



Guragunbah State Planning Regulatory Provision

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Division 1—Preliminary

1.1 Short title

This state planning regulatory provision may be cited as the *Guragunbah State Planning Regulatory Provision 2009*.

1.2 Definitions

Particular words used in this state planning regulatory provision are defined by—

- (a) Schedule 10 of the *Integrated Planning Act 1997* (IPA); and
- (b) Schedule 1 of this state planning regulatory provision.

1.3 When this state planning regulatory provision ceases to have effect

This state planning regulatory provision will cease to have effect on 15 December 2018.

1.4 Why this state planning regulatory provision is necessary

This state planning regulatory provision—

- (a) is necessary to implement the regional plan for the South East Queensland region (*South East Queensland Regional Plan 2009–2031*); and
- (b) addresses a significant risk of serious adverse economic and social conditions occurring in the Gold Coast City Council planning scheme area that would not be most appropriately addressed by the giving of a direction under Section 2.3.2 of the IPA.

Division 2—Development within the Guragunbah affected area

2.1 Area to which this state planning regulatory provision applies

This state planning regulatory provision 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).



2.2 Effect of this state planning regulatory provision

- (1) To the extent of any inconsistency this state planning regulatory provision prevails over—
 - (a) the Gold Coast Planning Scheme 2003;
 - (b) any subsequent planning scheme prepared by the Gold Coast City Council; and
 - (c) any other planning instrument that applies to the affected area.
- (2) 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; and
 - (b) must comply with the applicable criteria, codes and guidelines specified in Column 3 of Table 1.
- (3) Development not specified in Column 1 of Table 1 is not subject to this state planning regulatory provision.

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 generally in accordance with Map 1.	Self-assessable	<ol style="list-style-type: none">(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 Albert Shire Planning Scheme 1995.(4) Development complies with—<ol style="list-style-type: none">(a) the Approved Urban Design Code Breakwater Road; and(b) the Snake Hill Design Guidelines.
2.	Any material change of use which does not comply with the applicable codes in Column 3 of Item 1.	As provided for in the Gold Coast Planning Scheme in effect on the day the development application for the material change of use is made.	As provided for in the Gold Coast Planning Scheme in effect on the day the development application for the material change of use is made.



Schedule 1—Definitions

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 ordered by the Planning and Environment Court.

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 ordered by the Planning and Environment Court.

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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