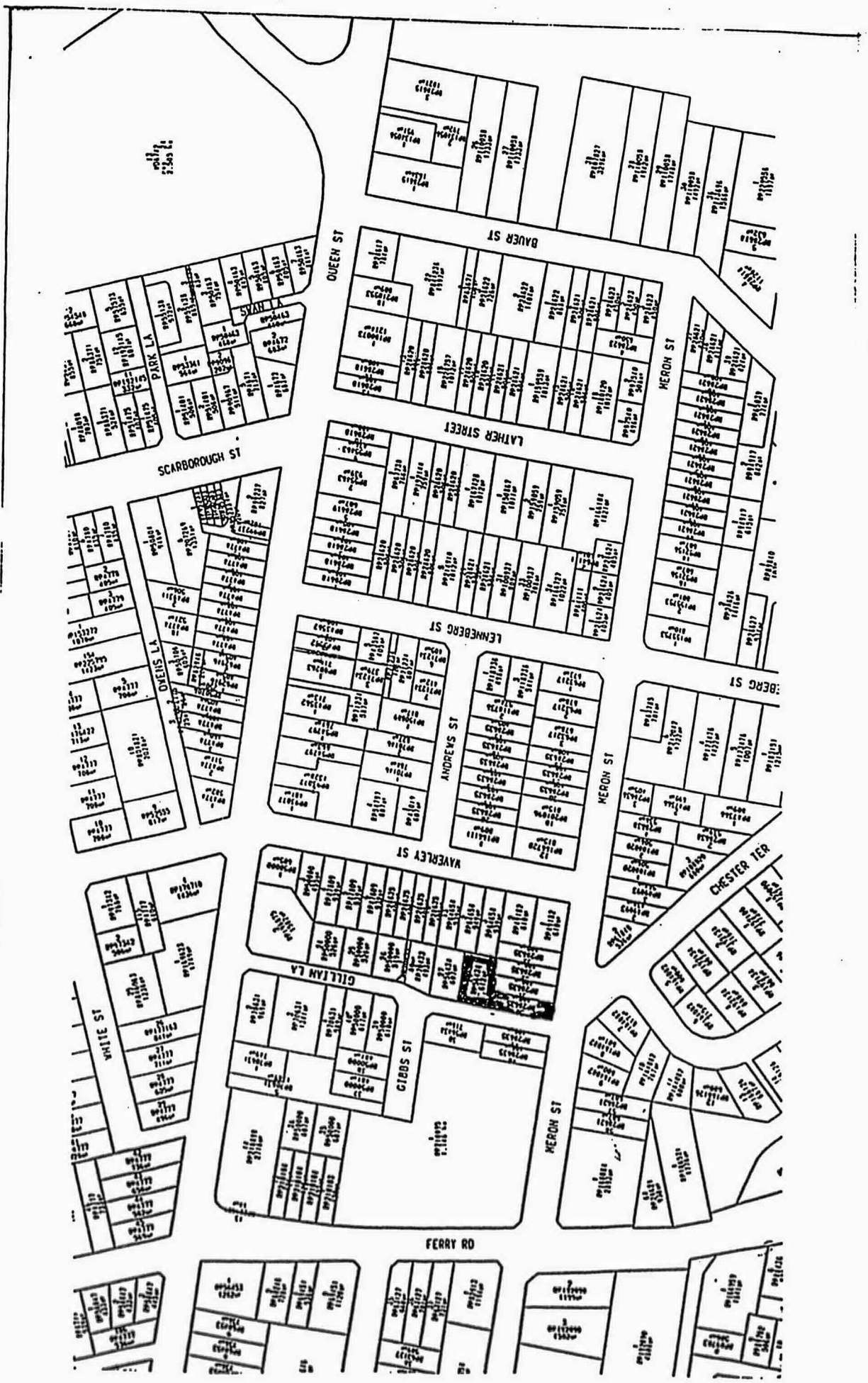
PROPERTY DESCRIPTION
LOTS 2 & 3 ON RP 229222
PARISH OF BARROW
COUNTY OF WARD
TOTAL AREA 6.314 ha
EXISTING ZONE RURAL URBAN
PROPOSED SPECIAL RESIDENTIAL

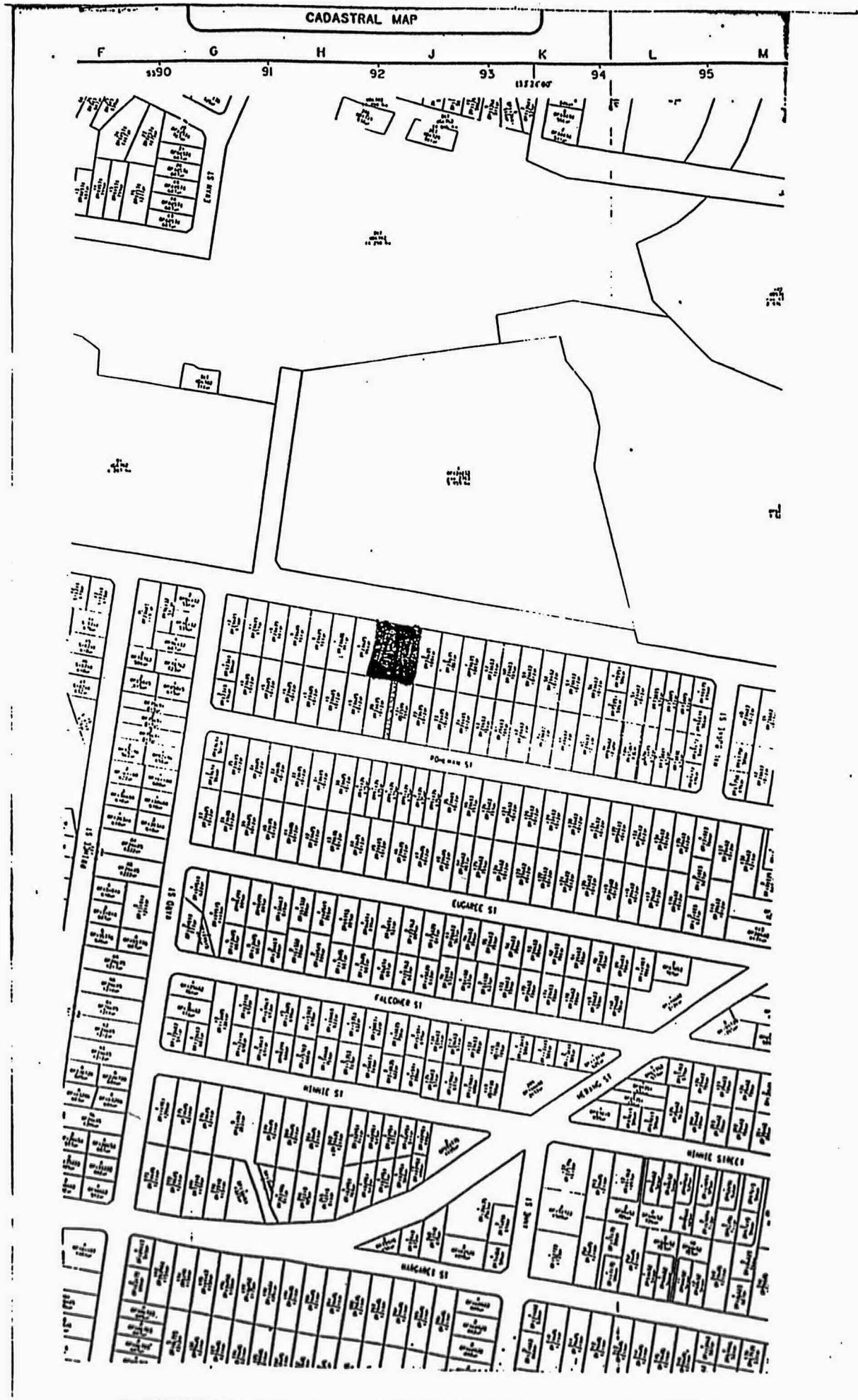
LOCALITY PLAN





LOT 10 BUP 3267
 AREA AS PER BUP PLAN 134 M²
 GROSS FLOOR AREA (TOWN PLAN) 97 M²
 TOTAL USE AREA " " 85 M²
 excludes planters and balcony.
 excludes toilet/bathroom area
 which will be retained in office.





Joe Indomenico Design

LEVEL 1-130 BUNDALL ROAD
BUNDALL, GOLD COAST, 4217.
Telephone: (075) 74 1755

16 August, 1994

Chief Town Planner
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE
BUNDALL, QLD, 4217



Pt One
818/74/121
9432826

Dear Sir

PROPOSED TOWN HOUSE DEVELOPMENT (Comprising 12 fully detached housing lots)
238 BENOWA ROAD, BENOWA
Lot 1, R.P. 132917, COUNTY OF WARD, PARISH OF NERANG

RELAXATION OF BOUNDARY SETBACKS

COPY HAS BEEN SENT TO
PLANNING DEPT

Under the provisions of the Gold Coast Planning Scheme 4.12.4 the proposed scheme does not directly comply with the required set backs.

This scheme was designed based on the guidelines of AMCORD for integrated housing. Taking this into consideration all residences have been designed for maximum northern sunlight penetration and circulation of breezes.

All residences are fully detached to create private courtyards and a higher degree of central open space. To minimise the impact on adjoining properties all buildings that are within the five metre set back zone are set at angles to the side boundaries thus creating interesting spaces and walls that recede away from the boundary.

Orientation for northerly aspect, views to the coastline and the peculiar nature and topography of the lot have led to this unique scheme. Because all residences are fully detached the block impact on adjoining properties has been totally minimised. While some buildings are within the set back zone the set back is still in keeping with residential guidelines.

Set backs between the residences are also based on the same criteria. Between 2-storey residences the lowset garages have been used as a buffer. Because of the sloping nature of the site these garages will be cut a further 600mm into the slope lowering the impact. Brick screens and or the deletion of windows further adds to the aspect of privacy.

For all the above reasons, I am applying that certain set back requirements be relaxed. I hope that this submission meets favourably with your expectations. If you have any further queries please do not hesitate in contacting me.

Yours faithfully

Joe Indomenico
Joe Indomenico Design

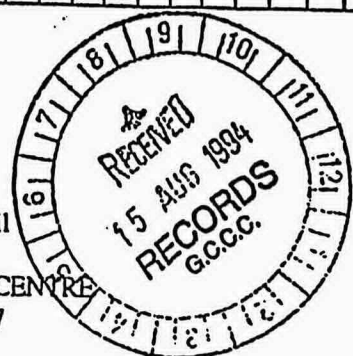
PLAN & DEV.

Joe Indomenico Design

LEVEL 1-130 BUNDALL ROAD
BUNDALL, GOLD COAST, 4217. P.O. Box 6490
Telephone: (075) 74-1755 Fax: (075) 74-1599

4 August, 1994

Chief Town Planner
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE
BUNDALL, QLD, 4217



818/94/121

9431709

Dear Sir

PROPOSED INTEGRATED HOUSING DEVELOPMENT
238 BENOWA ROAD, BENOWA
Lot 1, R.P. 132917, COUNTY OF WARD, PARISH OF NERANG

In recognition of the delicate nature of integrated housing development I would like to make salient points pertaining to our development.

- (i) There will be twelve fully detached residences comprising of eight two-storey houses and four low set houses.
- (ii) The low set residences have been positioned on the lowest point of land running along the eastern boundary to ensure maximum privacy for those adjoining owners.
- (iii) All residences will be totally detached thus ensuring that breezes and sunlight are not blocked.
- (iv) Architecturally the design and concept will be of a village designed around courtyards, which will not downgrade the value of the adjoining area, in fact because of the style and concept of the fully detached houses it will enhance the value of the area.
- (v) This is not a townhouse development but a low density development which will be unique and marketed towards elderly semi-retired people and professional people because of this very nature of low key tranquillity. The degree of density will actually be less that for Residential 'A' where 50% site coverage is allowable. Our development site coverage will be roughly half of Residential 'A'

I hope this brief outline of our proposal gives you a better insight into what we are striving to achieve.

Yours faithfully

Joe Indomenico
Joe Indomenico Design

Joe Indomenico Design

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4 August, 1994

Chief Town Planner
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE
BUNDALL, QLD, 4217



818/94/121

9431710

Dear Sir

PROPOSED INTEGRATED HOUSING DEVELOPMENT
238 BENOWA ROAD, BENOWA
Lot 1, R.P. 132917, COUNTY OF WARD, PARISH OF NERANG

As part of our integrated housing development 10% of the land was to be dedicated to parkland.

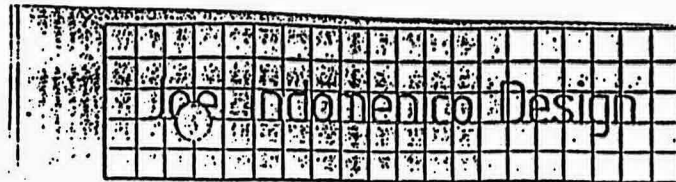
Because of the small nature of the allotment, being 9463m² that portion of 946m² would be of more benefit to the developer than to the Gold Coast City Council. Would you accept therefore a cash contribution of 10% of the unimproved value of the land for the upkeep of the other parks in the neighbourhood.

At present the unimproved value of this land from the Valuer General is \$155 000.00.

Would you please consider this offer and inform me of your intentions. If you have any further queries please do not hesitate in contacting me.

Yours faithfully

Joe Indomenico
Joe Indomenico Design



LEVEL 1-130 BUNDALL ROAD
BUNDALL, GOLD COAST, 4217. P.O. Box 6490
Telephone: (075) 74-1755. Fax: (075) 74-1599



15th SEPTEMBER, 1994

THE CHIEF EXECUTIVE OFFICER
GOLD COAST CITY COUNCIL
P.O. Box 5042
GOLD COAST MAIL CENTRE
BUNDALL, 4217.

Dear Sir,

FILE NOT PRODUCED ON 1-5
MAIL LIST ON 22/9/94

818 94 121
FOUR 9436682

RE: APPLICATION FOR CONSENT FOR TOWNHOUSE DEVELOPMENT
AT 238 BENOWA RD. BENOWA
FILE N° 818/94/121.

DEVTEAM

In response to the objections that were lodged regarding the above mentioned project, I wish to make certain comments to clarify the issues at hand.

PARKING & VEHICLE ACCESS:

There seems to be a misconception that our project will increase on-street parking in Cascade Ave. Because of the very nature of our development relying on site security provided by security fencing and security gates all parking will be on site with no dependence on Cascade Ave. There is ample on site parking with six visitor car parking bays in addition to parking on all garage driveways. All residences have double lock up garage access.

In respect to vehicle access it is not reasonable to require access via Benowa Road because of the busy nature of this major arterial road. The current issue of road barriers to either Cascade Avenue or Bamboo Avenue is a matter that should be resolved by council's Chief Traffic Engineer for the benefit of all residents and not be misconstrued for the purpose of objection to our development.

COPY SENT

RESIDENTIAL AMENITY:

This is not a traditional 6 pack townhouse development. This development comprises of fully detached residences that is more in keeping with standard residential guidelines. Keeping this in mind our development is low density orientated and has achieved only 25% site coverage which is half that allowable in Residential A areas. Our scheme emphasizes open space and private courtyards which are prerequisites for a tranquil private residential lifestyle. To have our development compared to that in Racecourse Road is unfathomable in so far as the two developments are on the opposite ends of the density scale. Has the author of this objection viewed plans and understood the very nature of our development? With these statements I dare say not.

TREE PRESERVATION:

Under the provisions of the Council's Tree Preservation by-laws and officer from the Parks and Gardens department will assess the site and make appropriate recommendations. However it must be noted that the majority of trees on site are pine trees. These trees are not natives and therefore birds will not nest in them. They are old, tall and slender and from experience are in danger of toppling during storms. This danger is applicable to all neighbours. It is inevitable that trees have to be removed in order to construct the residences. However any trees worthy of retention will be considered. It is our aim to re-estate advance trees and shrubs to maintain the green atmosphere of the site.

PRIVACY

Concern has been shown by residents in Solar Court. It seems that possibly these residents have not viewed the site. In my submission all low sets have been sited on the eastern boundary taking privacy into major consideration. The total perimeter of our development is surrounded by an 1800mm high masonry fence to ensure maximum privacy. It was mentioned that the owner of Lot 121 would lose 3.36 meters of land. I had the land identified by a surveyor and that land owner has encroached 3.36 meters into our development.

STORMWATER

The owner of lot 240 Bamboo Road has shown concern regarding the back up of stormwater. If you study the contours you will see that our development will not create any problems. Our stormwater will discharge into the outlet provided at Cascade Avenue. The adjoining owner will have to address his own stormwater problems.

CONCLUSION

I have tried to address all the major concerns of adjoining owners. It seems that most have not viewed the plans and therefore I hope this submission has clarified the salient issues. I also hope that this submission meets with your approval.

If you have any further queries please do not hesitate in contacting me.

Yours faithfully,

Helio Amuniz

Joe Indomencio

PROJECT IDENTIFICATION

LOT 1 ON SP 17

FINDER NEZANG

CORTEGE

DATE FOR & WITHIN CITY, U.S. & STATE OF ILLINOIS

DATE OF REVISION

DATE OF REVISION

DATE OF REVISION

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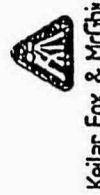
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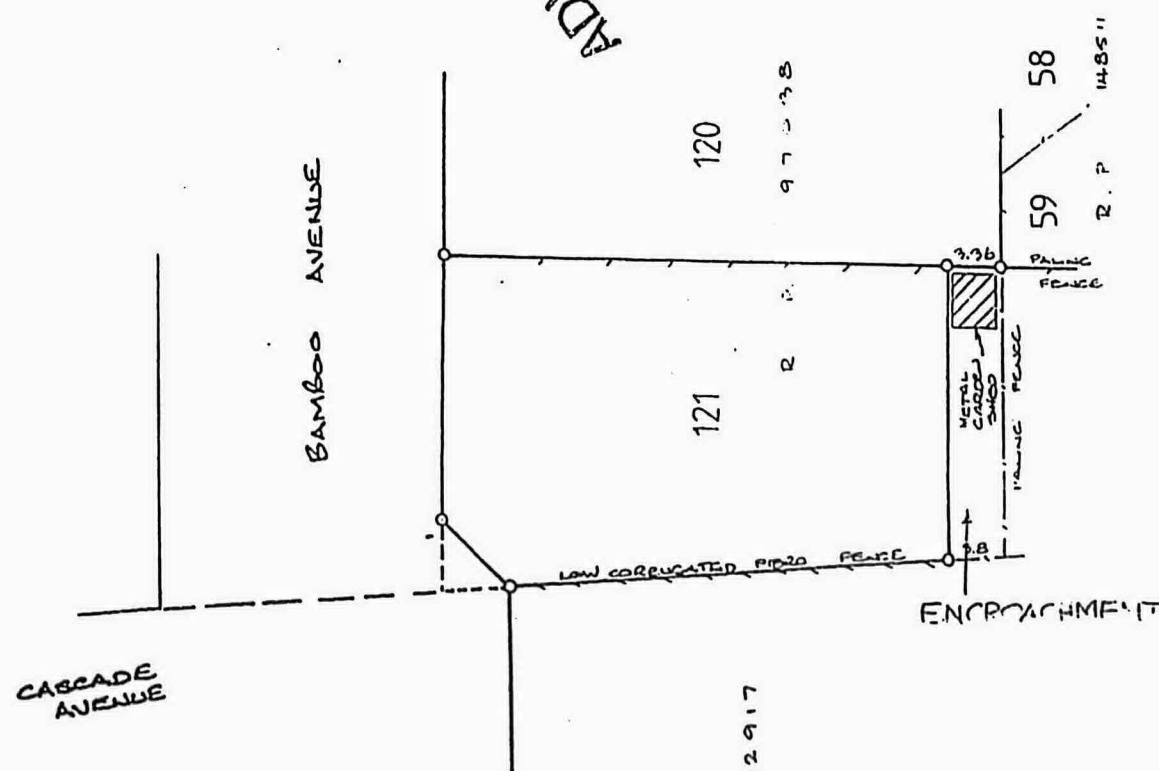
DISEASING



Keller Fox & McGHIE

REGISTERED SURVEYOR
SURVEYING & LAND DEVELOPMENT
CONSULTANTS
P.O. BOX 808 SPRING HILL
PHONE (011) 832 0055 FAX
PHONE (011) 832 0056
EAST QUAY, 24-36 GLENFER
ROBINSON, Q. 212
PHONE (011) 832 2217 FAX 10

ADVANCE PRINT



ADVANCE PRINT

①

E12/94/121

PROVISION	REQUIREMENT	PROPOSED	✓/X
4.12.1	Min site Area - 2000m ²	9463m ² (8990 Net site Area)	✓
4.12.2.1	RES DWELLING HOUSE ZONE • Max Unit density : 15/Ha • Max N° of Attached dwellings - 2	12 units detached (1)	✓ ✓
	RES DUPLEX DWELLING ZONE • Max Unit density - 25/Ha • Max N° of Attached dwelling - 4		
4.12.3.1 to 4.12.3.3	Bldg Aesthetics relating to provision of natural light, design, layout and materials.	Complies - based on Amcord	✓
4.12.3.4	Min 10m required between habitable room windows of neighbouring units unless adequately screened	Complies - 10m separation maintained	✓
	Min 3m required between habitable room window (less than 1.6m sill ht) and an access way, d/way unless adequately screened	Complies	✓
4.12.4.1	Max site coverage - 40%	25.5%	✓
4.12.4.2	Min 5m setback between Bldgs and side/Rear boundaries	most setbacks 5m L1: 2.5m, H1: 2m, H2: 2.5m H4: 4m, H4: 4m, H1: 4.5m	X

②

4.12.4.3	Min 6m setback between Bldg and anc. road frontage. • No. car park/manoeuvring area is to be contained within this area.	min setback provided 7.5m setback approx 8m	✓ ✓
4.12.4.4	Min 5m separation between Bldgs	separation of low sets - 2.5m separation of high sets - 1.5 to 5m	X ✓/X
4.12.5.2	Min 15% of Net site Area is to be communal open space • must be of regular shape • must be provided in one or more separate areas • must be exclusive of d/ways, car parks, garbage collection points, etc. • must have min width and length of (5.0) metres and min area in any one parcel of 50m ²	Complies Complies Complies Complies	✓ ✓ ✓ ✓
4.12.5.3	Min 50m ² of L.O.S. to be located adj to each dwelling unit for use as a private courtyard. • must have min width and length of 5m • must be provided in no more than 2 separate areas.	All units have well in excess of 50m ² Complies Complies	✓ ✓ ✓

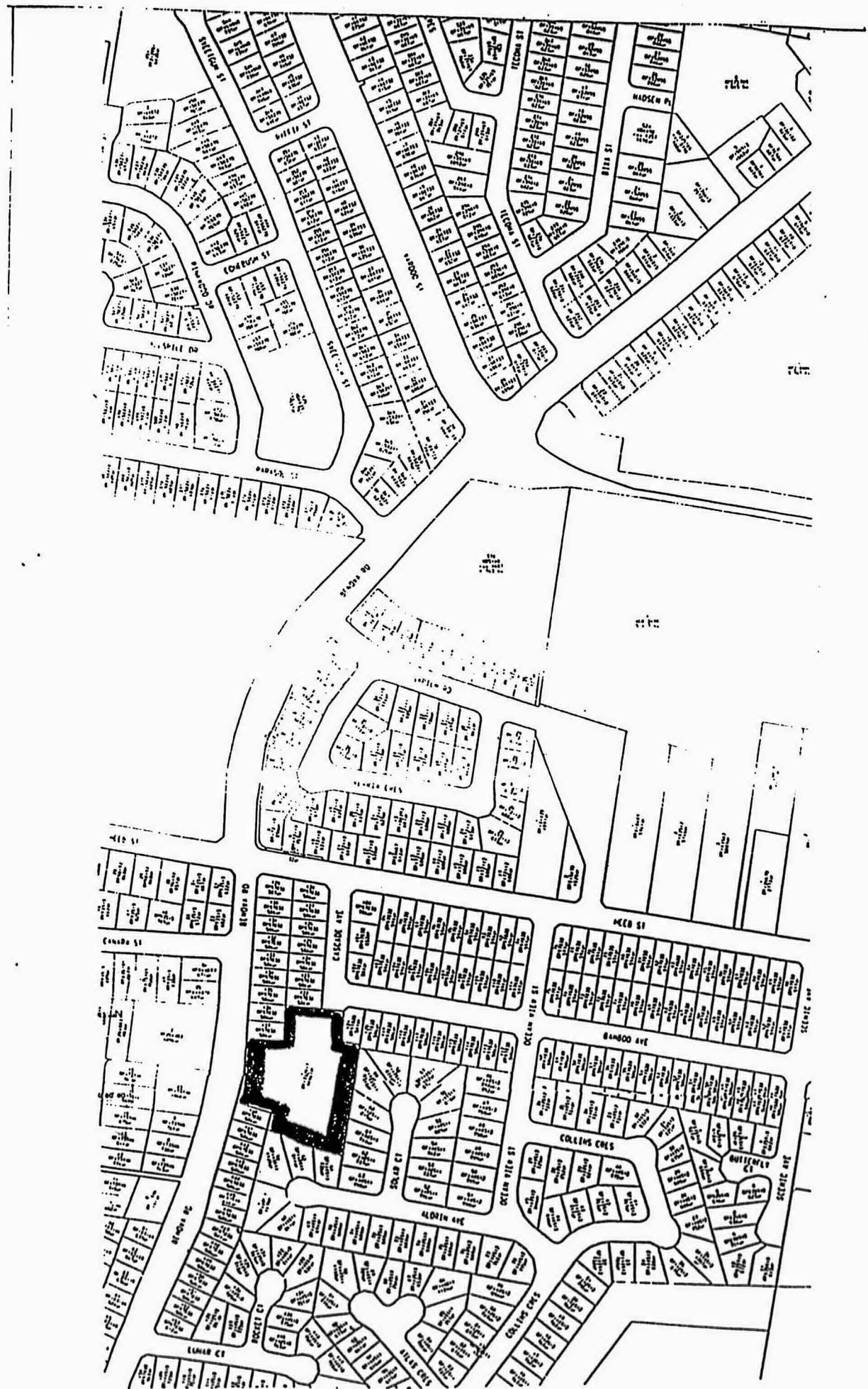
4.12.6.1	Vehicular access to all dwelling units by shared internal accessway	Complies	✓
4.12.6.2	Pavement of accessway to be low maintenance and high visual standard.	Access at B.A	-
4.12.6.3	Accessway shall comply with <ul style="list-style-type: none"> Access Drives - carriageway width 6.0 m. min - width of gully and verges min 1.0 m with a min verge at any point of 1.5m - cul-de-sac to have turning bays which allow conventional trucks to reverse. <ul style="list-style-type: none"> Cluster Courts - carriageway width 5m min - cul-de-sac shall have turning bays. - single lane roundabout <ul style="list-style-type: none"> Private Drives - min width of single dwelling drive is 3m. - min width of shared drive is 4m. 	6m width Roundabout provided 4m width	✓ ✓ ✓
4.12.6.4	Min 1.2m footpath to connect all dwelling units	No pathway provided	X

4.12.6.5	Accessway/footpath system to allow access for all service and emergency vehicles.	complies	✓
4.12.6.6	Council may relax conditions (refer scheme)	(refer folio.)	-
4.12.7.1	Public utility services are to be located within the communal open space	remain at BA stage	-
4.12.7.2	Accessways and footpaths shall have night lighting	not shown	X
4.12.8.1	Facilities for the storage and removal of waste to be located and sited to the satisfaction of the P.D manager.	provided for	✓
4.12.9.1	2 resident spaces/unit 1 to be covered.	24 spaces (all covered)	✓
4.12.9.2	1 visitor space / 2 units (6 required)	6 provided	✓
4.12.9.3	Council may relax conditions (refer scheme).		

277130

V66

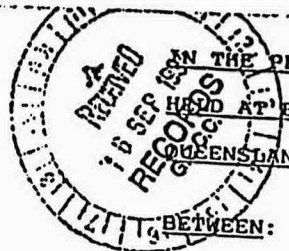
VIDE ITEM (PD24-3)
BEFORE COUNCIL 21/10/94



277131

V 67

VIDE ITEM (PD27-3)
BEFORE COUNCIL 21/10/94



IN THE PLANNING & ENVIRONMENT COURT

M.H.S.

P & E Appeal No. 290 of 1994

ANTHONY BEAUCHAMP HANCOCK and MURIEL ELLEN HANCOCK

Appellants

AND:

GOLD COAST CITY COUNCIL

Respondent

NOTICE OF APPEAL

NOTICE OF APPEAL

665 92 23
9436195

TAKE NOTICE that ANTHONY BEAUCHAMP HANCOCK and MURIEL ELLEN HANCOCK both of 47-49 Mitchell Avenue, Silver Bridle in the State of Queensland HEREBY APPEALS to the Planning and Environment Court at its next sittings to be held at Brisbane against the decision of the Respondent, the Gold Coast City Council to refuse the Application made by the Appellants for rezoning land situate at Olsen Avenue, Coachwood Drive, Panach Street, Harvil Road, Breaksbeare Road, Batchworth Road and Geoff Wolter Drive, Molendinar in the State of Queensland, more particularly described as Lot 3 on RP 199308, Lot 7 on RP 215061 and Lot 603 on RP 216552, all in the Parish of Nerang, County of Ward and containing a total area of 78.384 hectares from Special Residential Zone to Special Residential and Special Facilities Zone, which decision is set out

PRIMROSE COUPER
CRONIN RUDKIN
Solicitors
35-39 Scarborough
Street
SOUTHPORT. 4215
Tel: (075) 32 2211
Ref: laf/046slw

Copy in TVI

VIDE ITEM (PD 27-3)
BEFORE COUNCIL 21/10/94

in a letter from the Respondent to the Appellants dated 31st August, 1994 and in lieu thereof seeks the following orders or judgment:-

1. That the Appeal be allowed;
2. The Application for rezoning of the land from Special Residential to Special Residential and Special Facilities Zone be approved; and
3. Such further or other orders as may be just.

The grounds of this appeal and facts and circumstances relied upon in support thereof are as follows:-

- (i) The said refusal is unreasonable and/or contrary to law;
- (ii) The Respondent wrongly regarded as relevant and/or accorded undue weight to the fact of public opposition to the Application;
- (iii) The Respondent failed to have regard to:-
 - (a) The contents of the Application;
 - (b) Submissions made by or on behalf of the Appellant in support of the Application;
- (iv) In reaching its decision to refuse the Application the Respondent:-
 - (a) Acted upon irrelevant consideration;
 - (b) Failed to accord due weight to relevant considerations; and
 - (c) Accorded undue weight to relevant

VIDE ITEM (PD 27-3)
BEFORE COUNCIL 21/10/94

consideration;

- (v) The Respondent erred in law and, in fact, in concluding that:-
- (a) The proposed rezoning conflicted with the 1994 City of Gold Coast Planning Schemes Strategic Plan Designation - Detached Housing;
 - (b) The Applicant failed to provide sufficient planning grounds to justify approving the Application;
 - (c) The proposed unit densities based on a net site area (24 units/hectare) exceed that of the detached housing designation under the strategic plan provisions of the 1994 City of Gold Coast Planning Scheme;
 - (d) The proposed unit densities based on a net site area (24 units/hectare) are incompatible and inconsistent with surrounding residential areas;
 - (e) The proposed park dedication does not adequately meet the communities best interests with regard to the provision of neighbourhood parks for active and passive recreational needs;
- and further or alternatively such conclusions are unreasonable;
- (vi) The proposed rezoning is appropriate for the

site; and

- (vii) Approval of the Application will be consistent with and would promote the public interest.

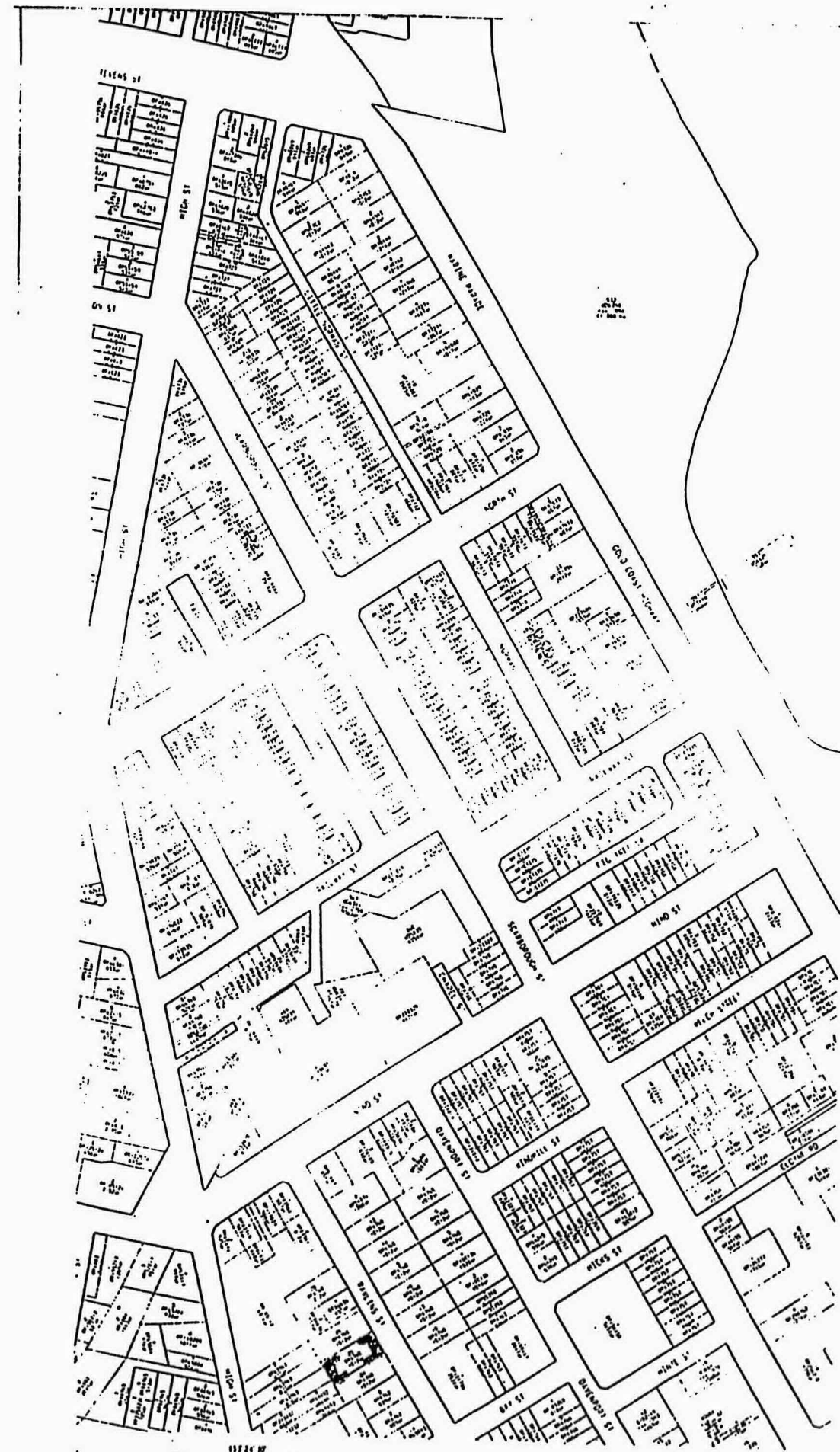
DATED this 14th day of September, 1994.

Primrose Couper Cronin Rudkin
 Primrose Couper Cronin Rudkin
 Solicitors for the Appellants

TO: The Respondent
 Gold Coast City Council
 Bundall Road
 BUNDALL QLD 4217

This Notice of Appeal is filed by Messrs Primrose Couper Cronin on behalf of the abovementioned Appellants whose address for service is at 1st Floor, 35-39 Scarborough Street, Southport in the State of Queensland.

It is intended to effect service of this Notice of Appeal on the Gold Coast City Council, Bundall Road, Bundall in the State of Queensland and on the Objectors to the rezoning.





GOLD COAST CITY COUNCIL



CITY COUNCIL OFFICES: BUNDALL ROAD, SURFERS PARADISE, GOLD COAST, AUSTRALIA.

Pass all correspondence to:
Town Clerk,
Box 5042,
Coast Mail Centre, 4217

Telephone: (075) 31 9211 Telex AA 41461

On this matter ask for: Mr. J. Harms
Telephone: 319 346

Our ref. R.A. 3-621
Your ref:

22nd April, 1986

The Manager,
Trio Ford,
P.O. Box 1177,
SOUTHPORT Q. 4215

Dear Sir,

DRAINAGE EASEMENT - 22 RAWLINS STREET, SOUTHPORT

Council at its meeting of 18th April, 1986, resolved the following in exchange for drainage easement rights as shown on Council drawing 52550B.

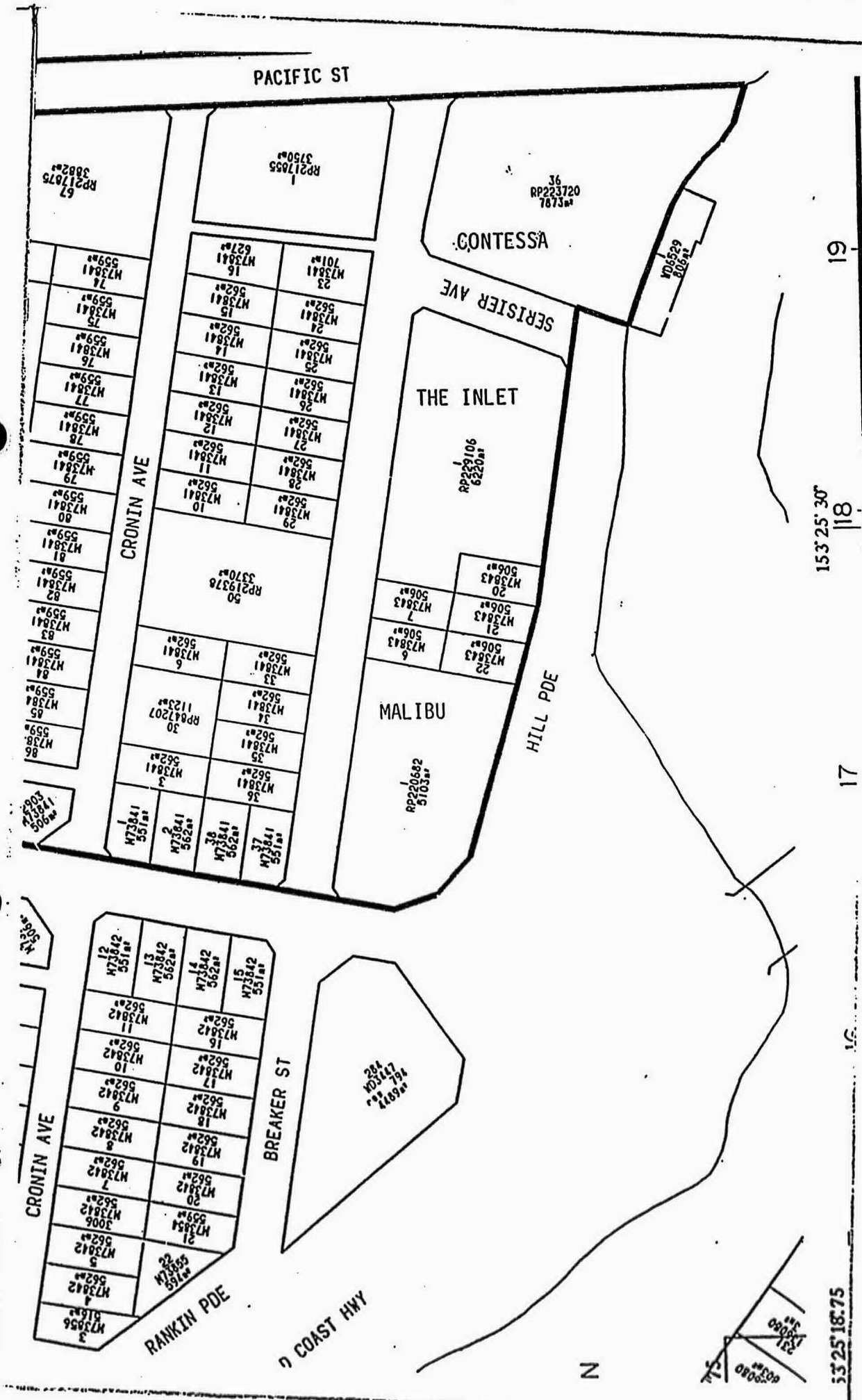
- (a) Council approve a credit of five car parking spaces / for the property located at 22 Rawlins Street, Southport.
- (b) No compensation be paid for easement rights over the / subject property.
- (c) Reasonable legals, survey and registration to be at / Council's expense.
- (d) The easement also be utilised for determination of plot ratio, site coverage, landscaping, car parking etc..

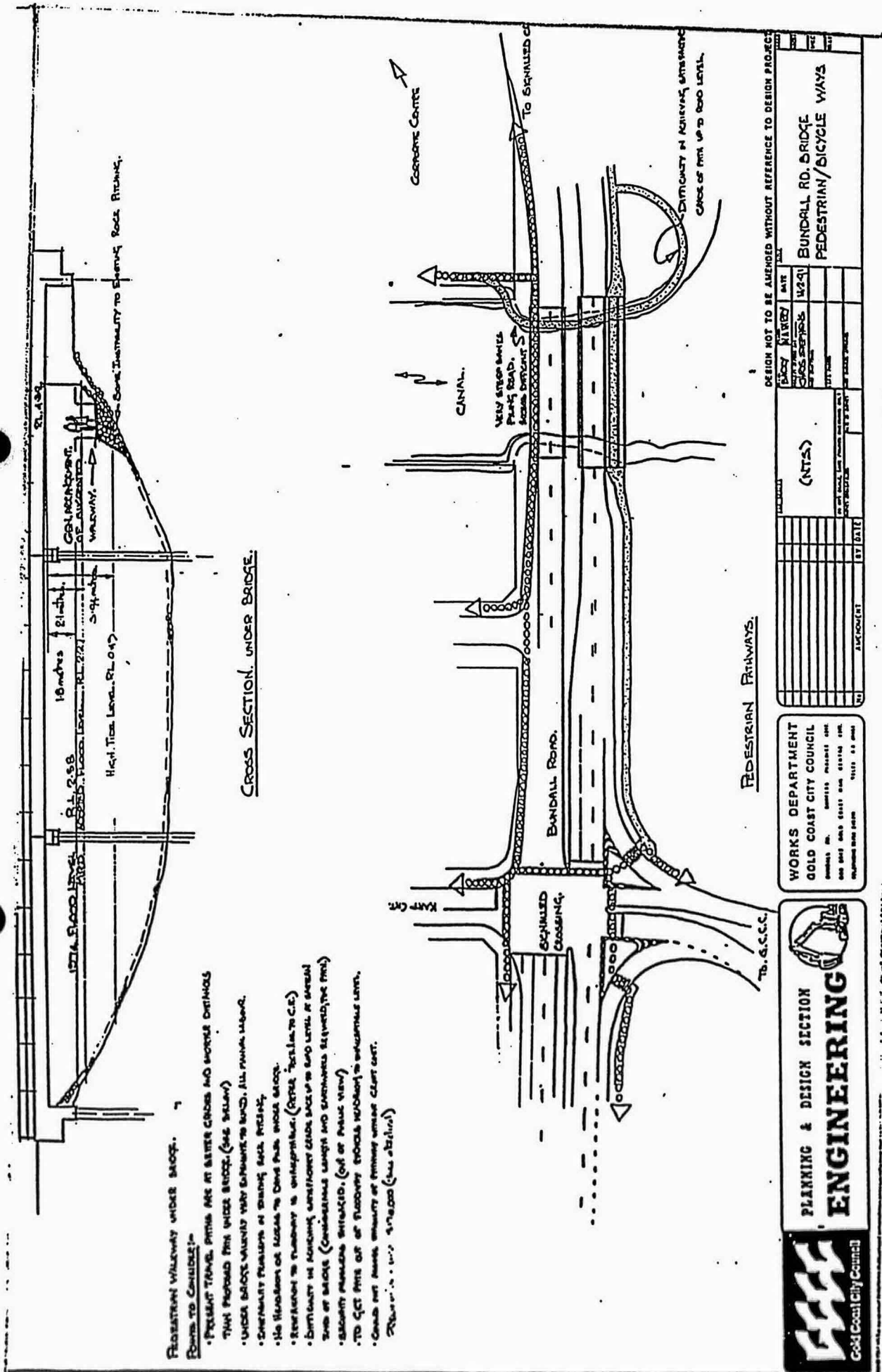
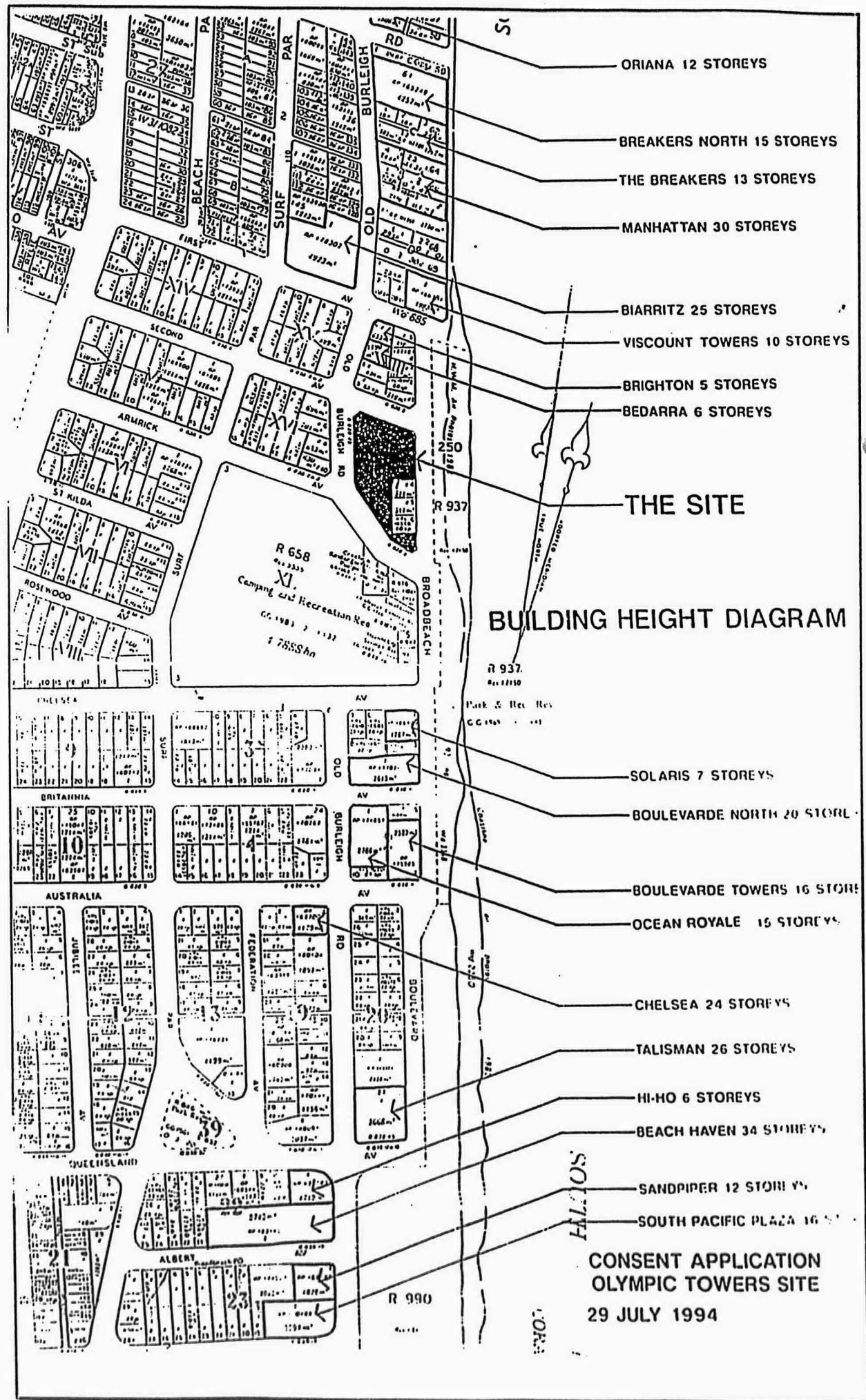
Thank you for your co-operation in this matter.

Yours faithfully,

R.H. Brown
R.H. Brown,
TOWN CLERK

JSH/GN





- RESIDENT VISUALLY UNDER BRIDGE.
- Points to Consider:
- PRESENT TRAFFIC PATTERNS ARE AT BATTER CROSS AND WORSE DURING THAT PERIOD THIS UNDER BRIDGE (SEE BELOW)
 - UNDER BRIDGE VISUALLY VERY UNDESIRABLE TO LAND, ALL FROM VISUAL.
 - CURRENTLY PROVISION OF BRIDGE WITH PROTECTIVE.
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DESIGN NOT TO BE AMENDED WITHOUT REFERENCE TO DESIGN PROJECT

DATE	BY	REVISION
10/2/94

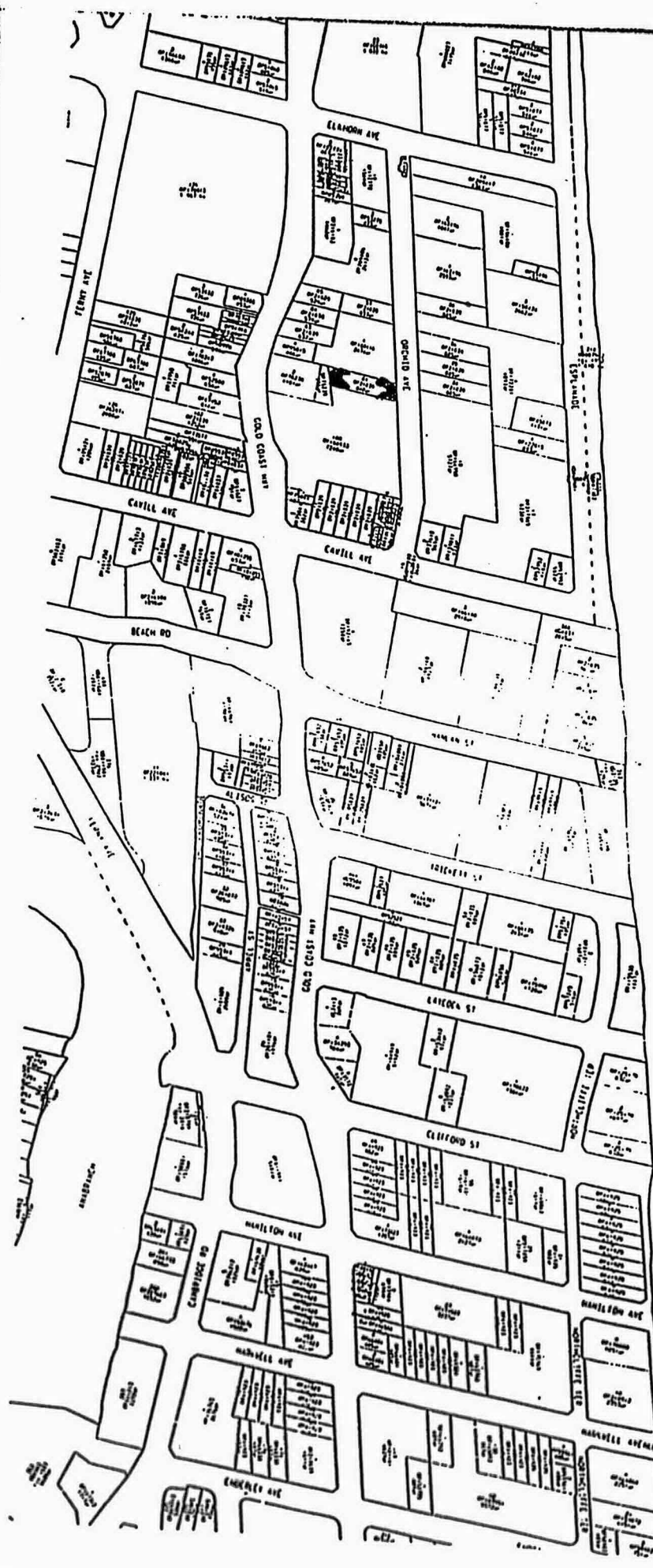
WORKS DEPARTMENT
GOLD COAST CITY COUNCIL

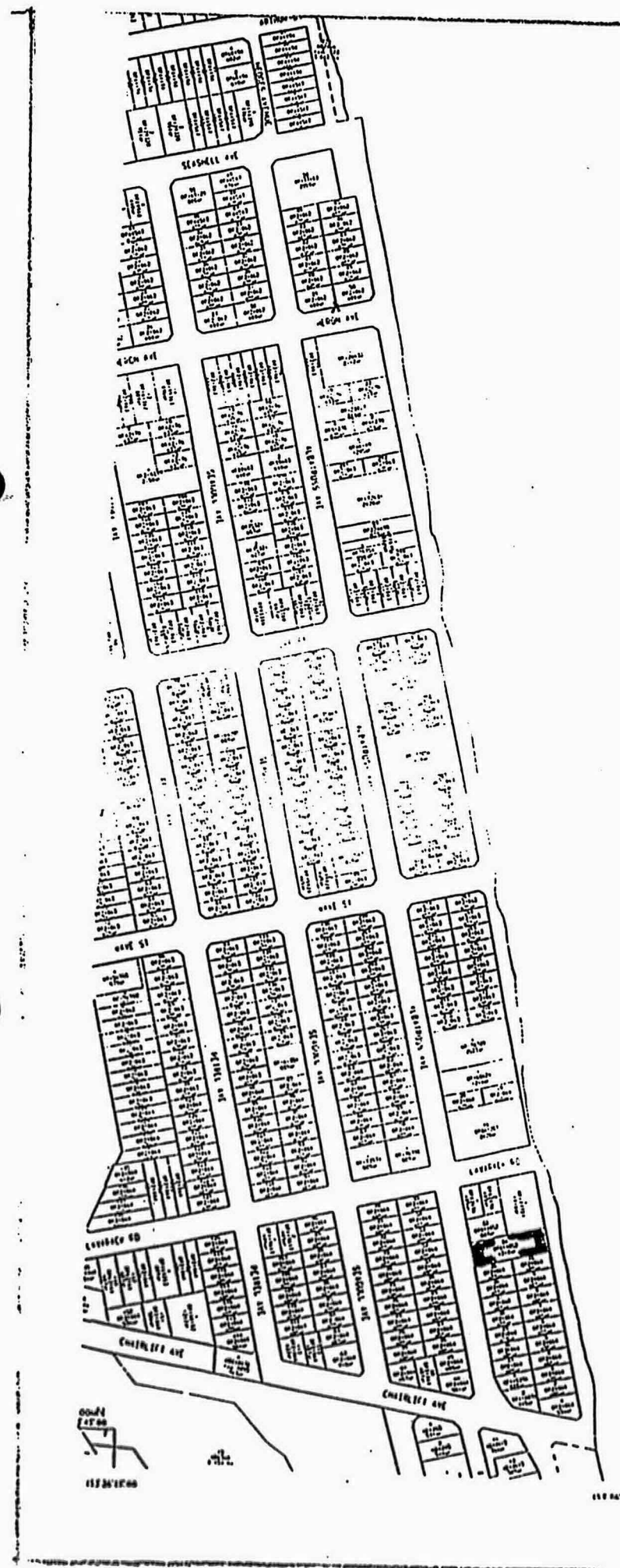
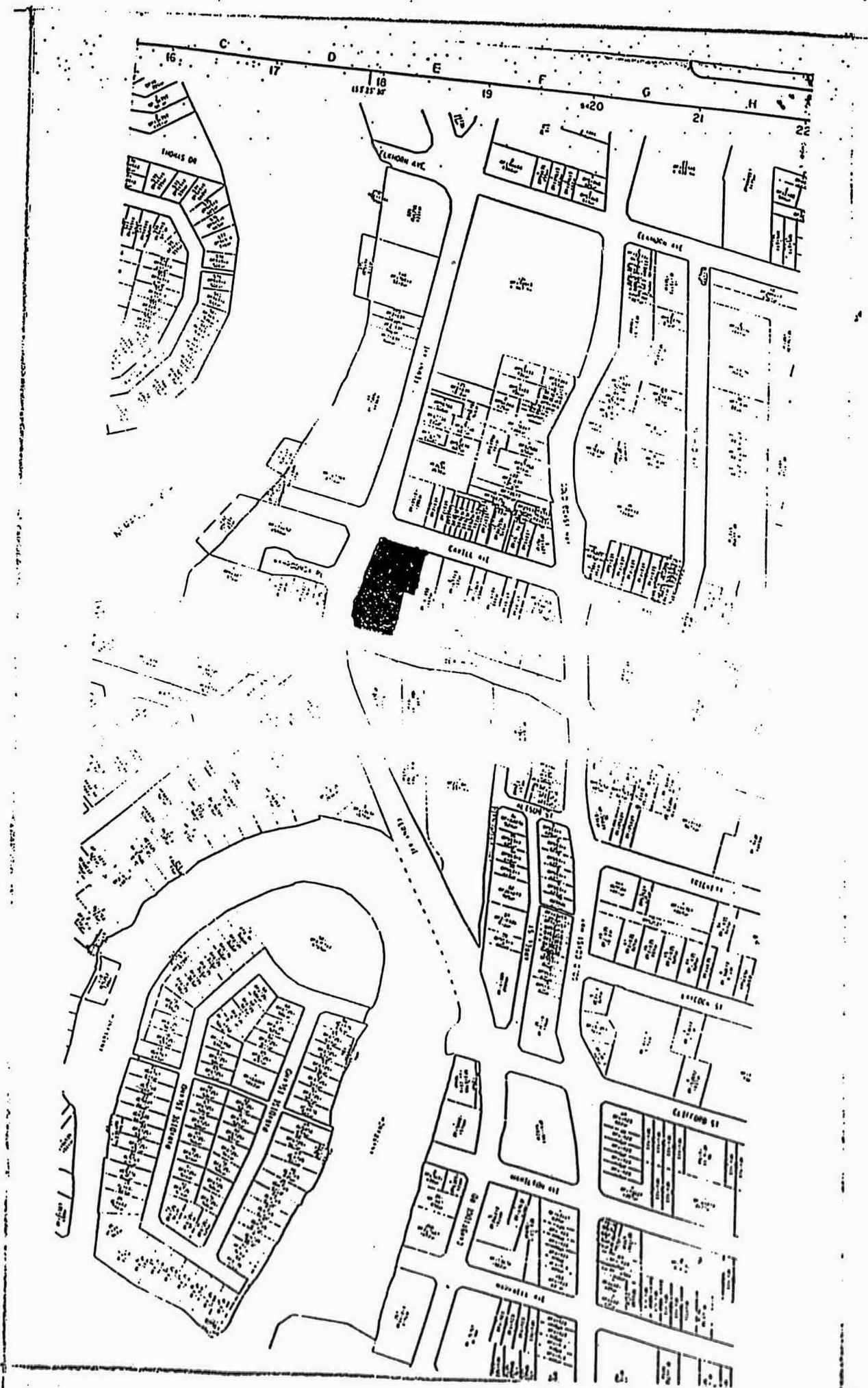
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Gold Coast City Council



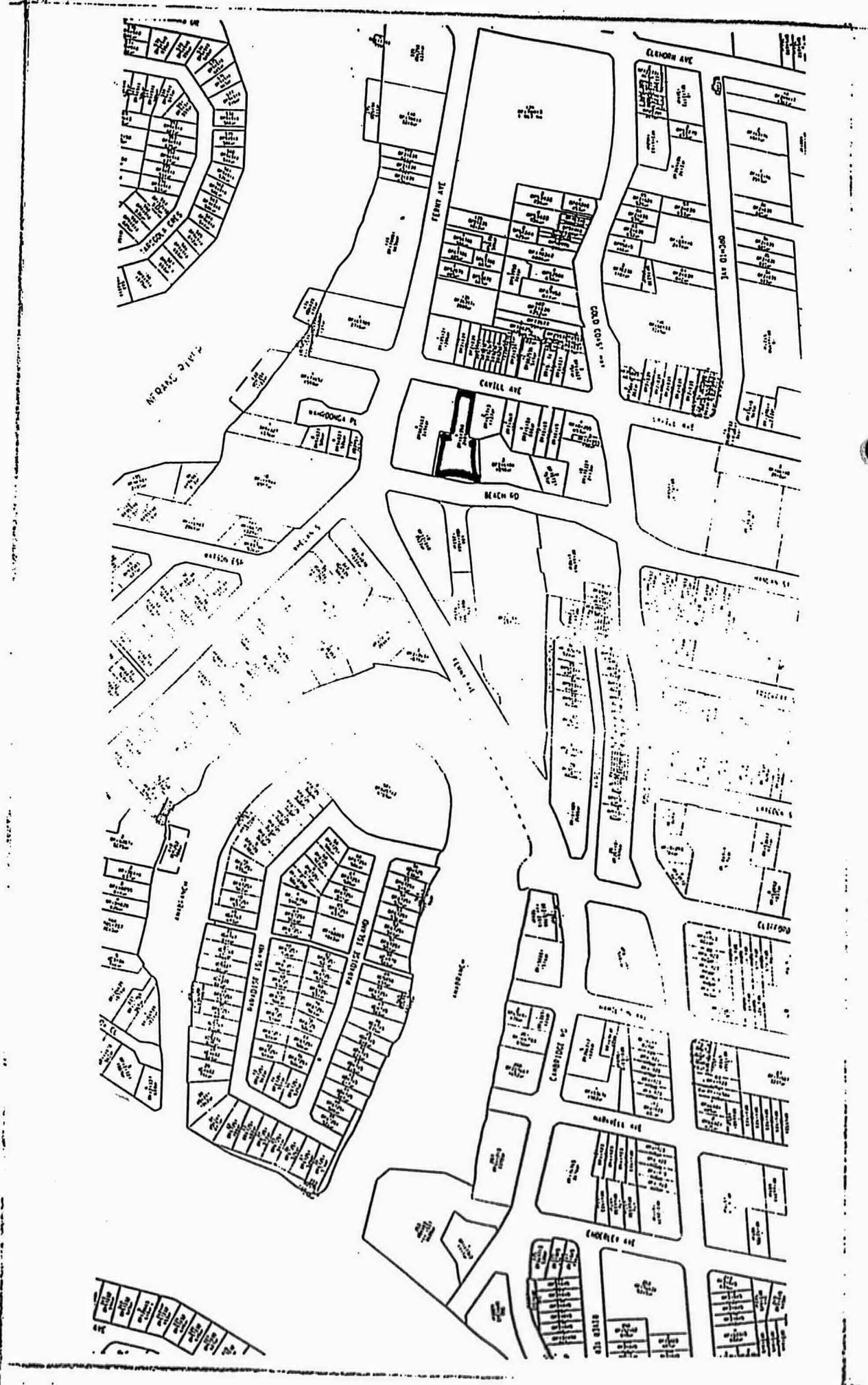
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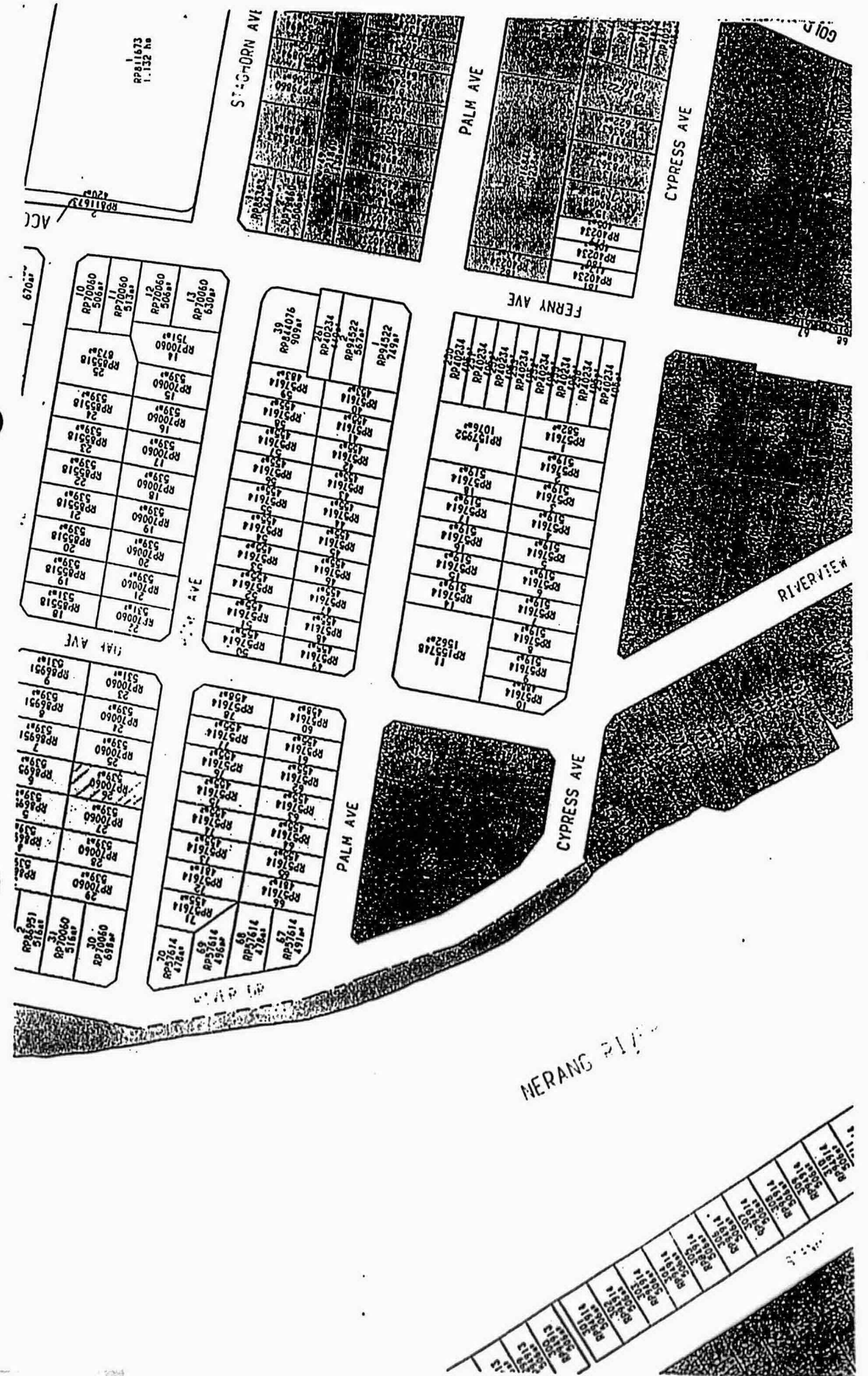


SOUTH PACI

VIDE ITEM (PD46-4)
BEFORE COUNCIL 21/10/94



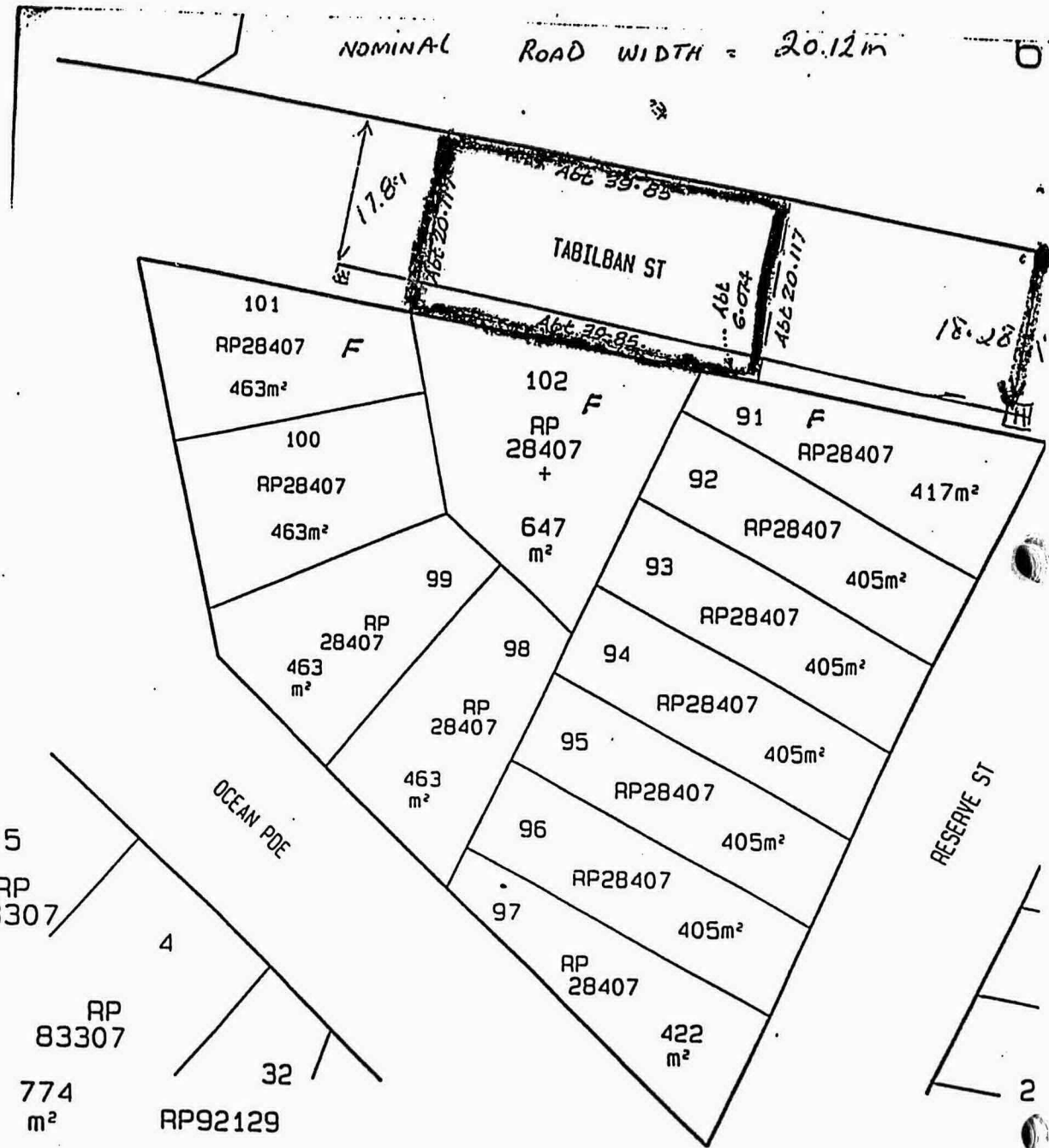
VIDE ITEM (PD47-4)
BEFORE COUNCIL 21/10/94



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V82


VIDE ITEM (PD49-5)
BEFORE COUNCIL 21/10/94



APPROXIMATE SCALE 1: 750 0 20 40 60 METI

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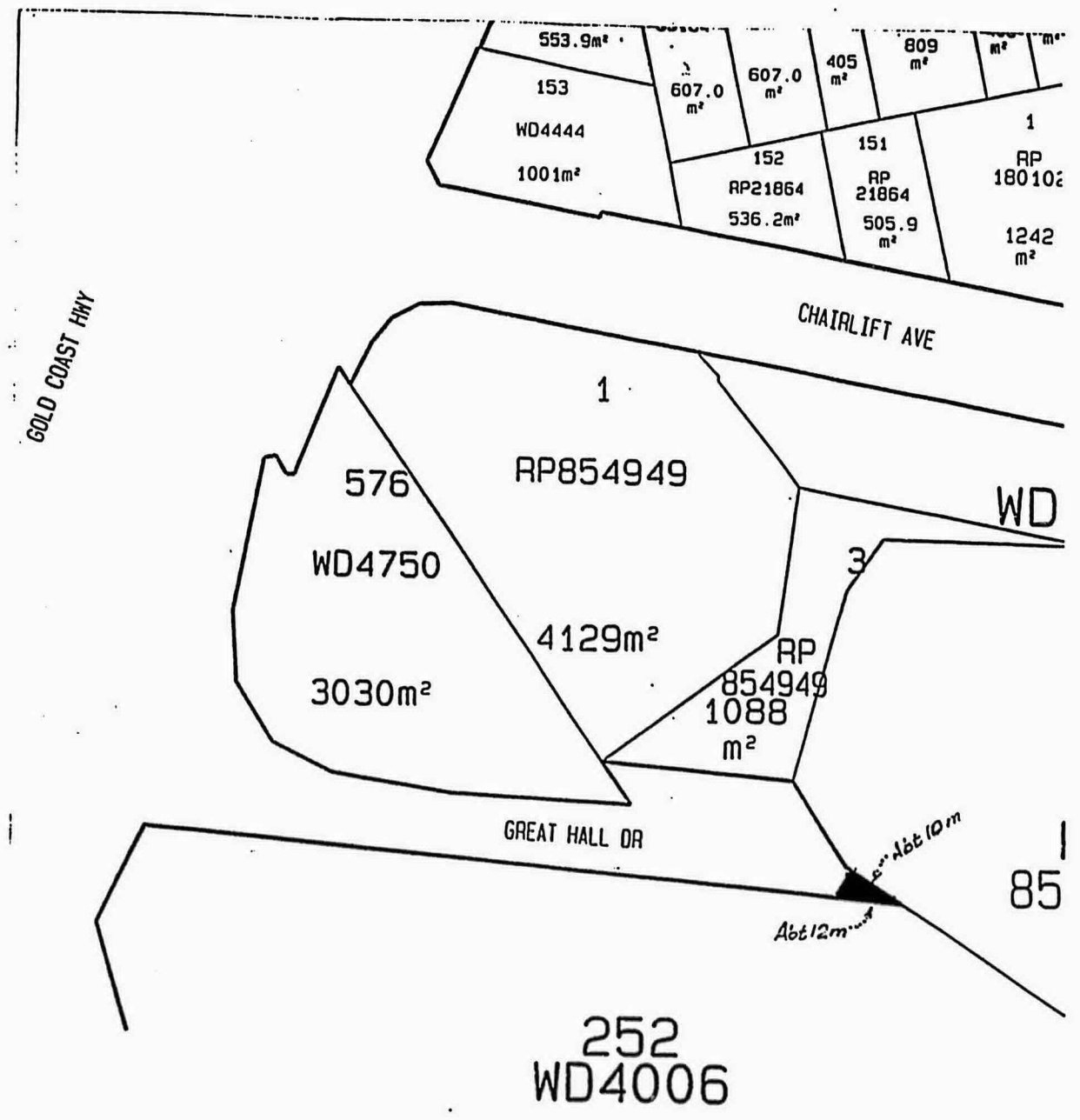
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: 750

LAND REFERRED TO 
Area abt. 802 m²

277147

V83


VIDE ITEM (PD50-5)
BEFORE COUNCIL 21/10/94



APPROXIMATE SCALE 1: 1250 0 50 100

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PRODUCED BY THE DEPARTMENT OF LANDS.

ty of NORTH BURLEIGH
wn of -
of GILSTON
of WARD
of -
uth. GOLD COAST
: 1250

ROAD TO BE CLOSED 
Area abt. 28m²

RP.854949 ... Drawn by JB ... Mining Dist -