

Draft Guragunbah State Planning Regulatory Provision

June 2013

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Division 1—Preliminary

1. Short Title

This draft State Planning Regulatory Provision may be cited as the Draft Guragunbah State Planning Regulatory Provision 2013 (draft SPRP).

2. Definitions

- (1) The dictionary in schedule 1 defines terms used in this draft SPRP.
- (2) Terms not defined in schedule 1 have the meaning given in the *Sustainable Planning Act 2009* (SPA).

3. Expiry of the final SPRP

The final SPRP will cease to have effect on 15 December 2018.

4. Why this draft SPRP is necessary

This draft SPRP:

- (a) is necessary to implement the *South East Queensland Regional Plan 2009–2031*
- (b) addresses a significant risk of serious adverse economic conditions occurring in the Gold Coast City Council planning scheme area in circumstances where a direction to Gold Coast City Council under section 126 of the SPA is not the most appropriate way to address the risk.

Division 2—Development within the Guragunbah affected area

1. Area to which this draft SPRP applies

This draft SPRP applies to land described as Lot 2 on RP223566, Lot 902 on SP108453 and Lot 1 on SP190865 situated at 154 Highfield Drive, Merrimac, 172 Highfield Drive, Robina and Ghilgai Road, Merrimac as shown on Map 1 as being within the site boundary (the affected area).

2. Effect of this draft SPRP

- (1) A material change of use specified in Column 1 of Table 1:
 - (a) has the level of assessment specified in Column 2 of Table 1
 - (b) must comply with the applicable criteria specified in Column 3 of Table 1.
- (2) Development that does not comply with the applicable criteria in column 3 has the level of assessment for that development under the planning scheme.

Table 1—assessment table for specified development within the affected area

Item	Column 1 Development	Column 2 Level of assessment	Column 3 Applicable criteria, codes and guidelines
1.	Material change of use	Self assessable development	(1) Development is generally in accordance with Map 1. (2) Development does not exceed the maximum number of storeys specified on Map 1. (3) Development does not exceed a residential yield of 511 which has been calculated in accordance with the superseded <i>Albert Shire Planning Scheme 1995</i> . (4) Development complies with: <ul style="list-style-type: none"> (a) the Approved Urban Design Code Breakwater Road; and (b) the Snake Hill Design Guidelines.

Appendix 1—Dictionary

Affected area means the area of land described in division 2, section 1 and shown on Map 1.

Approved Urban Design Code Breakwater Road means the Approved Urban Design Code Breakwater Road dated 5 October 2007 referred to in the order of the Planning and Environment Court of 15 December 2008 in Appeal No. BD679/08 or any change to the approval made by the Planning and Environment Court.

Final SPRP means any SPRP about the affected area that is made under section 63(2) of the SPA.

Snake Hill Design Guidelines means the Snake Hill Design Guidelines referred to in the order of the Planning and Environment Court of 15 December 2008 in Appeal No. BD679/08 or any change to the approval made by the Planning and Environment Court.

SPA means the *Sustainable Planning Act 2009*.

Proposed Uses
 1. Development shall generally be in accordance with the requirements in the table below.

Location	Special Facilities Zones Descriptions	Description of use including Limitations	Maximum number of storeys
A	Detached Dwellings	A detached dwelling is a dwelling unit which is not attached to or touching another dwelling unit. Each dwelling unit may be used for permanent accommodation or short term stay.	2 (but may exceed 2 storeys, but not exceed 3 storeys, where the GFA of a third storey does not exceed 50% of the GFA of the second storey)
B	Detached Dwellings	A detached dwelling is a dwelling unit which is not attached to or touching another dwelling unit. Each dwelling unit may be used for permanent accommodation or short term stay.	3
C	Accommodation Units	Accommodation units are dwelling units which may be either not attached to nor touching another dwelling unit; or in a building where each dwelling unit has another dwelling unit touching it whether above, below and / or beside it. Each dwelling unit may be used for permanent accommodation or short term stay.	3 (but 2 buildings may exceed 3 storeys, but may not exceed 8 storeys in height)
D	Accommodation Units	Accommodation units are dwelling units which may be either not attached to nor touching another dwelling unit; or in a building where each dwelling unit has another dwelling unit touching it whether above, below and / or beside it. Each dwelling unit may be used for permanent accommodation or short term stay.	2 (but may exceed 2 storeys, but not exceed 3 storeys, where the GFA of the third storey does not exceed 50% of the GFA of the second storey)
E	Accommodation Units	Accommodation units are dwelling units which may be either not attached to nor touching another dwelling unit; or in a building where each dwelling unit has another dwelling unit touching it whether above, below and / or beside it. Each dwelling unit may be used for permanent accommodation or short term stay.	3
F	Recreation Facilities	Recreation facilities are any premises used for recreation by persons residing or staying in any part of the overall development, or their guests, including tennis courts, swimming pools, gymnasiums, communal buildings and the like.	2
See open space below	Private Recreation	Recreational use by persons residing or staying in any part of the overall development or their guests	Not applicable
In any of the locations in A to F	Display Homes	A display home is a building constructed as a dwelling unit, but used for display to encourage people to buy or construct similar dwellings.	As above for each location.
In any of the locations in A to F	Estate Sales Offices	An estate sales office is any premises, including a caravan, erected on land released as one estate and used or intended to be used for a period not exceeding two years for the purpose of promoting and selling that land only.	2
See other elements below	Public Recreation	Public access as identified in other elements below.	Not Applicable

Total Number of Dwelling Units
 2. The total number of dwelling units on the site shall not exceed a residential yield of 511 dwelling units calculated in accordance with the provisions of the 1995 Albert Shire Planning Scheme.

Legend

Other Elements

	Canoe Portage Points
	Canoe Trail
	Possible Future Public Pedestrian / Cycle Path
	Public Pedestrian / Cycle Path & Bridle Trail
	Public Pedestrian / Cycle Path
	Future Bridges
	Power Line Easement
	Vehicular Access
	Site Boundary

Open Space

Waterway and Wetland System

	Open Water
	Vegetated Shallow Wetland

Dry Open Space

	Other Open Space
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