



VARIATION SCHEME

Preliminary Approval – Variation Request s50 Planning Act 2016

West Street Variation Scheme

VARIATION SCHEME DOCUMENT (ver 2)

DECEMBER 2021

TOOWOOMBA REGIONAL COUNCIL

APPROVED DOCUMENT

referred to in Council's Decision Notice dated

InsertDate

This plan is subject to conditions of Approval Number

MCUI/2021/6070


Assessment Manager

TOOWOOMBA | IPSWICH

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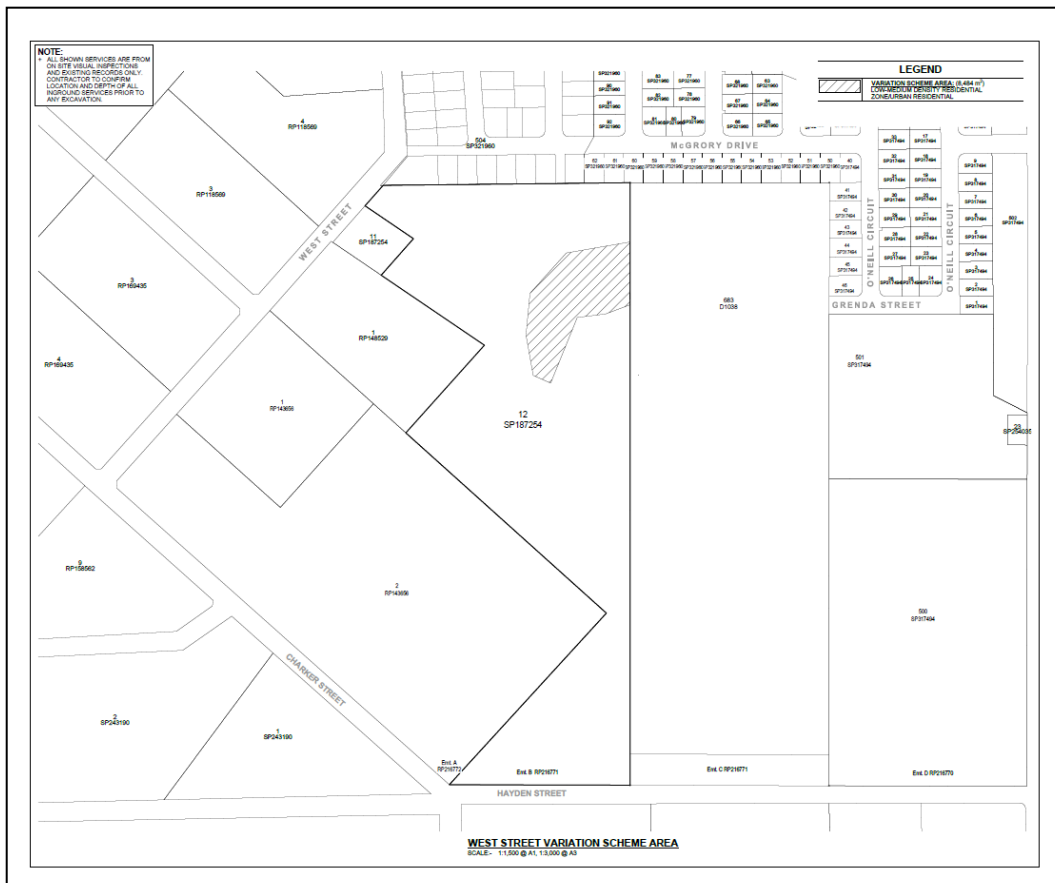
1.0 INTRODUCTION

- 1.1 The following document comprises the “West Street Variation Scheme”, herein referred to as the “**Variation Scheme**”. These provisions form part of a Preliminary Approval for a Variation Request pursuant to section 50(3) of the *Planning Act 2016* (the Act).
- 1.2 The Variation Scheme is structured as follows:
 - 1.0 Introduction
 - 2.0 Application
 - 3.0 Purpose
 - 4.0 Assessment Tables
 - 5.0 Assessment Criteria
 - 6.0 Definitions

2.0 APPLICATION

- 2.1 The Variation Scheme applies to the West Street Variation Scheme Area (VSA) being part of the land described as Lot 12 on SP187254 located at 99-117 Hayden Street East, Kearneys Spring. Refer to **Figure 1 – West Street Variation Scheme Area**.

FIGURE 1 - WEST STREET VARIATION SCHEME AREA



- 2.2 The Variation Scheme Area (VSA) includes the hatched area shown on **Figure 1**.
- 2.3 To remove any doubt, in the event that any inconsistency exists between the provisions of the Variation Scheme and the *Toowoomba Regional Planning Scheme 2012* (version 26.0, commenced 30 April 2021), the provisions of the Variation Scheme prevail.
- 2.4 The provisions of the *Toowoomba Regional Planning Scheme 2012* (version 26.0, commenced 30 April 2021) prevail in the absence of an equivalent provision in the Variation Scheme.
- 2.5 In accordance with the intent of the *Planning Act 2016*, the assessment provisions applicable to the land under this Variation Scheme would be fully self-contained within the Preliminary Approval issued. To remove any doubt, the extent to which the provisions of a future planning scheme conflicts with the provisions of the Variation Scheme, the provisions of the Variation Scheme will prevail.
- 2.6 To remove any doubt, a reference to an assessment benchmark or other planning provision is a reference to the assessment benchmarks and provisions of the *Toowoomba Regional Planning Scheme 2012* (version 26.0, commenced 30 April 2021) and those assessment benchmarks and provisions will continue to apply despite any subsequent amendment to those assessment benchmarks and provisions, the planning scheme or any planning instrument.

3.0 PURPOSE

3.1 GENERAL

- 3.1 The Variation Scheme is associated with a development application for Preliminary Approval for a Variation Request pursuant to section 50(3) of the *Planning Act 2016*.
- 3.2 This Variation Scheme outlines a Planning Act compliant framework for the integrated planning and development of the ~~Eagle Heights~~ Variation Scheme Area.
- 3.3 In accordance with section 50(3) of the *Planning Act 2016*, this Variation Scheme seeks to:
 - (a) Vary the assessment status of development by stating that development is—
 - (i) Assessable development requiring code or impact assessment; or
 - (ii) Accepted development; and
 - (b) Identifying assessment benchmarks applicable to the assessment of development.

3.2 PRECINCTS / AREAS

3.2.1 PRECINCT STRUCTURE

- 3.4 For the purposes of this Preliminary Approval for a Variation Request pursuant to section 50(3) of the *Planning Act 2016*, the provisions of the Open Space Zone applying to the West Street Variation Scheme Area under the *Toowoomba Regional Planning Scheme 2012* (version 26.0, commenced 30 April 2021) are varied in accordance with this Variation Scheme.
- 3.5 The Preliminary Approval Area is not further divided into precincts and is identified in the West Street Variation Scheme Area illustrated in **Figure 1**. The provisions of this PAD apply uniformly to the Variation Scheme Area.
- 3.6 The purpose of the Variation Scheme is to establish a regulatory framework to convey variations in preferred land use intent, assessment status of uses and other development, and the applicability or otherwise of assessment benchmarks (applicable codes).
- 3.7 The land use intent (or purpose) of the Variation Scheme Area, and supporting overall outcomes are outlined in Section 3.2.2.

3.2.2 PLANNING INTENT AND OUTCOMES – WEST STREET VARIATION SCHEME AREA

3.2.2.1 Purpose (Intent)

- 3.8 The purpose of the **West Street Variation Scheme** is to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings and community uses and small-scale services, facilities and infrastructure that cater for local residents. Development will ensure the amenity and lifestyle of residents in the variation scheme area is conserved while providing mechanisms to promote and implement a mix of housing forms at a density appropriate to the area. A limited mix of small scale and low intensity non residential uses that service the day to day needs of the immediate local residential community and do not undermine the viability of a nearby centre occurs within the variation scheme area.

3.9 The overall outcomes sought for the **West Street Variation Scheme** are as follows:

- development provides a range and mix of residential dwelling choices including dwelling houses on standard size and smaller lots, dual occupancies, multiple dwellings, residential care facilities, retirement facilities and short-term accommodation that are compatible with the intended scale of the variation scheme area;
- most new development within existing urban areas will be in the form of multiple dwellings and dual occupancies that will contribute to raising the residential densities of those areas by maximising yields while also achieving a high level of residential amenity avoiding uses that introduce impacts such as traffic noise, dust, odour, lighting and other locally specific impacts;
- development contributes to increasing the number of people living within proximity to the principal, major, district and those local centres that provide goods and services of daily convenience plus a mix of additional goods and services, major non-industrial employment nodes, the University of Southern Queensland and high amenity parks by maximising the number of dwellings provided on the site while maintaining a high level of residential amenity;
- new residential development in the form of dual occupancy and multiple dwellings, achieve dwelling yields in the order of 30-40 dwellings per hectare;
- dual occupancy development is dispersed throughout residential neighbourhoods and does not become the dominant housing form in the street;
- where the scale and density of development intended for the variation scheme area is greater than existing development within the immediate area, development is designed in a manner that enables the higher scale and density to be sensitively integrated into the existing urban landscape and streetscapes;
- Hatched lots are occupied by a single dwelling house only;
- a high quality streetscape and public open space network is provided that comprises connected public spaces and parks, and links to key community activities;
- the existing open space network is preserved and enhanced and new open space connections are established;
- short-term accommodation occurs only where in proximity to existing development of a similar nature and on a road at the distributor, sub-arterial and regional arterial level in the road hierarchy, where all car parking needs can be met on site, and it does not detract from the residential amenity of the area;
- development provides a high level of residential amenity and development is designed to incorporate sustainable practices including maximising energy efficiency, water conservation and encourage sustainable transport use such as walking, cycling and public transport use;
- the scale and density of development facilitates an efficient land use pattern that supports compact and walkable neighbourhoods that are well connected to employment nodes, centres, open space and recreational areas, community services and educational opportunities;

- development responds to land constraints, including but not limited to topography, bushfire and flooding constraints;
- development mitigates any adverse impacts on areas of ecological significance, including creeks, gullies, steep land, waterways, wetlands, habitats and vegetation and bushland through location, design, operation and management;
- development is supported by necessary infrastructure including utility installations to support the needs for the local community;
- non-residential uses occur only where such uses:
 - primarily function to directly support the day to day convenience needs of the immediate local residential community;
 - provide a local community or limited business function and include:
 - Child care centre.
 - Club.
 - Community care centre.
 - Community use.
 - Educational establishment.
 - Emergency services.
 - Place of worship.
 - Veterinary services only where reuse of existing building used for a business activity.
- Non-residential uses only occur within the variation scheme area where development:
 - is highly accessible to the immediate local residential community it serves;
 - is located on land with direct access to a road at the distributor, subarterial and regional arterial level in the road hierarchy and that minimises intrusion of through traffic into local residential streets;
 - has a built form that is compatible with surrounding residential character and amenity, including:
 - reuse of existing non-residential premises;
 - or extensions and/or new buildings have a height, bulk and scale that is consistent with the intended residential built form of the precinct in which it is located, and with the existing streetscape character;
- does not have a significant detrimental impact on the neighbourhood amenity expected within a predominately residential environment having regard to privacy, hours of operation, generation of odours, noise, waste products, dust, traffic, electrical interference, lighting and visual impacts;
- ensures that all car parking needs can be met on site, and that off-street car parking areas do not dominate the appearance in the streetscape, and are landscaped to provide an attractive frontage that maximise pedestrian activity and safety;

- development is predominantly residential one (1), two (2) and three (3) storeys above ground level, maintains amenity and privacy for residents within and adjacent to the site, does not result in a loss of sunlight of adjoining residential properties and makes a positive contribution to the urban landscape and streetscape;
- broadhectare land within the variation scheme area provides opportunities to increase the diversity of residential mix and provide new higher density building forms that would be difficult to integrate into existing urban localities. Within these areas the density of individual developments will vary from a minimum net density of 15 dwellings per hectare for dwelling houses to 40 dwellings per hectare or more for other residential activities; and
- where an existing urban area, residential densities achieved by individual developments are between 40 dwellings per hectare and 60 dwellings per hectare.

3.3 PARTIAL OR STAGED DEVELOPMENT

3.10 The Variation Scheme does not preclude the assessment of development proposals or development applications to develop the land in part or in stages.

4.0 ASSESSMENT TABLES

- 4.1 For the purposes of this Variation Scheme, the Assessment Categories relevant to making a Material Change of Use in the West Street Variation Scheme Area are those identified under:
- (i) **Volume 3 – Appendix A Table 1 – Material Change of Use Assessment Table.**
- 4.2 For the purposes of this Variation Scheme, the Assessment Categories for development other than a Material Change of Use in the West Street Variation Scheme Area are those identified under:
- (i) **Volume 3 – Appendix B Table 2 – Reconfiguring a Lot Assessment Table;**
 - (ii) **Volume 3 – Appendix B Table 3 – Minimum Lot Sizes Table;**
 - (iii) **Volume 3 – Appendix B Table 4 – Building Work Assessment Table; and**
 - (iv) **Volume 3 – Appendix B Table 5 – Operational Work Assessment Table.**
- 4.3 For the purposes of this Variation Scheme, the Assessment Categories relevant for Local Plans and Overlays that apply to the West Street Variation Scheme Area are those identified under:
- (i) **Volume 3 – Appendix C Table 6 – Overlays Assessment Table.**

5.0 ASSESSMENT CRITERIA

5.1 CODE APPLICABILITY

- 5.1 For the purposes of this Variation Scheme, the assessment benchmarks (Applicable Codes) relevant to making a development application are those identified in the tables included at **Appendix A, Appendix B** and **Appendix C**, separately listed under paragraphs 4.1– 4.3 above.
- 5.2 Applicable Codes referenced at **Appendix A, Appendix B** and **Appendix C** of the Variation Scheme are those codes prescribed in the *Toowoomba Regional Planning Scheme 2012* (version 26.0, commenced 30 April 2021).

6.0 DEFINITIONS

- 6.1 For the purposes of this Variation Scheme, references to use definitions, clustering of use definitions and administrative definitions are consistent with Schedule 1 of the *Toowoomba Regional Planning Scheme 2012* (version 26.0, commenced 30 April 2021).

APPENDIX A – MATERIAL CHANGE OF USE ASSESSMENT TABLE

Table 1 – Material Change of Use Assessment Table

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Caretaker's Accommodation	Accepted development subject to requirements	
	If: <ul style="list-style-type: none"> (i) the reuse of an existing building used for a non-residential use of the land, excluding Sales Office; and (ii) no more than 25m² additional Gross Floor Area is proposed. 	Low-medium Density Residential Zone Code
	Code assessment	
	If: <ul style="list-style-type: none"> (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements. 	Low-medium Density Residential Zone Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Child Care Centre	Code assessment	
	If located in the Hospital Support Precinct.	Low-medium Density Residential Zone Code Community and Recreation Uses Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Club	Accepted development subject to requirements	
	If all of the below are satisfied: (i) the reuse of an existing building used for a business or community activity, excluding Sales Office; (ii) no more than 25m ² additional Gross Floor Area is proposed; and (iii) the use is not a licensed premises.	Low-medium Density Residential Zone Code

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	Code assessment	
	<p>If located on a Regional Arterial, Sub-Arterial or Distributor Road and not a licensed premises, and:</p> <ul style="list-style-type: none"> (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements. 	<p>Low-medium Density Residential Zone Code Community and Recreation Uses Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives</p>
Community Care Centre	Accepted development subject to requirements	
	<p>If:</p> <ul style="list-style-type: none"> (i) the reuse of an existing building used for a business or community activity, excluding Sales Office; and (ii) no more than 25m² additional Gross Floor Area is proposed. 	<p>Low-medium Density Residential Zone Code</p>

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<p>Code assessment</p> <p>If:</p> <ul style="list-style-type: none"> (i) located in the Hospital Support Precinct and building height does not exceed four storeys above ground level; or (ii) located on a Regional Arterial, Sub-Arterial or Distributor Road and not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or (iii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements. 	<p>Low-medium Density Residential Zone Code Community and Recreation Uses Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives</p>
Community Use	<p>Accepted development subject to requirements</p> <p>If:</p> <ul style="list-style-type: none"> (i) the reuse of an existing building used for a business or community activity, excluding Sales Office; and (ii) no more than 25m² additional Gross Floor Area is proposed. 	<p>Low-medium Density Residential Zone Code</p>

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	Code assessment	
	<p>If:</p> <ul style="list-style-type: none"> (i) located in the Hospital Support Precinct and building height does not exceed four storeys above ground level; or (ii) located on a Regional Arterial, Sub-Arterial or Distributor Road and not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or (iii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.. 	<p>Low-medium Density Residential Zone Code Community and Recreation Uses Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives</p>

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Dual Occupancy	Accepted development subject to requirements	
	If: <ul style="list-style-type: none"> (i) the site is not within a Greenfield Area or it is a designated dual occupancy lot within a Greenfield Area; (ii) the site has an area of at least 500m²; (iii) the site is not a hatchet lot; and (iv) the building height does not exceed 8.5m. 	Medium Density Residential Code Transport, Access and Parking Code
	Code assessment	
	If: <ul style="list-style-type: none"> (i) the site is not a hatchet lot and the building height does not exceed 8.5m; or (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements. 	Low-medium Density Residential Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Dwelling House	Accepted development	
	If <ul style="list-style-type: none"> (i) the area of the site is 450m² or more; and (ii) the site is not a hatchet lot; and (iii) the site is not within a current Plan of Development listed in Schedule 7. 	
Accepted development subject to requirements		

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<p>If not meeting the description listed in the categories of development and assessment column for accepted development.</p>	<p>Low-medium Density Residential Zone Code</p> <p>Small Lot Housing Design Code</p> <p>If:</p> <ul style="list-style-type: none"> (a) the site is not within a current Plan of Development listed in Schedule 7; and (b) the site has an area less than 450m². <p>Medium Density Residential Code</p> <p>If the site is a Hatchet Lot with an area greater than 450m².</p> <p>Plan of Development applying to the land (where listed in Schedule 7).</p>
Code Assessment		
	<p>If meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.</p>	<p>Low-medium Density Residential Zone Code</p> <p>Small Lot Housing Design Code</p> <p>If the site has an area less than 450m².</p> <p>Medium Density Residential Code</p> <p>If the site is a Hatchet Lot with an area greater than 450m².</p>
Dwelling Unit	Accepted development subject to requirements	
	<p>If:</p> <ul style="list-style-type: none"> (i) the reuse of an existing building used for a business or community activity, excluding Sales Office; and (ii) no more than 25m² additional Gross Floor Area is proposed. 	<p>Low-medium Density Residential Zone Code</p>

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	Code assessment	
	<p>If:</p> <ul style="list-style-type: none"> (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements. 	<p>Low-medium Density Residential Zone Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives</p>

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Food and Drink Outlet	Accepted development subject to requirements	
	<p>If:</p> <ul style="list-style-type: none"> (i) in the Hospital Support Precinct, or Urban Consolidation Precinct and meeting all the description below: <ul style="list-style-type: none"> (a) reuse of an existing building used for a business activity, excluding Sales Office and Market; (b) located at ground level; and (c) no more than 25m² additional Gross Floor Area proposed. or (ii) in the Regional Residential Precinct, Urban Residential Precinct and Office Residential Precinct and meeting all the description below: <ul style="list-style-type: none"> (a) reuse of an existing building used for a business activity, excluding Sales Office and Market; (b) no more than 25m² additional Gross Floor Area proposed; (c) located on a Regional Arterial, Sub-Arterial or Distributor Road; and (d) there is no outdoor dining/seating area or drive through facility. 	Low-medium Density Residential Zone Code
Code assessment		

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	If: <ul style="list-style-type: none"> (i) in the Hospital Support Precinct or Urban Consolidation Precinct and not meeting the description listed in the categories of assessment for accepted development subject to requirements; or (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements. 	Low-medium Density Residential Zone Code Centre Activities Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Health Care Services	Accepted development subject to requirements	
	If meeting all the description below: <ul style="list-style-type: none"> (i) the reuse of an existing building used for a business activity, excluding Sales Office and Market; (ii) no more than 25m² additional Gross Floor Area is proposed; and (iii) except where in the Hospital Support Precinct, is located on a Regional Arterial, Sub-Arterial or Distributor Road.. 	Low-medium Density Residential Zone Code
	Code assessment	

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	If: <ul style="list-style-type: none"> (i) in the Hospital Support Precinct and does not involve the reuse of an existing building used for a business activity; or (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements. 	Low-medium Density Residential Zone Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Home Based Business	Accepted development subject to requirements	
		Home Based Business Use Code
	Code assessment	
	If not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.	Low-medium Density Residential Zone Code Home Based Business Use Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Hospital	Code-assessment	
	If in the Hospital Support Precinct.	Low-medium Density Residential Zone Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Major Electricity Infrastructure	Accepted development subject to requirements	
		Works and Services Code

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<p>Code assessment</p> <p>If not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.</p>	<p>Low-medium Density Residential Zone Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives</p>
Multiple Dwelling	<p>Code assessment</p> <p>If:</p> <ul style="list-style-type: none"> (i) the building height does not exceed 8.5m; and (ii) not located on a hatchet lot. 	<p>Low-medium Density Residential Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives</p>
Office	<p>Accepted development subject to requirements</p> <p>If in the Office Residential Precinct and meeting all the description below:</p> <ul style="list-style-type: none"> (i) reuse of an existing building used for a business activity, excluding Sales Office and Market; and (ii) no more than 25m² additional Gross Floor Area is proposed. <p>Code assessment</p>	<p>Low-medium Density Residential Zone Code</p>

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	(i) If in the Office Residential Precinct and not meeting the description listed in the categories of assessment for accepted development subject to requirements; or (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements..	Low-medium Density Residential Zone Code Centre Activities Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Park	Accepted development	
Relocatable Home Park	Code assessment	
		Low-medium Density Residential Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Residential Care Facility	Code assessment	
		Low-medium Density Residential Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Retirement Facility	Code assessment	
		Low-medium Density Residential Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Rooming Accommodation	Code assessment	
		Low-medium Density Residential Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Sales Office	Accepted development subject to requirements	
		Sales Office Code
	Code assessment	
	If not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.	Low-medium Density Residential Zone Code Sales Office Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Shop	<p>Accepted development subject to requirements</p> <p>If:</p> <ul style="list-style-type: none"> (i) in the Hospital Support Precinct, or Urban Consolidation Precinct and meeting all the description below: <ul style="list-style-type: none"> (a) reuse of an existing building used for a business activity, excluding Sales Office and Market; (b) located at ground level; and (c) no more than 25m² additional Gross Floor Area proposed. or (ii) in the Regional Residential Precinct, Urban Residential Precinct and Office Residential Precinct and meeting all the description below: <ul style="list-style-type: none"> (a) reuse of an existing building used for a business activity, excluding Sales Office and Market (b) no more than 25m² additional Gross Floor Area proposed; and (c) the site is located on a Regional Arterial, Sub-Arterial or Distributor Road. 	Low-medium Density Residential Zone Code

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	Code assessment	
	If: (i) in the Hospital Support Precinct or Urban Consolidation Precinct not meeting the description listed in the categories of assessment for accepted development subject to requirements; or (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.	Low-medium Density Residential Zone Code Centre Activities Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Short-term Accommodation	Code assessment	
		Low-medium Density Residential Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Substation	Accepted development subject to requirements	
		Works and Services Code
	Code assessment	
	If not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.	Low-medium Density Residential Zone Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Telecommunications Facility	Accepted development	
	If a low-impact facility as defined by the Telecommunications (Low Impact Facilities) Determination 1997.	
	Accepted development subject to requirements	
	<p>If:</p> <ul style="list-style-type: none"> (i) not increasing the number of Telecommunications facilities on the site, and: <ul style="list-style-type: none"> (a) increasing the height of an existing Telecommunications facility by no more than 5m, or (b) replacing an existing Telecommunications facility with a new Telecommunications facility with a height no more than 5m greater than the existing Telecommunications facility; OR (ii) not meeting the description listed in the categories of development and assessment column for accepted development. 	Telecommunications Facility Code

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<p>Code assessment</p> <p>(i) If:</p> <p>(a) the site contains one existing Telecommunications facility, and</p> <p>(b) no more than one additional Telecommunications facility is proposed, and</p> <p>(c) one of the following applies:</p> <p style="padding-left: 40px;">i) where the existing Telecommunications facility has a height greater than 10m, the new Telecommunications facility does not have a height that is greater than the existing Telecommunications facility; or</p> <p style="padding-left: 40px;">ii) where the existing Telecommunications facility has a height no more than 10m, the new Telecommunications facility has a height no more than 10m;</p> <p>OR</p> <p>(ii) If meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.</p>	<p>Low-medium Density Residential Zone Code Telecommunications Facility Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives</p>
Utility Installation	<p>Accepted development subject to requirements</p> <p>If:</p> <p>(i) for distribution of local utility services; and</p> <p>(ii) does not involve bulk transmission, storage, generation and/or treatment.</p>	<p>Works and Services Code</p>

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Impact assessment		
	If: <ul style="list-style-type: none"> (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements 	The planning scheme
Impact assessment		
Any other use not listed in this table. Any use listed in this table and not meeting the description listed in the categories of development and assessment column. Any other undefined use.		The planning scheme

APPENDIX B – OTHER DEVELOPMENT ASSESSMENT TABLES

Table 2 – Assessment Table for Reconfiguring a Lot

Area	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
West Street Variation Scheme Area	Accepted Development	
	If the Regulation, schedule 6, Part 4 applies.	
	Accepted development subject to requirements	
	If rearranging the boundaries of a lot by registering a plan of subdivision and: <ul style="list-style-type: none"> (i) no additional lots are created; (ii) none of the resulting lots is a hatchet lot; and (iii) the size of all proposed lots is equal to or greater than the relevant minimum lot size for the zone as identified in Table 3 – Minimum Lot Size. 	Reconfiguring a Lot Code
	Code assessment	
Subdivision of one lot into two lots (and associated operational work) if code assessment is required under schedule 10 of the Regulation.	As per the Regulation, schedule 10. Editor's note – Assessment benchmarks for the reconfiguring a lot are set out in schedule 14 of the Regulation.	

Area	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	If: <ul style="list-style-type: none"> (i) creating a lot/s by subdividing another lot; and (a) the size of each lot created is equal to or greater than the relevant minimum lot size for the zone as identified in Table 3 – Minimum Lot Size; and (b) hatchet lots are only created in the Variation Scheme Area; and (c) the access handle of any proposed hatchet lot is at least 6 metres wide; or (ii) creating an easement giving access to a lot from a constructed road; or (iii) it is a Community Title subdivision of an existing building(s). 	Low-medium Density Residential Zone Code Reconfiguring a Lot Code varied to the extent of applying the Low-medium Density Residential Zone provisions. State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
	If meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.	Low-medium Density Residential Zone Code Reconfiguring a Lot Code varied to the extent of applying the Low-medium Density Residential Zone provisions. State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
	Impact assessment	
	If for a volumetric subdivision.	The Planning Scheme
Any other reconfiguring a lot not listed in this table	The Planning Scheme	

Table 3 – Minimum Lot Size

Area	Minimum Lot Size
Low-medium Density Residential Zone as it applies to the West Street Variation Scheme Area	300m ²

Table 4 – Assessment Table for Building Work

Area	Categories of development and assessment	Assessment benchmarks for development and accepted development
West Street Variation Scheme Area	Accepted development subject to requirements	
	Construction of a Class 10a building (as defined by the Building Code of Australia) If: (i) in the West Street Variation Scheme Area and the gross floor area of all Class 10a buildings (both existing and proposed) on the site would be greater than 10% of the site area.	Low-medium Density Residential Zone Code
	All other Building Work (not associated with a development permit for a Material Change of Use).	Low-medium Density Residential Zone Code
	Code assessment	
	If: (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or (ii) not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.	Low-medium Density Residential Zone Code
	Excavating and Filling (a) If there would be a change of more than 1m in the level of any part of the site and not for a swimming pool; or (b) If all of the below are satisfied: (i) the excavating or filling is for the purpose of installing a swimming pool; and (ii) there would be a change of more than 1m in the level of any part of the site; and (iii) the excavating or filling would occur within the Landslide Hazard Overlay.	Works and Service Code

Area	Categories of development and assessment	Assessment assessable requirements development	benchmarks for development and accepted
Accepted development			
Any other building work not listed in this table			

Table 5 – Assessment Table for Operational Work

Area	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<p>West Street Variation Scheme Area</p>	<p>Accepted development subject to requirements</p>	
	<p>Placing an Advertising Device on a premises.</p>	<p>Advertising Devices Code</p>
	<p>Undertaking roadworks on a Local Government road (being driveway crossovers).</p>	<p>Works and Services Code</p>
	<p>Code assessment</p>	
	<p>Operational work associated with reconfiguring a lot requiring code assessment under schedule 10, part 20 division 2 of the Regulation.</p>	<p>9.2.3 Reconfiguring a lot (subdividing one lot into two lots) and associated operational work code Editor's note – Assessment benchmarks for the reconfiguring a lot and associated operational works are set out in schedule 14 of the Regulation.</p>
	<p>Placing an Advertising Device on premises. If not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.</p>	<p>Advertising Devices Code</p>
	<p>Excavating or filling that materially affects premises or their use, other than accepted development and accepted development subject to requirements.</p>	<p>Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives</p>
<p>Clearing vegetation, including vegetation to which the Vegetation Management Act applies. If the vegetation is within the road reserve and the vegetation is being cleared in association with the Material Change of Use of an adjoining site.</p>	<p>Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives</p>	

Area	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	Undertaking roadworks on a Local Government road (except driveway crossovers) if: <ul style="list-style-type: none"> (i) associated within the Reconfiguring a Lot or a Material Change of Use; and (ii) it does not meet the relevant assessment benchmarks for accepted development subject to requirements. 	Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
	All other Operational Work if: <ul style="list-style-type: none"> (i) associated with Reconfiguring a Lot or a Material Change of Use; and (ii) not otherwise accepted development or accepted development subject to requirements. 	Works and Services Code State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives
Accepted development		
Excavating or filling, other than excavating or filling associated with reconfiguring a lot, if: <ul style="list-style-type: none"> (a) all of the following apply: <ul style="list-style-type: none"> i) the level of any part of the site would change by less than 1 m; ii) less than 50m³ of fill is deposited on, or less than 50m³ of excavated material is removed from the premises; iii) the development does not occur on a part of the premises to which a Flood Hazard Overlay applies; or (b) the development is in the rural zone, associated with a rural activity, and is for the purpose of or associated with taking (including diverting) of water or interference with the flow of water as defined in the Water Act 2000 (e.g. ring tanks, farm dams etc.). 		
Any other operational work not listed in this table		

APPENDIX C – OVERLAYS ASSESSMENT TABLES

Table 6 – Overlays Assessment Table

Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Airport Environs Overlay		
All assessable development	No Change	Airport Environs Overlay Code
Environmental Significance Overlay		
All assessable development	No Change	Environmental Significance Overlay Code