

ITEM 1 (Continued)
MATERIAL CHANGE OF USE FOR A MIXED USE DEVELOPMENT AND OPERATIONAL WORKS FOR PRESCRIBED TIDAL WORKS – 60-64 SEAWORLD DRIVE, MAIN BEACH - DIVISION 7
PN60340/13/DA7

17 NOTIFICATIONS

Not applicable

18 RECOMMENDATION

It is recommended Council of the City of Gold Coast (Council) resolves that:

Real property description	Lot 524 on WD6023, Lot 99 on WD839540
Address of property	60 - 64 Seaworld Drive Main Beach
Area of property	Lot 99 - 11,470m ² Lot 524 – 28,000m ² Total: 39,470m ² or 3.94 ha
Decision type	Development Permit for a Material Change of Use for Apartments, Resort Hotel, Tourist Facility (Museum/Art Gallery and Aquarium), Shop, Restaurant, Café, Takeaway Food Premises, Service Industry (Group A), Convenience Shop, Tourist Shop and Outdoor Sport and Recreation Development Permit for Operational Works for Prescribed Tidal Works
Further development permits	Not Applicable
Further compliance permits	Not Applicable
Compliance assessment required for documents or works	Not Applicable

NATURE OF DECISION	
A	<p>Council refuses the application for a development permit for material change of use for Apartments, Resort Hotel, Tourist Facility (Museum/Art Gallery and Aquarium), Shop, Restaurant, Café, Takeaway Food Premises, Service Industry (Group A), Convenience Shop, Tourist Shop and Outdoor Sport and Recreation and development permit for operational works for prescribed tidal works, for the following reasons:</p> <ol style="list-style-type: none"> 1 The proposed development conflicts with Performance Criteria PC1 – Building Height of The Spit Local Area Plan and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict. 2 The proposed development conflicts with Performance Criteria PC3 – Accommodation density of The Spit Local Area Plan and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.

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- 3 The proposed development conflicts with Performance Criteria PC24 – Land Reclamation of The Spit Local Area Plan and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.
- 4 The proposed development conflicts with the Purpose statement of The Spit Local Area Plan and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.
- 5 The proposed development conflicts with Section 5.4 of The Spit LAP Place Code (intent statement) and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.
- 6 The proposed development conflicts with Part 2, Division 1, Chapter 4 Desired Environmental Outcome (Community Wellbeing) SOC 1 and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.
- 7 The proposed development conflicts with Performance Criteria PC24 – Traffic Impact of Constraint Code 4 – Car parking, Access and Transport Integration, and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.
- 8 The proposed development conflicts with Part 2, Division 1, Chapter 3 Desired Environmental Outcome (Economic Development) ECON 6 and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.
- 9 The proposed development conflicts with Part 2, Division 1, Chapter 4 Desired Environmental Outcome (Community Wellbeing) SOC 6 and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.
- 10 The proposed development is inconsistent with Council's Local Government Infrastructure Plan with respect to planned population and employment characteristics for The Spit and Council's Local Government Infrastructure Plan does not account for any improvement works at the Gold Coast Highway/Waterways Drive intersection which will be detrimentally impacted upon as a result of the development.
- 11 The proposed development conflicts with the Purpose statement of the High Rise Residential and Tourist Accommodation Specific Development Code and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.

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- 12 The proposed development conflicts with Performance Criteria PC7 – Building Appearance of the High Rise Residential and Tourist Accommodation Specific Development Code and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.
- 13 The proposed development conflicts with Performance Criteria PC24 – High Rise Tower in a Landscape Setting of the High Rise Residential and Tourist Accommodation Specific Development Code and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.
- 14 The proposed development conflicts with Performance Criteria PC8 – Building Appearance of the Retail and Related Establishments Specific Development Code and it has not been demonstrated that there are sufficient grounds to warrant approval of the development despite the conflict, having regard to the nature and extent of the conflict.

Author:

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September 2016

Authorised by:

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