

PLANNING REPORT

Development Application

Reconfiguring a Lot
(Boundary Realignment - Two (2) into
Two (2) Lots) at Lots 59 & 60 Gall Road,
Felton South QLD 4358.

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1. Summary of Application Details

Applicant Details

Applicant Name:	Rebecca Jane Doyle C/- Alpha Planning Applications
Applicant Contact Name:	Andrew Hill
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Applicant Contact Phone Number:	0439 373 414
Applicant Email Address:	andrew@alphaplanning.com.au

Proposal

Approval Type:	Development Permit
Development Type:	Reconfiguring a Lot
Proposed Development:	Boundary Realignment
Planning Scheme Definition:	Reconfiguring a Lot (Boundary Realignment - Two (2) into Two (2) Lots)
Level of Assessment:	Impact Assessable
Referrals:	Powerlink – Advice
Planning Scheme:	<i>Toowoomba Regional Planning Scheme 2012</i>

Site Details

Address:	Lots 59 & 60 Gall Road, Felton South QLD 4358
Property Description:	Lot 59 RP34847 & Lot 60 RP34847
Site Area:	161.32 Hectares total
Existing Use:	“Dwelling House” use and ‘Rural Activities’
Planning Scheme Zone:	Rural Zone
Planning Scheme Precinct:	100 ha minimum Precinct
Local Plan:	Nil
Planning Scheme Overlays:	Agricultural Land Overlay Bushfire Hazard Overlay Environmental Significance Overlay Flood Hazard Overlay
Landowner:	Rebecca Jane Doyle

Proposal Details

General Description of Proposed Development:	Boundary Realignment
Planning Scheme Description:	Reconfiguring a Lot (Boundary Realignment - Two (2) into Two (2) Lots)
Existing Site Use:	"Dwelling House" use and 'Rural Activities'
Existing Lot Size:	Lot 59 RP34847: 88.47 Hectares Lot 60 RP34847: 72.84 Hectares
Proposed Lot Sizes:	Lot 1: 119.32 Hectares Lot 2: 41.98 Hectares
Street Frontage:	Gall Road
Existing Buildings:	Dwelling house, ancillary structures and farm buildings on Lot 60 RP34847 (to be retained within proposed Lot 2)
Access:	Lot 1: New access to Gall Road Lot 2: Existing access to Gall Road
Services/Infrastructure:	The existing "Dwelling House" use (to be retained within proposed Lot 2) has access, is connected to and will maintain existing connections to available urban infrastructure including electricity, telecommunications and formed roads. Any future development within proposed Lots 1 and 2 can be connected to available urban infrastructure. The sites are not within Council's reticulated water supply network area or its reticulated sewer network area. The existing "Dwelling House" use will continue to compliantly discharge effluent on-site and be provided with water supply via existing on-site rainwater harvesting and storage. Any future development within proposed Lots 1 and 2 would rely on on-site water storage (e.g. rainwater tanks) and on-site effluent disposal systems. Stormwater is currently compliantly discharged on-site for the existing "Dwelling House" and ancillary structures. Stormwater generated from any future development can be compliantly discharged on-site, as a result of the lot sizes and dimensions.

2. Introduction

This report has been prepared to support the development application for Reconfiguring a Lot (Boundary Realignment – Two (2) into Two (2) Lots) at Lots 59 & 60 Gall Road, Felton South – described as Lot 59 RP34847 and Lot 60 RP34847. This report has been prepared on behalf of the applicant/owner, Rebecca Jane Doyle.



Figure 1: Aerial View of Subject Address

(Source: DSDIP Mapping)

The proposed development is for a Development Permit for a Reconfiguring a Lot, which is subject to Impact Assessment.

This report provides a comprehensive and detailed assessment against the Strategic Framework, Zone and Precinct Intent and applicable codes of the *Toowoomba Regional Planning Scheme 2012*, and state planning instruments the *Darling Downs Regional Plan*, *State Planning Policy* and *State Development Assessment Provisions*; and in accordance with the legislative requirements of the *Planning Act 2016*.

The proposed development generally complies with the *Toowoomba Regional Planning Scheme 2012*, and applicable Council and State assessment requirements, and this report demonstrates this within.

3. Site

Site Description

The subject site is located at Lots 59 & 60 Gall Road, Felton South QLD 4358 (described as Lot 59 RP34847 and Lot 60 RP34847); and has a total site area of approximately 161.32 Hectares.



Figure 2: Aerial View of Development Site

(Source: DSDIP Mapping)

The site consists of two (2) lots ranging in size between 72.84 to 88.47 Hectares, each within the Rural Zone. Both lots are used for 'Rural Activities', which includes "Cropping" and "Animal Husbandry" uses. Lot 60 contains an existing "Dwelling House" use, ancillary structures and farm buildings, whilst Lot 59 is unimproved.

Planning Designations

The sites are located within the Rural Zone (100 Hectare Precinct) and are covered by the Agricultural Land Overlay, Bushfire Hazard Overlay (Medium Fire Risk), Environmental Significance Overlay (Areas of Ecological Significance, Areas of Ecological Significance Buffer, Biodiversity Corridors, Waterways and Wetlands & Waterways and Wetlands Buffer), and Flood Hazard Overlay (Balance Mixed); and are located on a Local Access Road (Gall Road) under Council's Road Hierarchy. Surrounding and adjoining sites are also within the Rural Zone (100 Hectare Precinct) and contain a range of rural uses.



Figure 3: Zoning map of sites and surrounds

(Source: TRC Online Mapping)

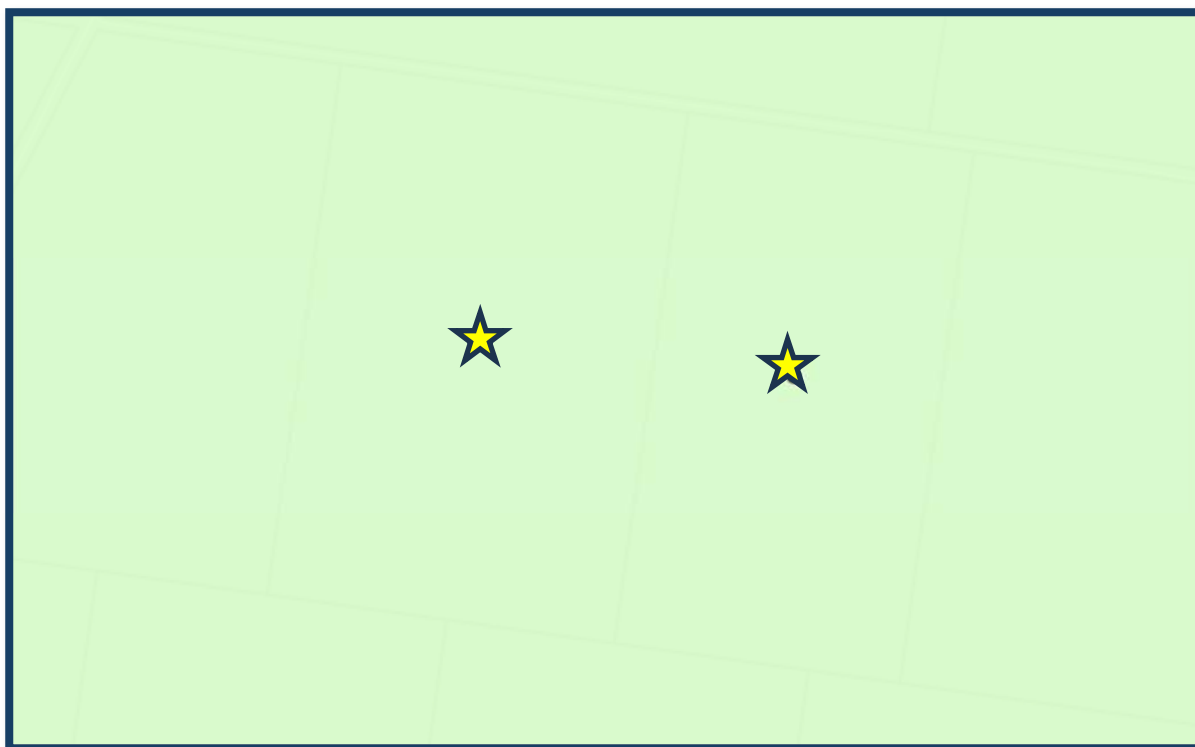


Figure 4: Agricultural Land Overlay map of sites and surrounds

(Source: TRC Online Mapping)



Figure 5: Bushfire Hazard Overlay map of sites and surrounds (Source: TRC Online Mapping)

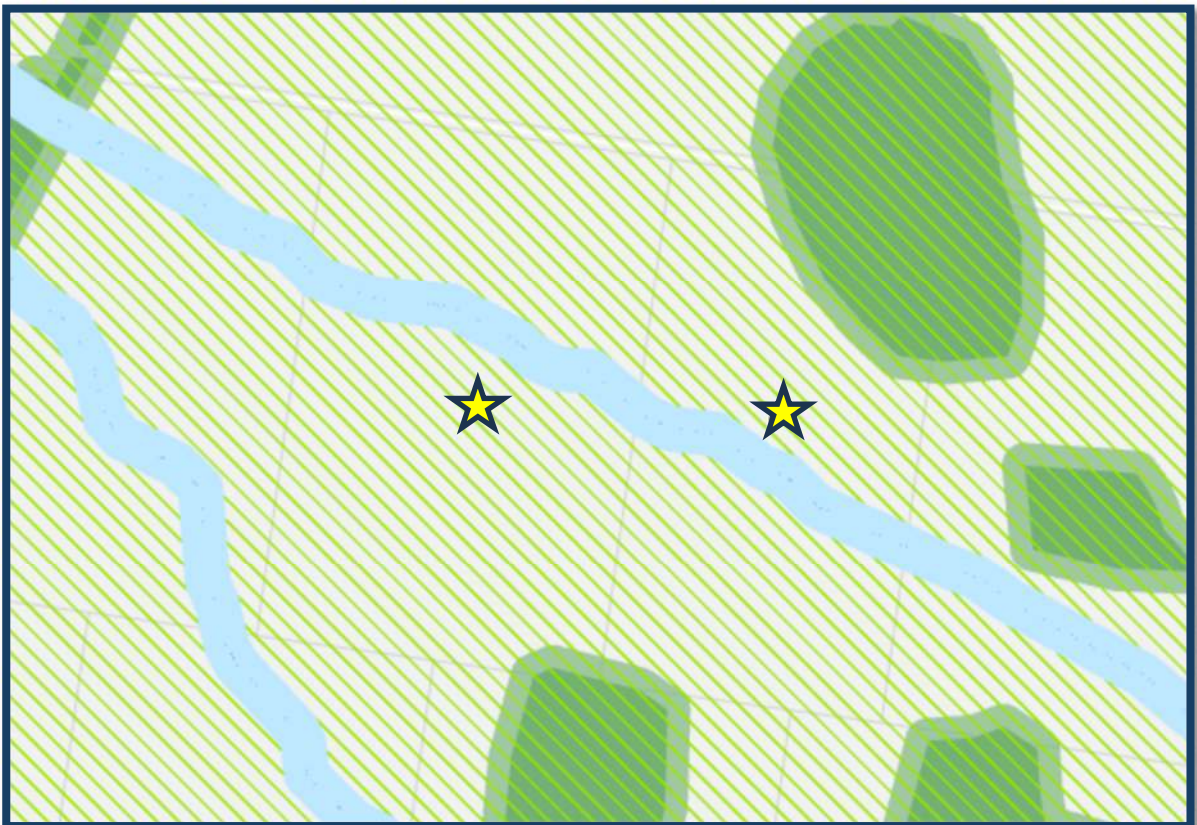


Figure 6: Environmental Significance Overlay map of sites and surrounds (Source: TRC Online Mapping)

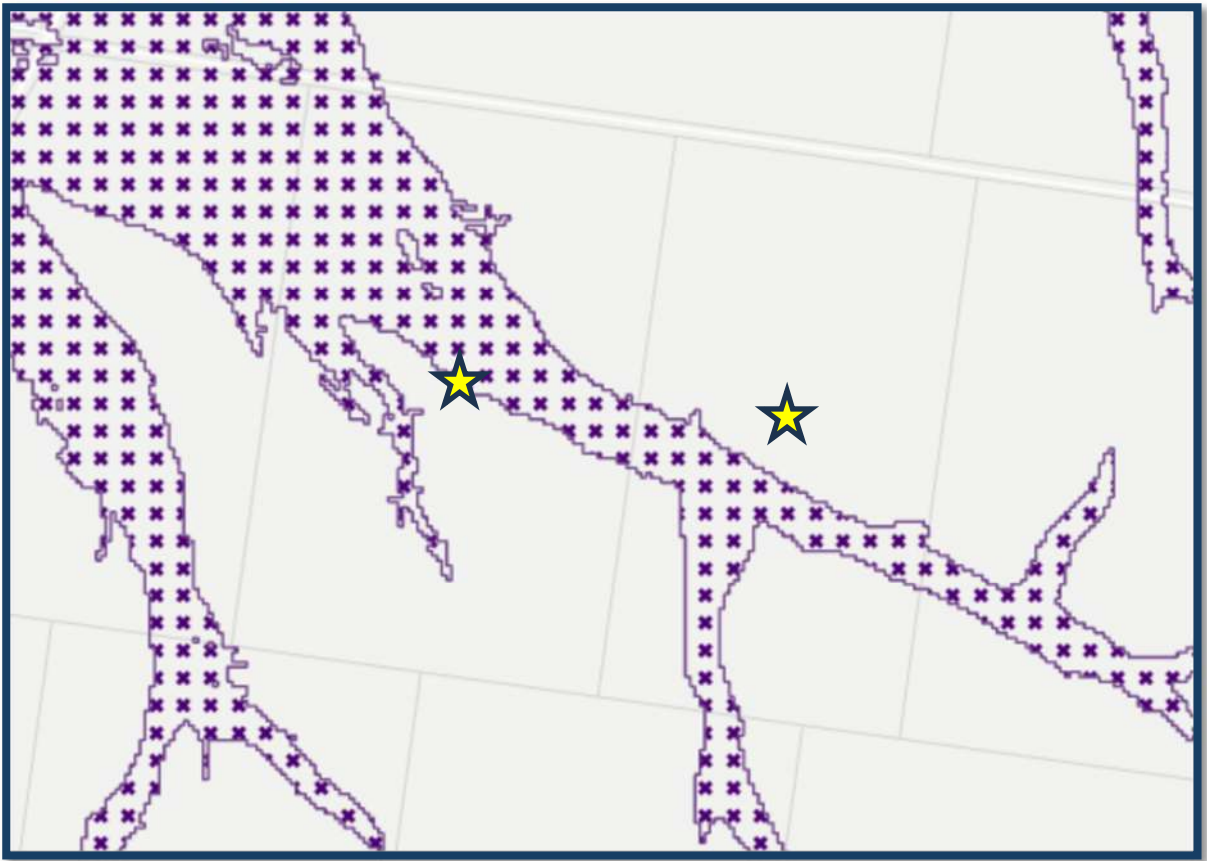


Figure 7: Flood Hazard Overlay map of sites and surrounds

(Source: TRC Online Mapping)

Environment

Vegetation and Street Trees

The existing sites have been historically cleared of significant stands of vegetation, with one area of scattered 'Remnant Vegetation' covering the north-east corner of existing Lot 60 RP34847.

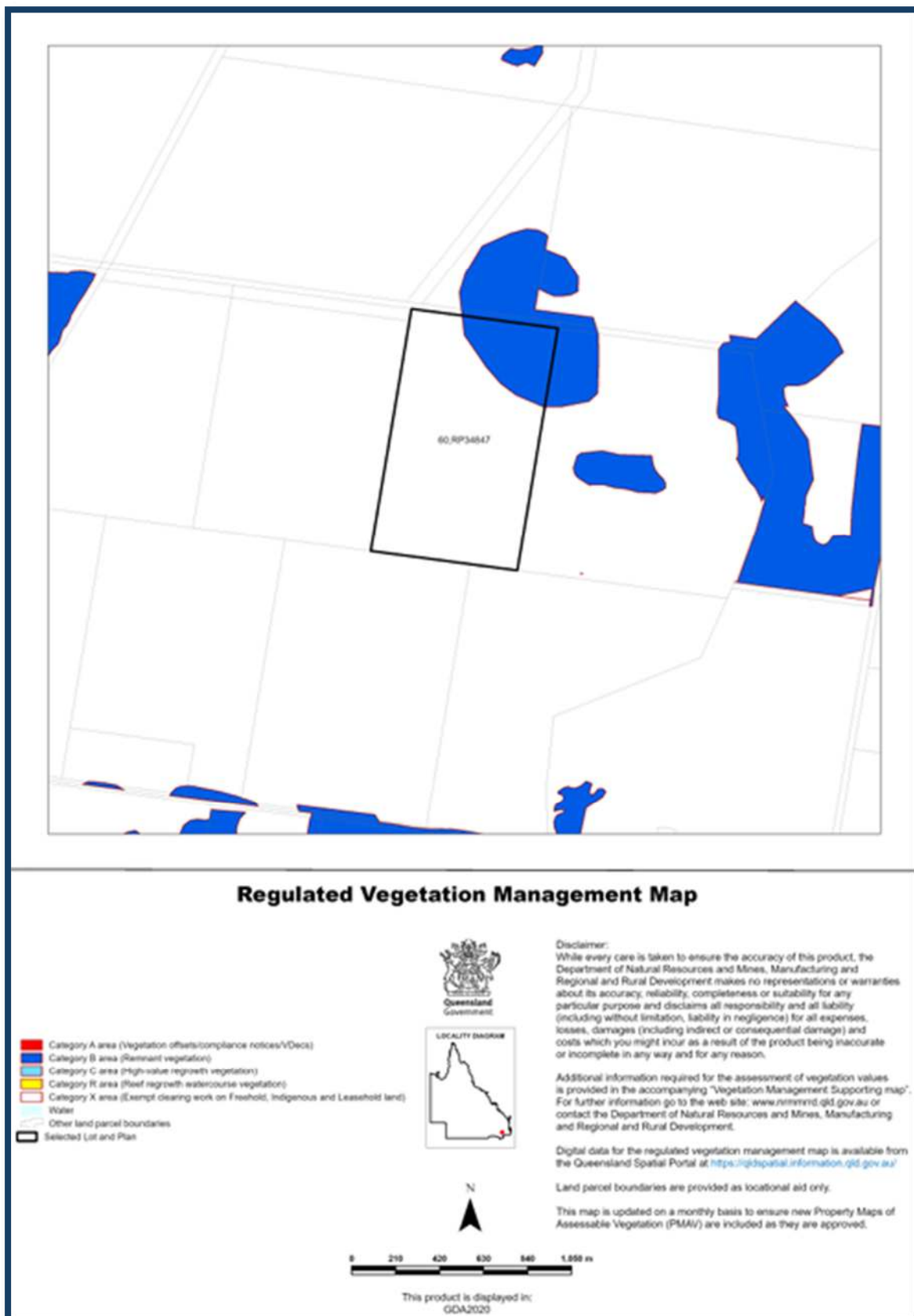


Figure 8: Regulated Vegetation Map

(Source: DNRM Website)

Watercourses

Existing Lot 60 RP34847 contains a mapped stream order 1 watercourse which crosses the site in a generally south-east to north-west direction.

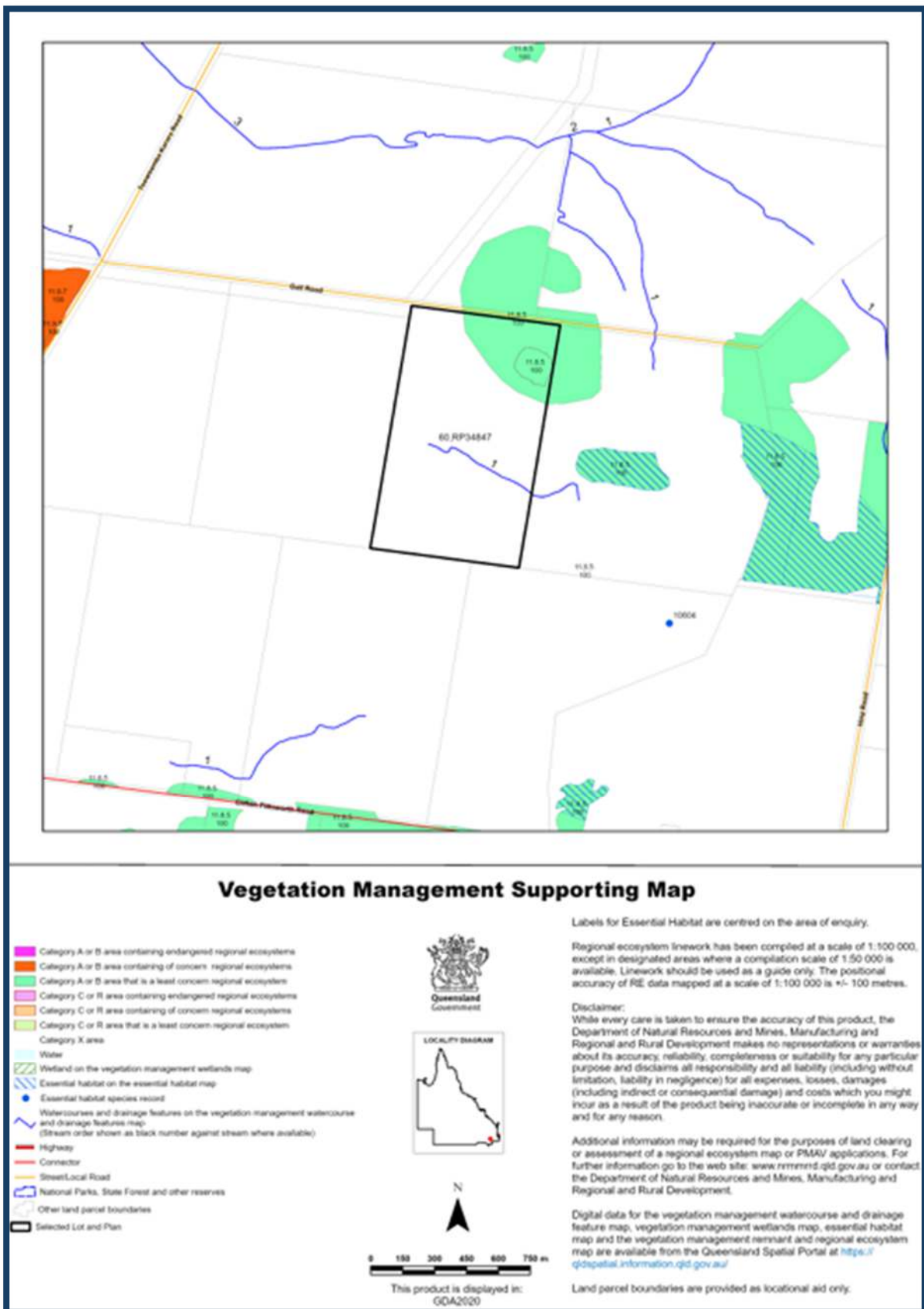


Figure 9: Vegetation Management Supporting Map

(Source: DNRM Website)

Referrable Wetlands

The site is not within or adjacent to a referable wetland.

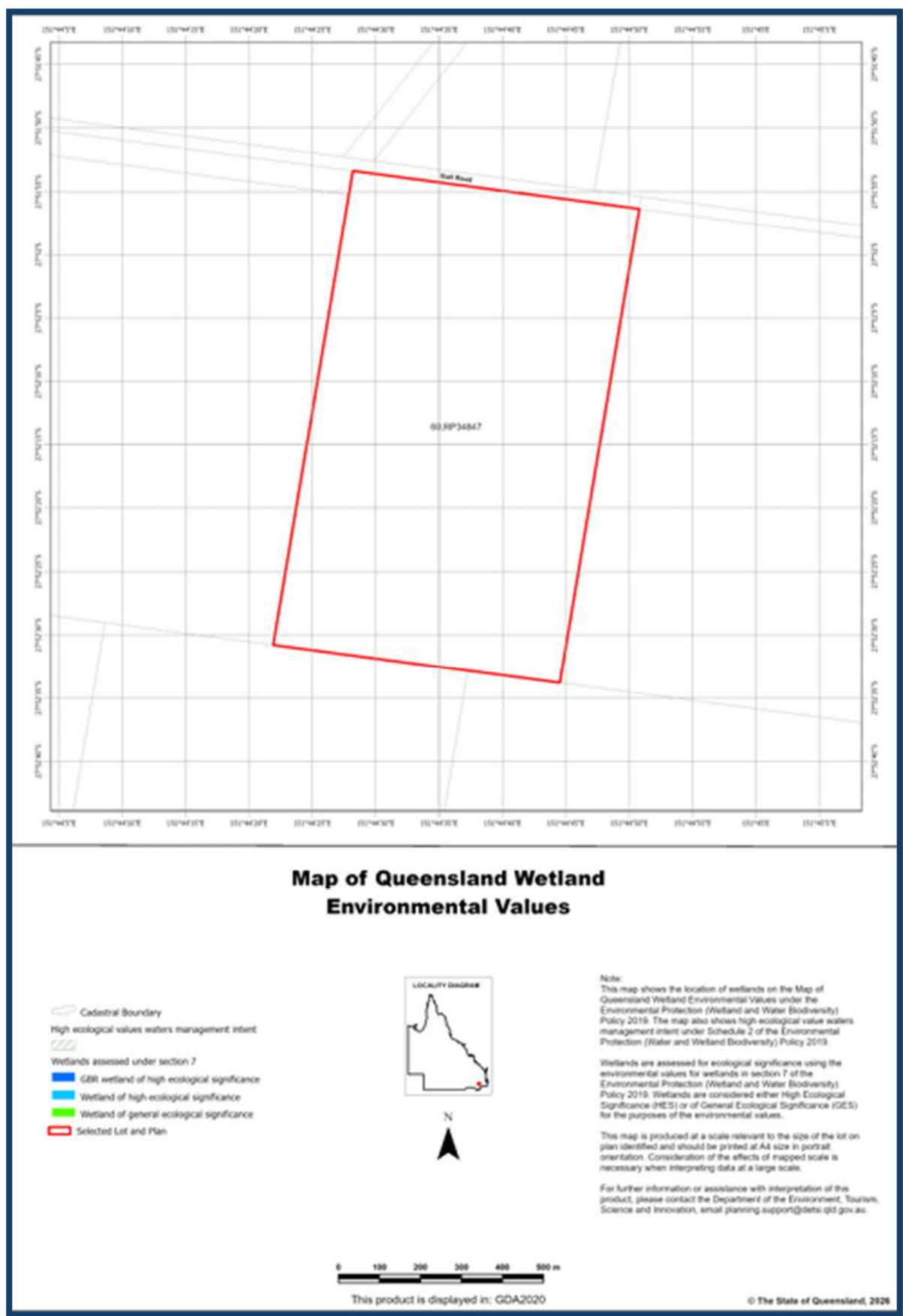


Figure 10: Referrable Wetlands (WPA) (Source: DNRM Website)

Infrastructure

The sites have access and can be connected to available urban infrastructure as follows:

- Reticulated electricity – aboveground;
- Telecommunications – including NBN;
- Roads:
 - Gall Road - approximately 13 metre wide gravel carriageway within a 30 metre wide road reserve with Table Drains on either side;
- Reticulated sewer – the site is not within Council's reticulated sewer network area:
 - existing "Dwelling House" use is serviced by existing on-site effluent disposal system;
- Reticulated water supply – the site is not within Council's reticulated water supply network area:
 - existing "Dwelling House" use is serviced by existing on-site rainwater harvesting and storage;
- Stormwater infrastructure – Nil – noting existing and proposed lots are large enough to ensure on-site stormwater discharge and infiltration can occur without adverse impacts on adjoining, surrounding and downstream uses.

Access

Existing Lot 60 RP34847 currently gains access via an approximately 3 metre wide gravel driveway crossover from Gall Road for the existing “Dwelling House” use and ‘Rural Activities’.

Existing Lot 59 RP34847 is also accessible via an approximately 3 metre wide gravel driveway crossover from Gall Road.



Figure 11: Aerial view of existing access points

(Source: DSDMIP Mapping)



Figure 12: View of access to Lot 60 RP34847 from Gall Road

(Source: Google Maps)



Figure 13: View of access to Lot 59 RP34847 from Gall Road (Source: Google Maps)



Figure 14: Aerial view of subject site and surrounding road network (Source: Google Earth)

Topography

The sites are generally flat, with each containing gradual falls from east to west and north-east to south-west.

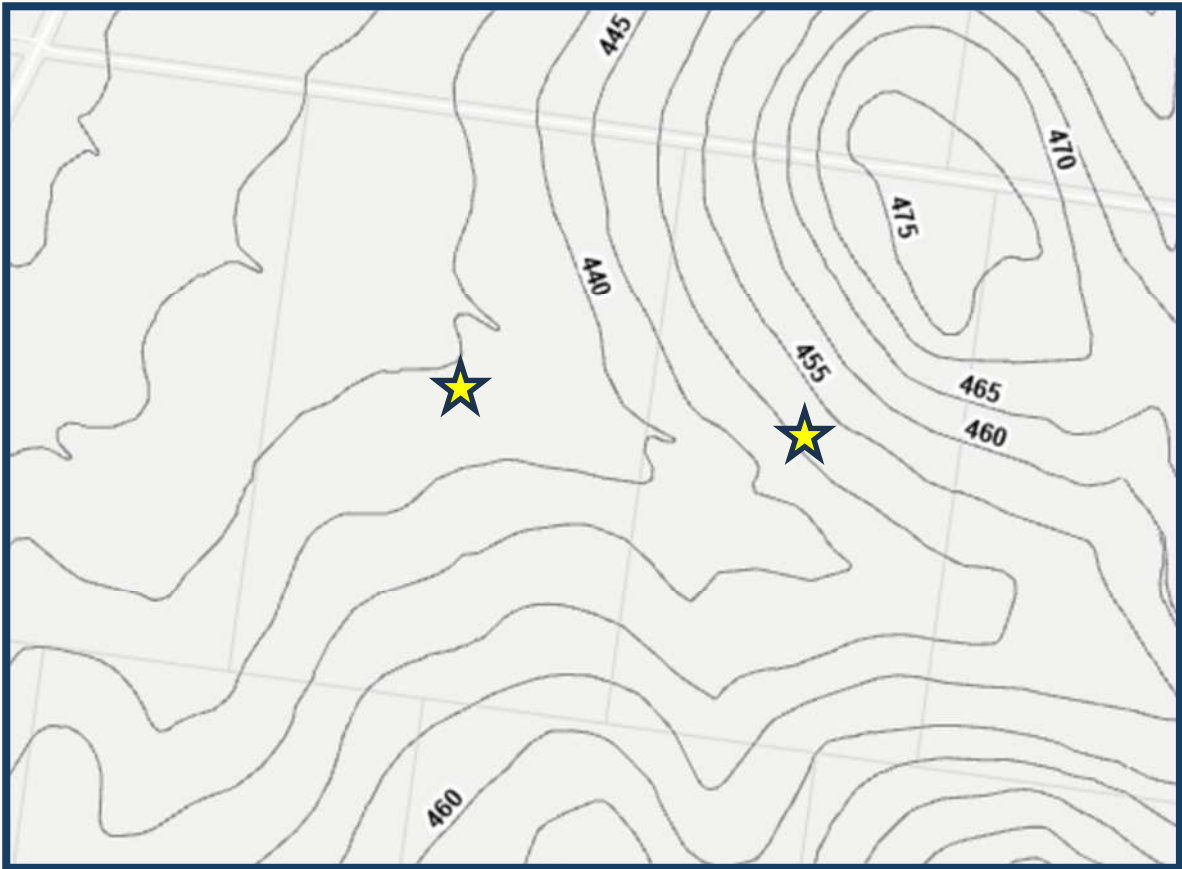


Figure 15: Contour Mapping of site

(Source: TRC Online Mapping)

Site History

There are no relevant approvals over the subject sites. However, it is considered that the existing “Dwelling House” use and ‘Rural Activities’ on the subject sites are existing ‘lawful uses’.



Figure 16: Aerial view of existing dwelling house and structures on Lot 60 RP34847 (Source: Google Earth)



Figure 17: Aerial view of existing farm structures on Lot 60 RP34847 (Source: Google Earth)

4. Surrounding Uses

The subject site is located in the suburb of Felton South, approximately 30km south of Toowoomba. The subject site and adjoining and surrounding sites are within the Rural Zone (100 Ha Precinct). The surrounding sites are comprised of lots ranging in size from approximately 10 Hectares to 200 Hectares in area and generally contain "Dwelling House" uses and 'Rural Activities'.

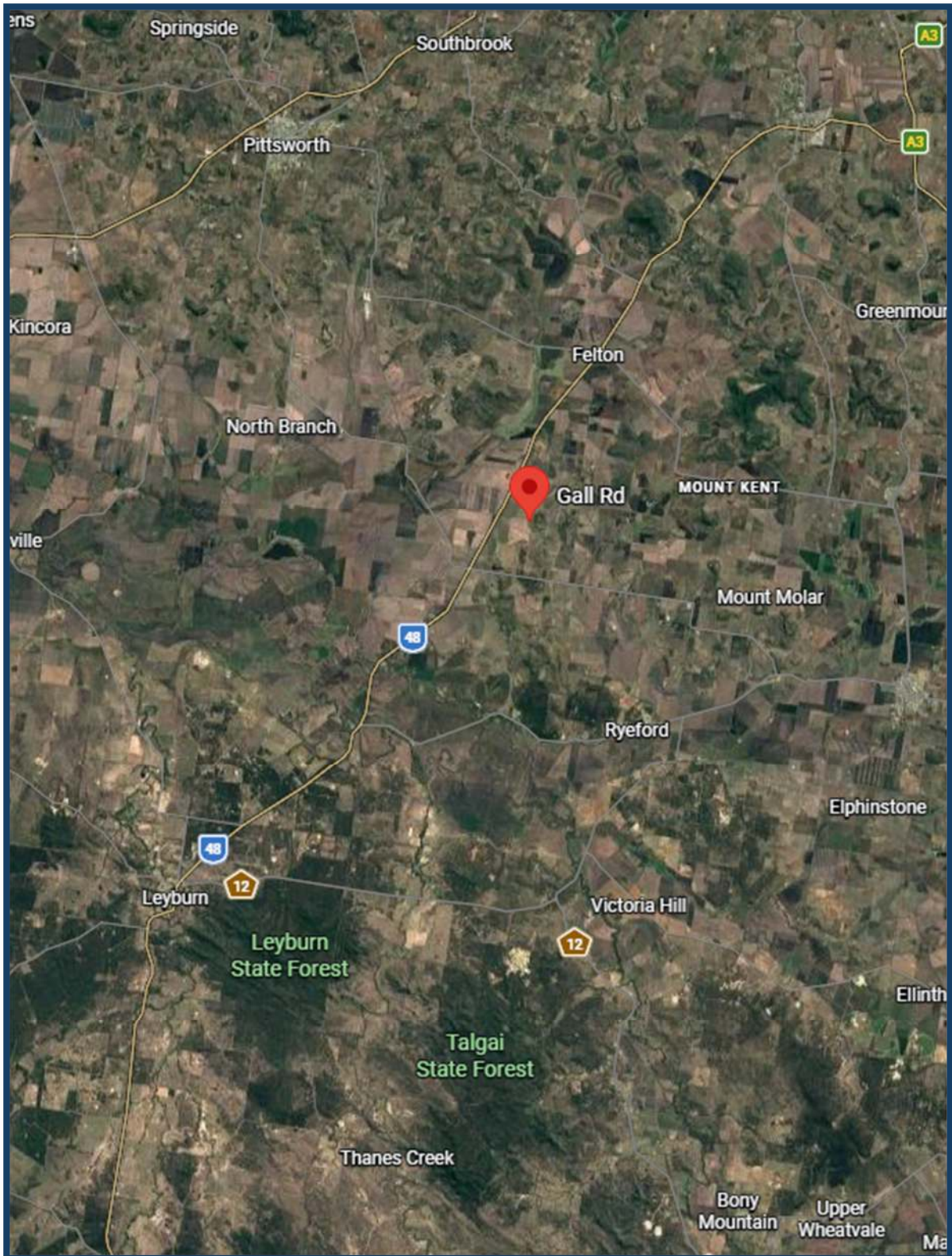


Figure 18: Surrounding Uses

(Source: Google Maps)

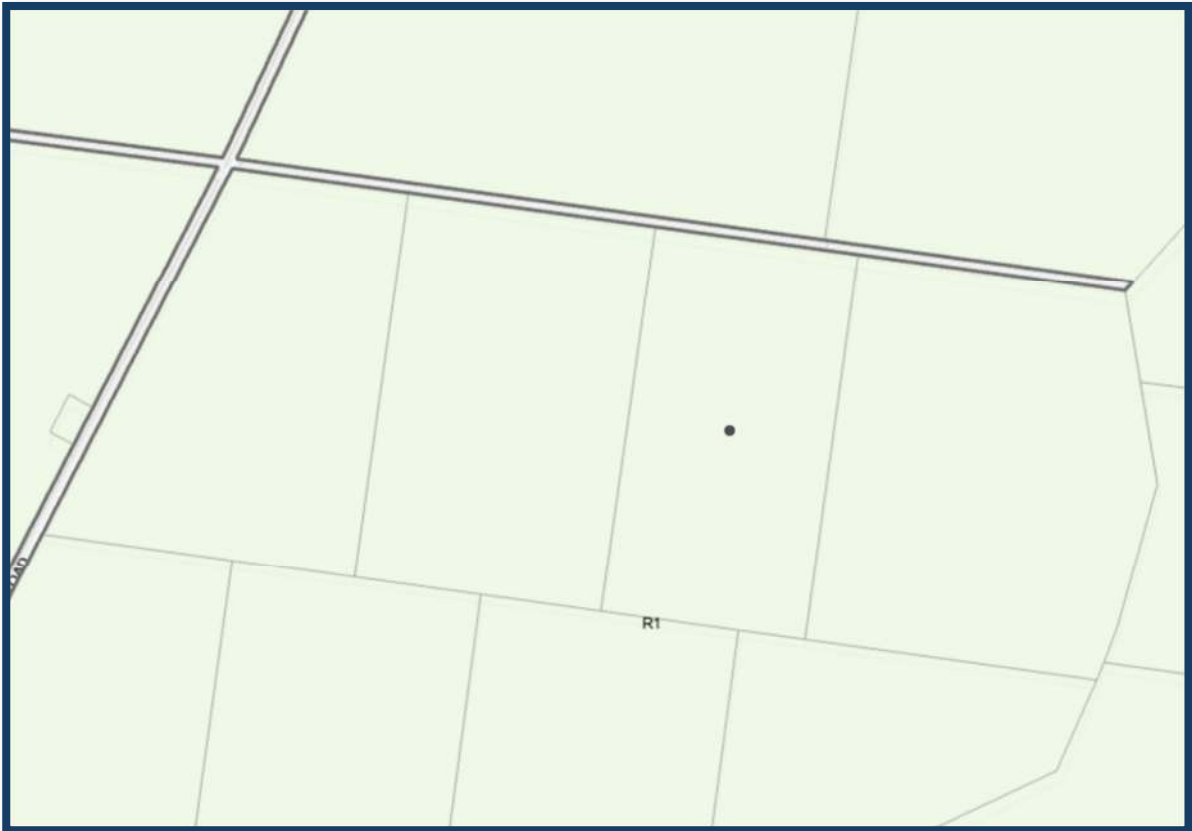


Figure 19: Surrounding Zones

(Source: TRC Online Mapping)

5. Proposed Development

Description of Proposed Reconfiguring a Lot

The applicant is seeking a Development Permit for a Reconfiguring a Lot for a Two (2) into Two (2) Lot Boundary Realignment. The proposed development will result in the rearrangement of the existing boundary lines to effectively amalgamate the agricultural land areas (i.e. existing Cropping land) that is located across both existing lots into one larger agricultural lot (proposed Lot 1) and segregate the “Dwelling House” use and “Animal Husbandry” uses into proposed Lot 2. Proposed Lot 1 will gain access via a new access location along Gall Road, and proposed Lot 2 will utilise the existing access locations along Gall Road (refer to ‘Access’ section above). The resultant lots will both be of sizes that are generally consistent with that of the surrounding generally ‘rural character’ area and will amalgamate the existing agricultural land, with the remaining land to be utilised for “Dwelling House” uses and small scale/low intensity ‘Rural Activities’ (e.g. “Animal Husbandry” uses). The proposed Boundary Realignment is Impact Assessable and relevant details are provided below:

Details	Total
General Description of Use:	Boundary Realignment
Planning Scheme Description:	Reconfiguring a Lot (Boundary Realignment – Two (2) into Two (2) Lots)
Existing Site Use:	“Dwelling House” use & ‘Rural Activities’
Existing Lot Size:	Lot 59 RP34847: 88.47 Hectares Lot 60 RP34847: 72.84 Hectares
Proposed Lot Sizes:	Lot 1: 119.32 Hectares Lot 2: 41.98 Hectares
Existing Buildings:	Dwelling house, ancillary structures and farm buildings on Lot 60 RP34847 (to be retained within proposed Lot 2)
Proposed Street/Road Access:	Gall Road
Services/Infrastructure:	The existing “Dwelling House” use (to be retained within proposed Lot 2) has access, is connected to and will maintain existing connections to available urban infrastructure including electricity, telecommunications and formed roads. Any future development within proposed Lots 1 and 2 can be connected to available urban infrastructure. The sites are not within Council’s reticulated water supply network area or its reticulated sewer network area. The existing “Dwelling House” use will continue to compliantly discharge effluent on-site and be provided with water supply via existing on-site rainwater harvesting and storage. Any future development within proposed Lots 1 and 2 would rely on on-site water storage (e.g. rainwater tanks) and on-site effluent disposal systems. Stormwater is currently compliantly discharged on-site for the existing “Dwelling House” and ancillary structures. Stormwater generated from any future development can be compliantly discharged on-site, as a result of the lot sizes and dimensions.

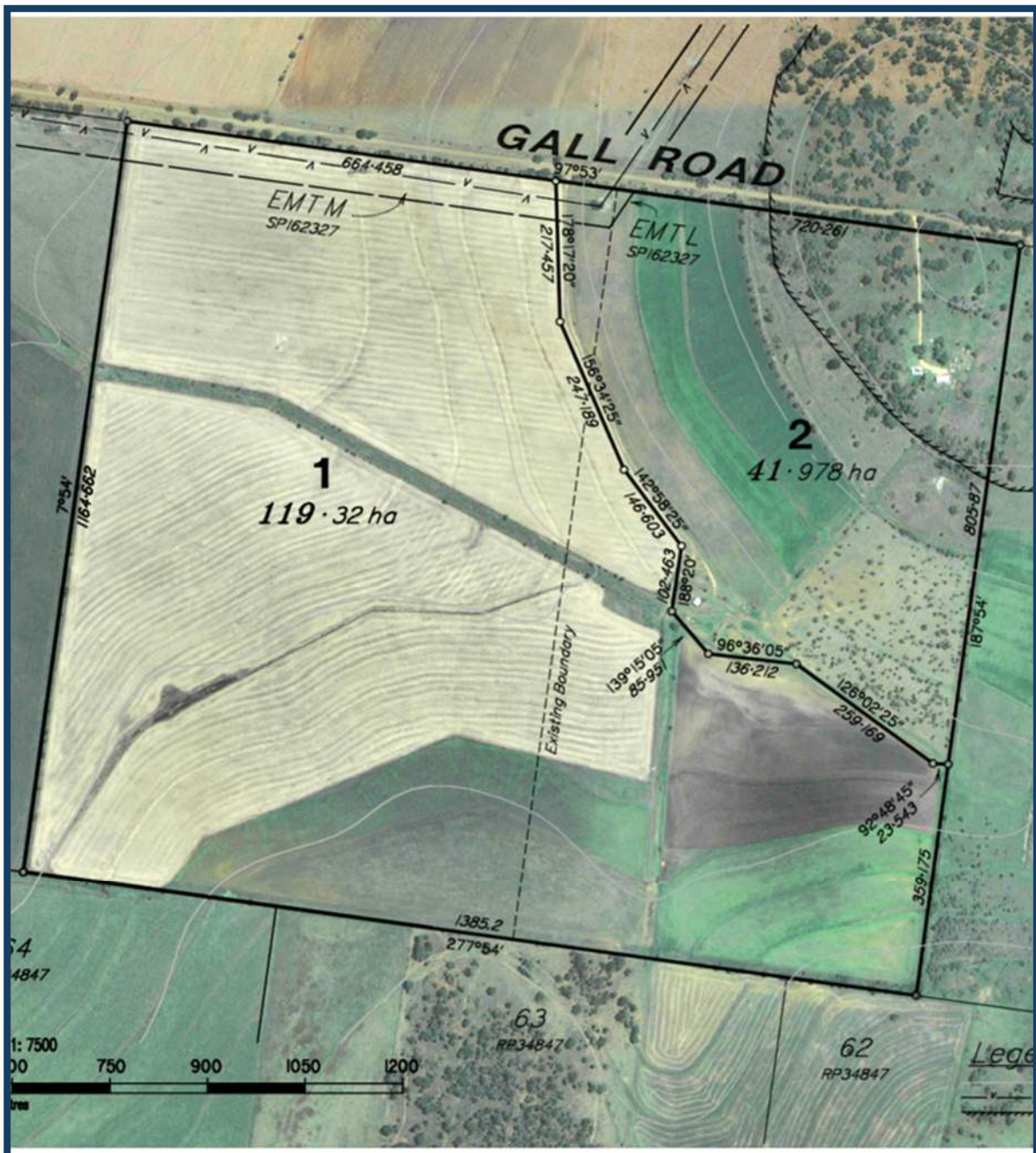


Figure 20: Proposed Reconfiguration Layout with Aerial Overlay

(Source: SMK Land Surveyors)

Details of the proposed Lots are as follows:

Proposed Lot Number	Lot Size	Dimensions	Road Access
1	119.32 Hectares	minimum depth of approx. 1,164.66 metres & frontage of approx. 664.46 metres	New access to Gall Road
2	41.98 Hectares	minimum depth of approx. 805.87 metres & frontage of approx. 720.26 metres	Retain existing access to Gall Road

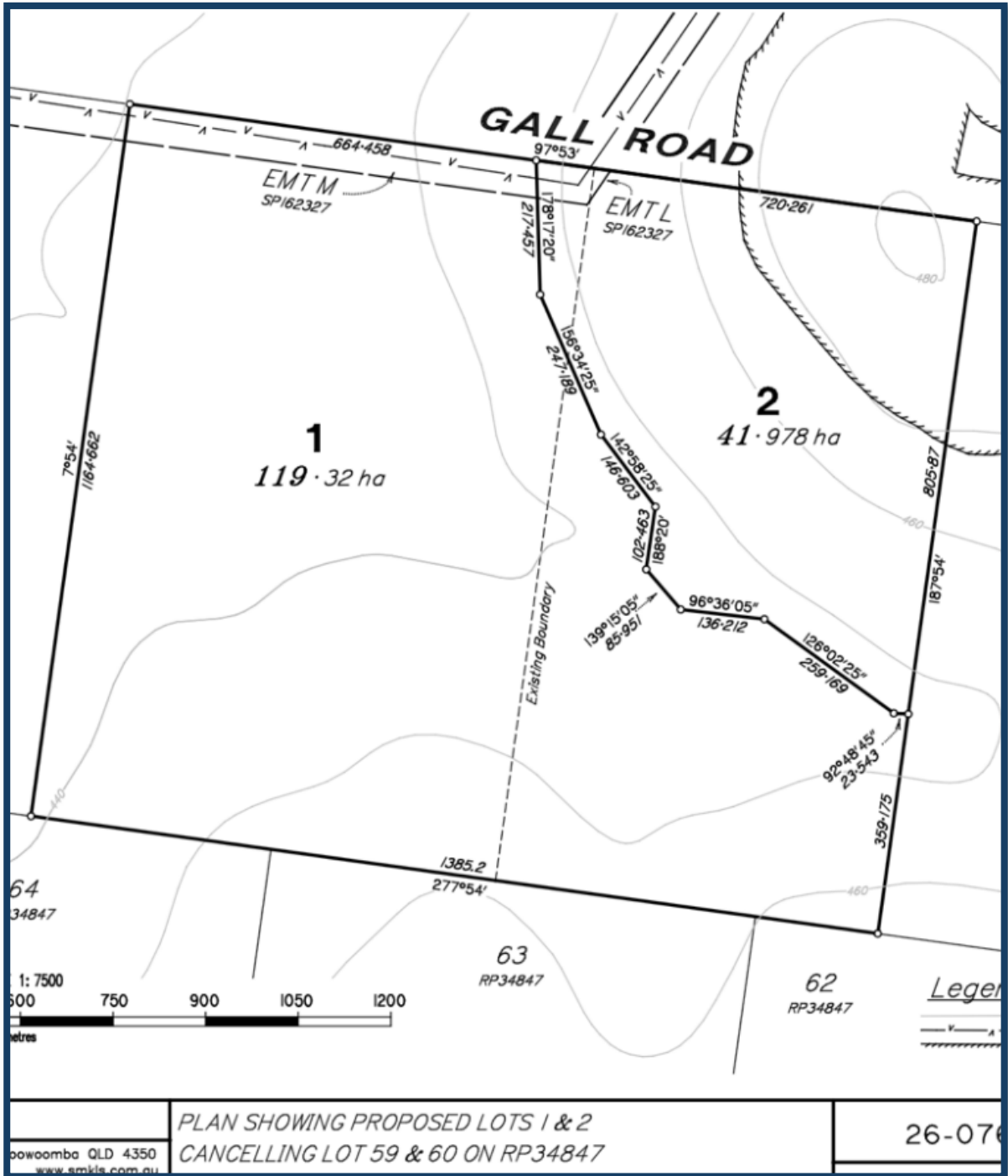


Figure 21: 'Clean Skin' Proposed Reconfiguration Layout

(Source: SMK Land Surveyors)

Earthworks

Earthworks and retaining walls are not proposed and will not be required as a result of the proposed development. Thus, it is considered that no further regard is required to earthworks in the assessment of the application and/or the conditioning of the approval.

Infrastructure

The proposed lots have access to urban infrastructure including electricity, telecommunications and formed roads. With the proposed lots and existing or future uses upon them able to be serviced by rainwater harvesting and storage for water supply, compliant on-site effluent disposal and compliant on-site stormwater discharge methods. Therefore, it is considered that no further regard to infrastructure provision/issues is required in the assessment or conditioning of the proposed development.

Access and Roads

The proposed lots, and any existing/future uses upon them, will be provided with new compliant access (for proposed Lot 1) or retain their existing lawful gravel accesses/crossovers along Gall Road (for proposed Lot 2).

It is considered that the existing external road network infrastructure is adequate for the proposed development, particularly given the existing standard, and existing and proposed usage (traffic volumes). Noting that the proposed development, which does not propose any additional lots, will not alter or increase traffic volumes and will not alter access locations or requirements.

As such, it is considered that no further regard to access, traffic infrastructure, traffic impacts or traffic management/impact mitigation is required for the proposed development.

Traffic Impacts

A formal Traffic Impact Assessment (TIA) has not been prepared for the proposed development as the proposed development will not result in any additional or altered traffic impacts upon the local and surrounding road infrastructure – as discussed above.

Character and Amenity

The proposed Reconfiguring a Lot will not affect or adversely impact upon the existing streetscape or the amenity of the surrounding area. As the proposed lots will be provided with road frontages generally as per existing circumstances, and in excess of that required within the Zone, will be provided with sufficient areas and dimensions to ensure that existing and future 'consistent uses' will be provided with compliant setback distances (i.e. 50m setback to site boundary lines for Dwelling Houses) and will have lot sizes/dimensions that are generally consistent with that of the surrounding area.

Hence, it is considered that no further regard to Character or Amenity is required for the assessment of the proposed development.

Acoustic Issues

The proposed development will not result in the potential for adverse acoustic impacts on existing or future development. Accordingly, it is considered that no further regard is required in relation to Acoustic Issues in the assessment and or conditioning of the approval by Council.

Air Quality & Dust Issues

The proposed development will not result in the potential for adverse air quality or dust impacts on existing or future development. Noting that the proposed lots are large enough to provide existing and/or adequate and compliant setback distances to site boundaries and adjoining uses, and this will be sufficient to adequately mitigate potential air quality and dust issues. As such, it is considered that no further regard is required in relation to the assessment and or conditioning of the approval by Council.

Lighting Issues

The proposed development is unlikely to produce any additional lighting impacts or issues for adjoining or adjacent uses. Thus, it is considered that no further regard to potential lighting impacts is required in the assessment of the proposed development.

Flood Hazard/Risk Issues

The proposed development will not result in the potential for adverse Flood Hazard impacts on existing or future development. Noting that the realignment will in no way impact upon or alter existing site characteristics that may affect or alter Flood Hazard impacts/risks to the site's and/or adjoining uses. Therefore, it is considered that no further regard is required to Flood Hazard/Risk issues in the assessment and/or conditioning of the approval by Council.

Environmental & Vegetation Issues

The proposed development will not result in any adverse impacts upon any ecological values or areas of remnant vegetation. The proposed new boundary line intersects a mapped waterway (drainage line) across the site. However, the proposed development will not require any physical works within the drainage corridor, will not require removal of vegetation, will not require disturbance of beds or banks, and will not impact drainage patterns or water quality. The proposed development simply seeks to

realign the common boundary of the two proposed lots in line with the physical boundaries of existing agricultural land, whilst maintaining the environmental values and function of the existing drainage line.

Therefore, it is considered that no further regard is required to Environmental & Vegetation issues in the assessment and/or conditioning of the approval by Council.

Agricultural Land Issues

The proposed Boundary Realignment will not conflict with, and generally complies with the Agricultural Land Overlay Code requirements as:

- the development will effectively amalgamate the existing agricultural land (used for Cropping) into proposed Lot 1, thereby maximising its productive capacity and improving land management practices;
- the existing "Dwelling House" use to be retained within proposed Lot 2 will maintain compliant setback distances (i.e. 50m setback to site boundary lines) to ensure there are no adverse Impacts or conflicts between residential and agricultural land uses;
- the land area of proposed Lot 1 will be of sufficient area and dimensions to ensure that any future 'consistent uses' within this vacant land can be provided with compliant setback distances to adjoining agricultural land; and
- the development will ensure no conflict with adjoining or surrounding agricultural uses as it will not result in additional lots (thus will not result in potential for additional Dwelling House uses) and will not result in reduced or non-compliant setbacks to adjoining uses.

Thus, it is considered that no further regard is required to Agricultural Land Issues in the assessment and/or conditioning of the approval by Council.

6. Statutory Planning Framework

Planning Act 2016 (PA)

The *Planning Act 2016* (PA) requires that the applicant obtain a Development Permit for an Impact Assessable Reconfiguring a Lot for the proposed Two (2) into Two (2) Lot Boundary Realignment.

Section 45 of the *PA* requires that Council assess the Impact Assessable application against all relevant sections of the *Toowoomba Regional Planning Scheme 2012*.

In accordance with *Section 68(1)* of the *PA* this application is submitted and should be assessed in accordance with the *Development Assessment Rules*.

State Planning Policy (July 2017)

The Queensland Government introduced a single State Planning Policy (SPP) in December 2013 which replaced previous State Planning Policies and was subsequently amended in April 2016 and again in July 2017. The SPP provides a comprehensive set of principles which underpin Queensland's planning system to guide the State and local government in land use planning and development assessment. The State Planning Policy applies to the proposed development. The State Planning Policy identifies all state interests in one policy and replaces previous State Planning Policies. The policy seeks to guide local governments and relevant state agencies in their planning processes. The State Planning Policy contains 17 state interests contained within five (5) broad themes, as follows:

- Liveable Communities and Housing;
- Economic Growth;
- Environment and Heritage;
- Safety and Resilience to Hazards; and
- Infrastructure.

Schedule 2 of the *Planning Act 2016* defines state interests as an interest that the Minister considers:

- (a) *affects an economic or environmental interest of the State or a part of the State; or*
- (b) *affects the interest of ensuring this Act's purpose is achieved.*

State Planning Policy Mapping

The SPP Mapping Layers that apply to the subject land (as shown on DSDIPs SPP Interactive Mapping System (DA)) are listed below:

1. BIODIVERSITY
 - MSES – Regulated vegetation (intersecting a watercourse)
2. AGRICULTURE
 - Important agricultural areas
 - Agricultural land classification – class A and B
3. ENERGY AND WATER SUPPLY
 - Major electricity infrastructure (Powerlink)
4. NATURAL HAZARDS RISK AND RESILIENCE
 - Flood hazard area – local government flood mapping area
 - Bushfire Prone Area



Figure 22: State Planning Policy Map

(Source: State Planning Policy Mapping)

Interim Development Assessment Requirements

In order to demonstrate compliance with the state interests the proposal must be assessed against the applicable Interim Development Assessment Requirements of the State Planning Policy.

Part E of the SPP lists the state interests for which interim development assessment requirements have been prepared by the State, when the requirements apply to development and what the development application is to be assessed against.

These state interests are:

- Housing Supply and Diversity;
- Liveable Communities;
- Agriculture;
- Development and Construction;
- Mining and extractive resources;
- Tourism;
- Biodiversity;
- Coastal environment;
- Cultural Heritage;
- Water quality;
- Emissions and hazardous activities;
- Natural Hazards, Risk and Resilience;
- Energy and Water Supply;
- Infrastructure Integration;
- Transport Infrastructure;
- Strategic Airports and Aviation Facilities;
- Strategic Ports.

The proposed development has been assessed against the applicable state interests included under *Part E: State Interest Policies and Assessment Benchmarks* of the SPP and where relevant is considered to comply accordingly.

Liveable Communities and Housing

Housing Supply and Diversity

Diverse, accessible and well-serviced housing, and land for housing, is provided and supports affordable housing outcomes.

This state interest does not apply to the proposed development.

Liveable Communities

Liveable, well-designed and serviced communities are delivered to support wellbeing and enhance quality of life.

The Liveable communities state interest development assessment requirements apply to a development application in an urban area involving premises that is, or will be, accessed by common private title, for:

- (1) a material change of use, or reconfiguring a lot; and*
- (2) the application involves buildings – either attached or detached – that are not covered by other legislation or planning provisions mandating fire hydrants.*

This state interest does not apply to the proposed development.

Economic Growth

Agriculture

The resources that agriculture depends on are protected to support the long-term viability and growth of the agricultural sector.

This state interest does apply to the proposed development. However, this state interest is addressed within the Planning Scheme's Agricultural Land Overlay Code, to which the proposed development complies. As demonstrated within this Report the proposed development generally

complies with the Agricultural Land Overlay Code and it is considered that the proposed development complies with and is not in conflict with this State Interest.

Development and Construction

Employment needs, economic growth, and a strong development and construction sector are supported by facilitating a range of residential, commercial, retail, industrial and mixed use development opportunities.

This state interest does not apply to the proposed development.

Mining and Extractive Resources

Extractive resources are protected and mineral, coal, petroleum and gas resources are appropriately considered to support the productive use of resources, a strong mining and resource industry, economical supply of construction materials, and avoid land use conflicts where possible.

The Mining and extractive resources state interest development assessment requirements apply to:

- (1) reconfiguring a lot within a KRA; or*
- (2) a material change of use within the resource/processing area of a KRA or the separation area for the resource/processing area of a KRA; or*
- (3) a material change of use within the transport route separation area of a KRA that will result in an increase in the number of people working or residing in the transport route separation area.*

However, requirements (2) and (3) above do not apply to the assessment of a material change of use for a:

- (a) dwelling house on an existing lot; or*
- (b) home-based business (where not employing more than two non-resident people on a full-time equivalent basis); or*
- (c) caretaker's accommodation (associated with an extractive industry); or*
- (d) animal husbandry; or*
- (e) cropping.*

This state interest does not apply to the proposed development.

Tourism

Tourism planning and development opportunities that are appropriate and sustainable are supported, and the social, cultural and natural values underpinning tourism developments are protected.

This state interest does not apply to the proposed development.

Environment and Heritage

Biodiversity

Matters of environmental significance are valued and protected, and the health and resilience of biodiversity is maintained or enhanced to support ecological processes.

This state interest does apply to the proposed development. However, this state interest is addressed within the Planning Scheme's Environmental Significance Overlay Code, to which the proposed development complies. As demonstrated within this Report the proposed development complies with the Environmental Significance Overlay Code and it is considered that the proposed development complies with and is not in conflict with this State Interest.

Coastal Environment

The coastal environment is protected and enhanced, while supporting opportunities for coastal-dependent development, compatible urban form, and maintaining appropriate public use of and access to, and along, state coastal land.

This state interest does not apply to the proposed development.

Cultural Heritage

The cultural heritage significance of heritage places and heritage areas, including places of Aboriginal and Torres Strait Islander cultural heritage, is conserved for the benefit of the community and future generations.

This state interest does not apply to the proposed development.

Water Quality

The environmental values and quality of Queensland waters are protected and enhanced.

The Water Quality state interest applies to:

For Receiving Waters, a development application for:

- (1) a material change of use for an urban purpose that involves premises 2500 metres² or greater in size and;
 - (a) will result in six or more dwellings; or
 - (b) will result in an impervious area greater than 25 per cent of the net developable area; or
- (2) reconfiguring a lot for an urban purpose that involves premises 2500 metres² or greater in size and will result in six or more lots; or
- (3) operational works for an urban purpose that involves disturbing a land area 2500 metres² or greater in size.

This state interest does not apply to the proposed development.

Safety and Resilience to Hazards

Emissions and hazardous activities

Community health and safety, and the natural and built environment, are protected from potential adverse impacts of emissions and hazardous activities. The operation of appropriately established industrial development, major infrastructure, and sport and recreation activities is ensured.

This state interest does not apply to the proposed development.

Natural Hazards, Risk and Resilience

The risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards.

The Natural Hazards state interest development assessment requirements apply to a development application for a material change of use, reconfiguration of a lot or operational works on premises in any of the following:

- (1) bushfire prone areas
- (2) flood hazard areas
- (3) landslide hazard areas
- (4) storm tide inundation areas
- (5) erosion prone area.

This state interest applies to the proposed development. However, the *Toowoomba Regional Planning Scheme 2012* adequately addresses the Natural Hazards, Risk and Resilience considerations of this State interest within its Bushfire Hazard Overlay Code and Flood Hazard Overlay Code, to which the proposed development complies. Therefore, it is considered that the proposal complies with the requirements of this State interest and will not result in a conflict with it.

Infrastructure

Energy and Water Supply

The timely, safe, affordable and reliable provision and operation of electricity and water supply infrastructure is supported and renewable energy development is enabled.

This state interest does apply to the proposed development. However, the proposed development will not impact upon the existing electricity infrastructure intersecting the northern boundary of the lots and it is considered that the proposal complies with the requirements of this State interest.

Infrastructure Integration

The benefits of past and ongoing investment in infrastructure and facilities are maximised through integrated land use planning.

This state interest does not apply to the proposed development.

Transport Infrastructure

The safe and efficient movement of people and goods is enabled, and land use patterns that encourage sustainable transport are supported.

This state interest does not apply to the proposed development.

Strategic Airports and Aviation Facilities

The operation of strategic airports and aviation facilities is protected, and the growth and development of Queensland's aviation industry is supported.

This state interest does not apply to the proposed development.

Strategic Ports

The operation of strategic ports and priority ports is protected and their growth and development is supported.

This state interest does not apply to the proposed development.

Referral Agencies

Mapping of State Interests

The SDAP Mapping Layers that apply to the subject land as shown on DSDIPs DA Mapping System are listed below:

1. Water Resources
 - Water resource planning area boundaries
 - Great artesian water resource plan area
2. Native Vegetation Clearing
 - Regulated vegetation management map (Category A and B extract)

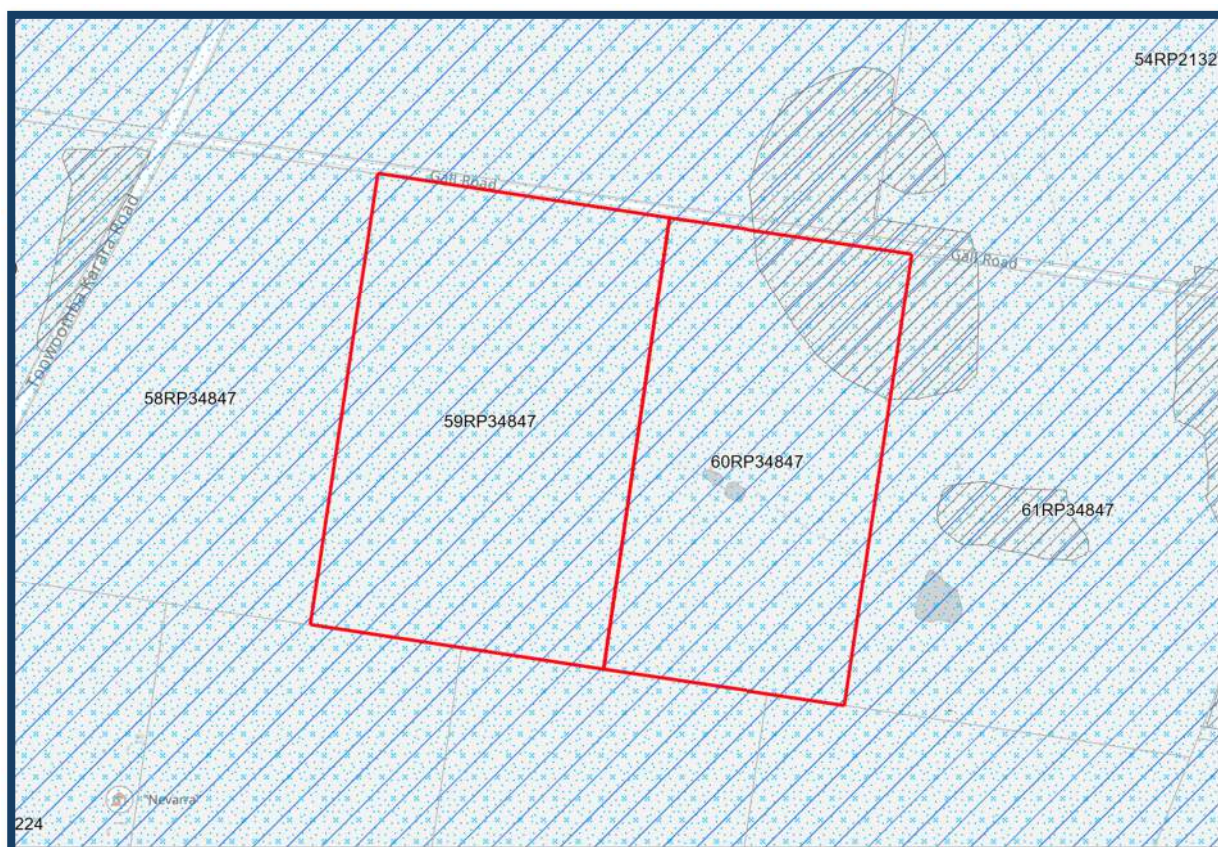


Figure 23: State Interests Mapping

(Source: DSDIP Mapping)

State Referral Triggers

In accordance with the *Planning Regulation 2017* the proposed development does not require referral to the State.

State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) set out matters of interest to the state for development assessment, where the chief executive administering the *Planning Act 2016* (the Act) is responsible for assessing or deciding development applications.

The SDAP contains the criteria for assessment by the chief executive as either an assessment manager or a referral agency. The SDAP is not applied by local government in the assessment of development applications and only applications that trigger referral to the state must be assessed against the applicable provisions (SDAP).

Mapping of Non-State Interests

The Non-SARA Mapping Layers that apply to the subject land as shown on DSDIPs DA Mapping System are listed below:

1. Electricity Infrastructure
 - Powerlink easement

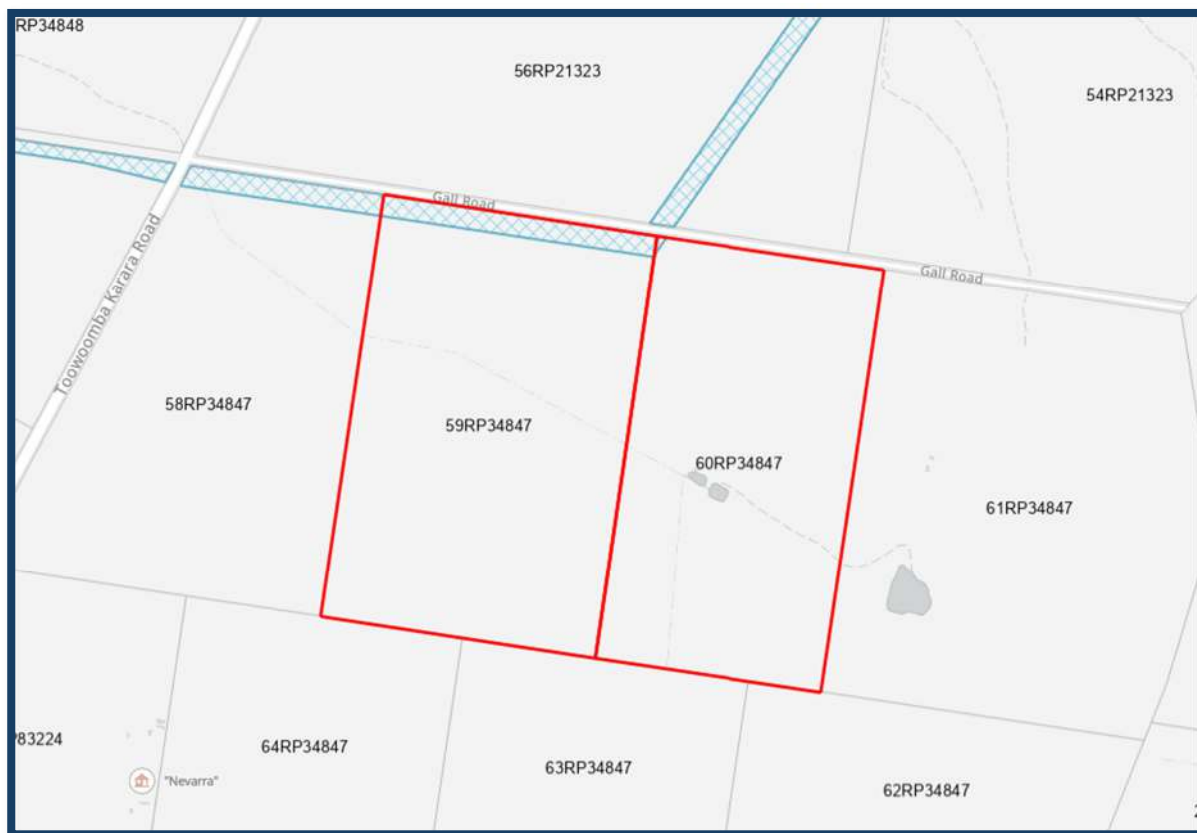


Figure 24: Non-SARA Mapping

(Source: DSDIP Mapping)

State Referral Triggers

In accordance with the *Planning Regulation 2017* the proposed development does not require referral to the State.

State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) set out matters of interest to the state for development assessment, where the chief executive administering the *Planning Act 2016* (the Act) is responsible for assessing or deciding development applications.

The SDAP contains the criteria for assessment by the chief executive as either an assessment manager or a referral agency. The SDAP is not applied by local government in the assessment of development applications and only applications that trigger referral to the state must be assessed against the applicable provisions (SDAP).

Non-State Referral Triggers

In accordance with the *Planning Regulation 2017, Schedule 10, Part 9, Division 2, Table 1, Item 1*, the proposed development requires referral to Powerlink for Electricity Infrastructure matters, as “all or part of the premises are subject to an easement (i) for the benefit of a distribution entity, or transmission entity, under the Electricity Act; and (ii) for a transmission grid or supply network”. The required referral to Powerlink is for advice only.

The subject application will be compliantly referred to Powerlink after receipt of Council’s Confirmation Notice.

Darling Downs Regional Plan

The Darling Downs region has long been one of Queensland's most important agricultural assets, accounting for around a quarter of the state's agricultural production. From agriculture, the region developed into a diverse and resilient economy. Mining has also been a mainstay of the Darling Downs economy. The large reserves of thermal coal and coal seam gas in the Surat Basin continue to attract international investment.

The Darling Downs Regional Plan, adopted on 14 October 2013, covers the local authority areas of:

- Balonne Shire Council
- Goondiwindi Regional Council
- Maranoa Regional Council
- Southern Downs Regional Council
- Toowoomba Regional Council
- Western Downs Regional Council

The policies contained in the regional plan will contribute towards the protection of strategic areas of priority agricultural land use from potentially incompatible resource activities and maximise opportunities for co-existence of resources and agricultural land use.

It is considered that the development satisfies the outcomes of the Darling Downs Regional Plan.

7. Toowoomba Regional Planning Scheme 2012

The following provides an assessment of the proposed development against the applicable provisions of the *Toowoomba Regional Planning Scheme 2012*.

Definition of Proposed Use/Development

The proposed development is defined as a “Reconfiguring a Lot” (Boundary Realignment – Two (2) into Two (2) Lots) under the *Toowoomba Regional Planning Scheme 2012*.

Level of Assessment

The proposed “Reconfiguring a Lot” for a Two (2) into Two (2) Lot Boundary Realignment is Impact Assessable development within the Rural Zone under the *Toowoomba Regional Planning Scheme 2012* – as one of the proposed lots is less than 100 Hectares.

Assessment Against Strategic Framework

The following provides an assessment of the proposed development against the Planning Scheme’s Strategic Framework:

Themes	Response
Settlement Pattern	The proposed development will not result in a conflict with this ‘theme’. The proposed development will not adversely impact upon the ‘network of towns’ or desired ‘compact urban form’ and instead provides appropriate development that generally maintains existing uses, character and residential densities within the locality.
Natural Environment	As discussed within this report, the proposed development will not have an adverse impact upon the natural environment as demonstrated herein and therefore, will not result in a conflict with this ‘theme’.
Community Identity	As discussed herein, the proposed development will not result in a conflict with this ‘theme’ and maintains the existing character of the area.
Natural Resources and Landscape	As discussed herein, the proposed development will not adversely impact upon natural resources and will maintain the existing character of the area; and the proposed development will not impact upon existing scenic landscapes. Therefore, the proposed development will not result in a conflict with this ‘theme’.
Access and Mobility	The proposed development will not result in a conflict with this ‘theme’ as it will be connected to and will not result in adverse impacts upon the existing transport network, as discussed herein.

Infrastructure and Services	The proposed development will not result in a conflict with this 'theme' as it will not adversely impact upon existing or future infrastructure delivery/services; and will not compromise existing/future infrastructure networks, as discussed herein.
Economic Development	The proposed development will not result in a conflict with this 'theme' and will not result in adverse impacts upon the contribution of rural land uses to the regional economy, as discussed and demonstrated within this Report.

Therefore, it is considered that the proposed use is generally consistent with, and is not in conflict with, the Strategic Framework of the Planning Scheme.

Assessment Against Purpose and Intent of the Rural Zone Code

The following provides an assessment of the proposed development against the Purpose and Intent of the Rural Zone:

(1) The purpose of the zone is to:

- (a) provide for a wide range of rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;***

Complies – the proposed development will enable the ongoing achievement of this purpose generally in line with the existing circumstances.

Refer also to 'Agricultural Land Issues' section within Section 5 of this Report.

- (b) provide opportunities for non rural uses that are compatible with agriculture, the environment, and the landscape character of the rural area where they do not compromise the long term use of the land for rural purposes; and***

Complies – the proposed development will generally allow for the achievement of and will not conflict with this purpose.

Furthermore, the proposed realignment will not result in the introduction of new or additional uses that are potentially incompatible with surrounding rural activities/uses.

Refer also to 'Agricultural Land Issues' section within Section 5 of this Report.

- (c) protect or manage significant natural features, resources, and processes, including the capacity for primary production.***

Complies – the proposed development will allow for the achievement of and will not conflict with this purpose. As it will not impact upon natural features on the site and it will enable the ongoing use of primary production uses generally as per existing circumstances.

Refer also to 'Agricultural Land Issues' section within Section 5 of this Report.

In addition, the zone code aims to:

- (a) protect the productive capacity of all rural land for rural use;***

Complies – as above.

- (b) protect water quality and the ecological and hydrological processes of waterways and wetlands;***

Complies – the proposed development will have no potential adverse impacts on the mapped waterway.

- (c) ***protect the landscape character and its associated visual and scenic amenity;***
Complies – the proposed development will provide road frontage widths and lot sizes consistent with that of the surrounding area; and the development will not propose or require earthworks or vegetation clearing.
- (d) ***minimise the potential for conflict between rural uses and other uses;***
Complies – refer to (a) above. The proposed development will minimise the potential for conflict between rural uses and other uses. Refer also to ‘Agricultural Land Issues’ section within Section 5 of this Report.
- (e) ***provide for the establishment of appropriately scaled agri- and eco-tourism activities that are based on farm life or primary production in the locality, or on the scenic or environmental values of the locality;***
Complies – complies with and will not result in a conflict with this element.
- (f) ***provide for intensive animal industries including feedlots, piggeries and poultry farms; and***
Complies – complies with and will not result in a conflict with this element.
- (g) ***protect rural land from fragmentation that diminishes its productive capacity.***
Complies – the proposed development will result in the amalgamation of existing cropping land, thereby optimising its productive capacity.
Refer also to ‘Agricultural Land Issues’ section within Section 5 of this Report.

Therefore, the proposed development is considered to generally comply with and will not result in a conflict with the ‘Purpose’ of the Zone Code.

(2) The overall outcomes sought for the zone code are as follows:

- (a) ***areas used or suitable for primary production are conserved and are not further fragmented;***
Complies – the proposed development will effectively amalgamate existing agricultural land used for cropping, thereby conserving its use for primary production.
- (b) ***the establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;***
Complies – the proposed development will maintain the existing cropping activities as well as animal husbandry activities operating on the sites. The proposed development will not affect the ongoing operation of these activities.
Refer also to ‘Agricultural Land Issues’ section within Section 5 of this Report.
- (c) ***uses that require isolation from urban areas as a consequence of their impacts, such as noise or odour, may be appropriate where land use conflicts are minimised;***
N/A.
- (d) ***development incorporates sustainable land management and other sustainable practices that maximise energy efficiency, water conservation and encourages sustainable transport use;***
Complies – the proposed development will not result in a conflict with this element.
- (e) ***development contributes to the amenity and landscape character of the area;***
Complies – as above.
- (f) ***the establishment of non-rural activities that are directly associated with and subordinate to rural production, natural resources and landscape amenity is facilitated in a manner that minimises land use conflicts and is compatible with the character and environmental values of the locality. Suitable activities may***

include small-scale outdoor recreation, tourism facilities, short-term accommodation, home based businesses, and produce sales;

N/A.

(g) rural industries are facilitated where:

- (i) associated with rural production in the immediate vicinity;**
- (ii) avoiding or minimising adverse impacts on the amenity of the locality; and**
- (iii) compatible with the infrastructure in the locality.**

N/A.

(h) natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and provided with appropriate buffers from development;

Complies – as above.

(i) adverse impacts of land use, both on-site and on adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management;

N/A – does not propose a use. However, it is noted that the proposed lots will be provided with significant dimensions to ensure that existing and future consistent uses can either maintain existing separation distances or be provided with compliant separation distances to boundary lines and adjoining uses.

(j) existing intensive animal industries are protected from the intrusion of non rural activities such as small-scale outdoor recreation and tourism facilities;

Complies – will not result in a conflict with this element.

(k) the viability of both existing and future rural uses and activities are protected from the intrusion of incompatible uses; and

Complies – will not result in a conflict with this element. Refer also to the above assessment of the proposed development against the purpose of the Zone Code.

(l) development has access to development infrastructure including utility installations and essential services.

Complies.

The proposed development is considered to generally comply with and will not result in a conflict with the *overall outcomes sought for the zone code*.

100 Hectare Precinct

(3) The overall outcome of the 100 Hectare Precinct within the Rural Zone is that the productive, natural and landscape values of highly fragmented rural land are preserved by the prevention of further fragmentation by reconfiguring a lot creating inappropriate lot sizes that do not support these outcomes.

The proposed development complies with the overall outcomes for the 100 Hectare Precinct as the proposed development is for a Boundary Realignment only and does not propose the creation of new lots that would result in further land fragmentation of agricultural land. Rather, the proposed development will effectively amalgamate the existing agricultural land used for cropping across the sites.

Applicable Codes

The following Codes within the *Toowoomba Regional Planning Scheme 2012* apply to the proposed development, and an overview of the assessment of the proposal's compliance with said Codes is outlined below.

- Rural Zone Code;
- Reconfiguring a Lot Code;
- Agricultural Land Overlay Code;
- Bushfire Hazard Overlay Code;

- Environmental Significance Overlay Code; and
- Flood Hazard Overlay Code.

The proposed development generally complies with the applicable Planning Scheme Codes. See detailed assessment against the applicable Codes attached within Appendix C of this report.

Public Notification

As the application is Impact Assessable, Public Notification of the application will be required to be carried out pursuant to the *Planning Act 2016*.

8. Conclusion

The proposed Reconfiguring a Lot (Boundary Realignment – Two (2) into Two (2) Lots) at Lots 59 & 60 Gall Road, Felton South (described as Lot 59 RP34847 and Lot 60 RP34847) is over land within the Rural Zone (100 Hectare Precinct) within an existing 'rural area'.

As per the detailed assessment of the proposed development herein the proposed development generally complies with the Strategic Outcomes, Purpose and Intent of the Rural Zone (100 Hectare Precinct) and the applicable codes of the *Toowoomba Regional Planning Scheme 2012*; as well as the *Darling Downs Regional Plan*, the *State Planning Policy* and the *State Development Assessment Provisions* (SDAP Codes).

As it has been demonstrated that the proposed Reconfiguring a Lot (Boundary Realignment) complies with the requirements of the *Planning Act 2016*, the *Darling Downs Regional Plan*, the *State Planning Policy*, the *State Development Assessment Provisions* (SDAP Codes) and the *Toowoomba Regional Planning Scheme 2012*, it is considered that approval of the subject application is warranted; and therefore, the approval of the application by Council is respectfully recommended.

Appendix A

Proposal Plans

Appendix B

DA Form 1

Appendix C

Detailed Assessment of **Applicable Planning** **Scheme Codes**

Rural Zone Code

Rural Zone Code – Requirements for accepted development and assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
General		
PO₁ Setbacks are provided to: (a) avoid potential nuisance to neighbours; (b) protect residential amenity; and (c) maintain the local landscape character.	AO_{1.1} Non-residential buildings, animal enclosures, storage facilities and waste disposal areas are setback the following distances from any: (a) dwelling on adjoining land in the Rural Zone - 50m; (b) land included in the low Density Residential, Low-medium Density Residential, Township, Emerging Community or the Rural Residential Zones - 100m.	N/A
PO₂ Development does not adversely impact on the character of the locality, having regard to the scale and visibility of buildings.	AO_{2.1} Building height (other than for silos, windmills and similar farming infrastructure) does not exceed two (2) storeys or 10.5m in height above natural ground level.	N/A
Roadside Stalls and Shops		
PO₃ The display and sale of goods does not impact negatively upon the amenity, character or safety of rural areas and the safety and efficiency of roads.	AO_{3.1} Any structure used for the sale of goods or produce is limited to 25m ² gross floor area. AO_{3.2} Access to the structure is via the primary property access point.	N/A

Performance Outcomes	Acceptable Outcomes	Response
	AO_{3.3} Produce or goods sold are grown, made or produced on or adjacent to the land on which the road side stall is erected.	
Dwelling House		
PO₄ Dwellings have safe, all weather road access.	AO_{4.1} Formed road access is provided to the dwelling.	N/A
PO₅ An adequate, safe and reliable supply of potable and general use water is provided.	AO_{5.1} The dwelling is connected to a rainwater tank with a capacity of at least 45,000 litres.	N/A
PO₆ Wastewater generated on site is treated and disposed of in a sustainable manner.	AO_{6.1} Wastewater is treated and disposed of in accordance with the <i>Queensland Plumbing and Wastewater Code (QPW)</i> .	N/A
PO₇ The location of any dwelling does not compromise the continued operation of an existing or approved intensive animal industry, extractive industry or other uses that are incompatible with residential development.	AO_{7.1} The dwelling is located at least 1,000m from an existing or approved intensive animal industry operation. AO_{7.2} The dwelling is separated from an extractive industry by at least: (a) 500m from a hard rock extractive industry; (b) 200m from a sand and gravel extractive industry; and (c) 100m from a haul route. AO_{7.3} The dwelling is setback from site boundaries by 50m.	N/A

Performance Outcomes	Acceptable Outcomes	Response
Caretaker's Accommodation		
PO₈ Development provides for the accommodation of a caretaker, and their family members, in a manner that: (a) does not compromise the productivity of use; (b) is safe and comfortable for the amenity residents; and (c) has regard to the landscape and private recreation needs of the residents.	AO_{8.1} A caretaker's accommodation is: (a) separated from significant levels of emissions (adverse to human health or amenity) generated by the use/s of the site by at least 6m; (b) provided with a private landscape and recreation area which: (i) is directly accessible from a habitable room; and (ii) if at ground level, has a minimum area of 16m² with minimum dimensions of 4m; and (iii) if a balcony, a veranda or a deck, has a minimum¹ area of 8m² with minimum dimensions of 2.4m. AO_{8.2} No more than one (1) caretaker's accommodation is established per non-residential use.	N/A

¹ Amended on 27 April 2018

Performance Outcomes	Acceptable Outcomes	Response
Noise Amenity		
PO₉ The use does not adversely impact on the amenity of the surrounding residential land uses and/or residential streetscape character.	AO9.1 New building plant or air-conditioning equipment is located central to the building and screened from view of the street or nearby residential uses.	N/A
Outdoor lighting		
PO₁₀ Outdoor lighting maintains the amenity of the surrounding area and does not adversely impact the safety for vehicles or pedestrians on the adjoining street as a result of light emissions, either directly or by reflection.	AO10.1 Outdoor lighting is restricted to low level security lighting only. AO10.2 Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.	N/A
Building Work (not associated with a Material Change of Use)		
PO₁₁ Provision is made for on-site vehicle parking to meet the demand likely to be generated by the development and to avoid on-street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.	PO11.1 Car parking is provided in accordance with the Transport, Access and Parking Code.	N/A
PO₁₂ Landscaping makes a positive contribution to the site and the amenity of the	PO_{12.1} No reduction of previously approved landscaping areas is to occur.	N/A

Performance Outcomes	Acceptable Outcomes	Response
surrounding area and existing landscaping is not diminished.		
PO₁₃ Stormwater resulting from roofed areas is collected and discharged in a manner that does not adversely affect the stability of buildings or the use of adjacent land.	PO_{13.1} Roof water is collected and discharged in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure. ²	N/A
PO₁₄ Wastewater treatment and disposal is provided that is appropriate for the level of demand generated, protects public health and avoids environmental harm.	PO14.1 Where within a wastewater area, the development is connected to the Council's reticulated wastewater system in accordance with SC6.3 PSP No.3 Engineering Standards – Water and Wastewater Infrastructure. OR PO14.2 Waste water systems and connections are designed and constructed in accordance with SC6.3 PSP No.3 Engineering Standards - Water and Wastewater Infrastructure.	N/A

Rural Zone Code – Assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Cropping being Forestry		
PO₁ Forestry is established, maintained and operated in a manner that protects the amenity of the locality.	AO_{1.1} Use of equipment and machinery and haulage associated with forestry is restricted to: (a) Monday to Saturday – 7:00 am - 7:00 pm; and (b) Sunday and Public Holidays – 8:00 am – 7:00 pm. AO_{1.2} Forestry does not occur on land having slopes steeper than 15%.	N/A
PO₂ Adverse consequences of road traffic from harvesting activities on the road network are avoided.	No acceptable outcome is nominated.	N/A
PO₃ Forestry is established, maintained and harvested in a manner that maintains the environmental integrity, catchment values and the ecological values of the site.	AO_{3.1} Land is not left in a disturbed and exposed condition, and is rehabilitated following harvesting. ³	N/A
Uses		
PO₄ The zone primarily accommodates rural activities and related ancillary uses or compatible uses consistent with the	AO_{4.1} Uses which are consistent with the intent of the zone include: (a) rural activities;	N/A

³ A program of progressive rehabilitation including re-establishing and stabilising drainage flow paths, mulching and spreading forest wastes not used for commercial purposes may be required.

Performance Outcomes	Acceptable Outcomes	Response
values and features of the zone including its rural production capacity, natural resources and scenic landscape amenity.	(b) dwelling house where associated with rural activities; (c) caretaker's accommodation; (d) emergency services; (e) home based business; (f) major electricity infrastructure; (g) nature-based tourism; (h) outstation; (i) rural works' accommodation; (j) substation; (k) transport depot (where in the Heinemann Road Transport Precinct); and⁴ (l) warehouse (where in the Heinemann Road Transport Precinct and for the overnight storage of trucks and other road transport vehicles and the temporary storage of goods awaiting reshipment). AO_{4.2} Uses which are inconsistent with the intent of the zone include: (a) business activities; (b) accommodation activities (other than dwelling houses and short-term accommodation); (c) entertainment activities; (d) industry activities other than rural industry and extractive industry activities and industries requiring isolation from urban areas; and (e) recreation activities.	
PO₅ Rural industries are established only where associated with rural production in the immediate vicinity.	No acceptable outcome is nominated.	N/A

⁴ Amended on 27 April 2018

Performance Outcomes	Acceptable Outcomes	Response
PO ₆ Tourism and recreation related uses are established only where they are small in scale and are directly associated with rural production, natural resources and landscape amenity in the immediate vicinity.	No acceptable outcome is nominated.	N/A
Rural Character		
PO ₇ Buildings are have a low rise, rural character.	AO _{7.1} Building height (other than for silos, windmills and similar farming infrastructure) does not exceed two (2) storeys or 10.5m in height above natural ground level.	N/A
PO ₈ Development does not unduly impact on the rural amenity and character of the locality, having regard to: (a) the scale, siting and design of buildings and structures; (b) visibility from roads and other public view points, screening vegetation and landscaping; and (c) the natural landform and avoidance of visual scarring; (d) noise, odour and other emissions.	No acceptable outcome is nominated.	N/A
PO ₉ Roads and other infrastructure are of a sufficient capacity to accommodate the demands generated by the development.	No acceptable outcome is nominated.	Complies – refer to Infrastructure section within Section 5 of this Report.

Performance Outcomes	Acceptable Outcomes	Response
Rural Viability and Managing Conflicts		
PO₁₀ Development does not restrict the ongoing operation or viability of nearby rural uses.	No acceptable outcome is nominated.	Complies – the proposed development will not result in the creation of additional lots in close proximity to existing or potential future rural uses; and will not result in the introduction of a use that is incompatible with surrounding rural activities uses. Refer also to assessment of Agricultural Land Overlay Code below and ‘Purpose and Intent of Rural Zone’ section within Section 7 of this Report.
PO₁₁ Development that may be sensitive to the spray drift, odour, noise, dust, smoke and ash potentially associated with agricultural activities is adequately separated or buffered to avoid significant conflict. ⁵	No acceptable outcome is nominated.	Complies – the proposed development will not result in the creation of additional lots in close proximity to existing or potential future rural uses; and will not result in the introduction of a use that is incompatible with surrounding rural activities uses. The existing and any future “Dwelling House” uses will maintain adequate setback distances to the larger agricultural lot. Refer also to assessment of Agricultural Land Overlay Code below and ‘Purpose and Intent of Rural Zone’ section within Section 7 of this Report.

⁵ To demonstrate compliance with this performance outcome, applicants should have regard to the SPP 1/92 Planning Guidelines: Separating Agricultural and Residential Land Uses.

Performance Outcomes	Acceptable Outcomes	Response
Site Layout		
PO₁₂ The site layout responds sensitively to on-site and surrounding topography, drainage patterns, utility services, access, vegetation and adjoining land use, such that: (a) any hazards to people or property are avoided; (b) any earthworks are minimised; (c) the retention of natural drainage lines is maximised; (d) the retention of existing vegetation and biodiversity values is maximised; (e) damage or disruption to sewer, stormwater and water infrastructure is avoided; and (f) there is adequate buffering, screening or separation to adjoining development.	No acceptable outcome is nominated.	Complies – complies with the Performance Outcome as follows: <i>(a) any hazards to people or property are avoided;</i> Complies. <i>(b) any earthworks are minimised;</i> Complies – No earthworks are required or proposed as part of the proposed development and/or to facilitate future development/use of the proposed lots. <i>(c) the retention of natural drainage lines is maximised;</i> Complies – development will not impact natural drainage lines – with no potential impact upon the identified watercourse to the south of the site. <i>(d) the retention of existing vegetation and biodiversity values is maximised;</i> Complies – the proposed development will not require or result in clearing of vegetation, noting the sites are almost entirely cleared of remnant vegetation. <i>(e) damage or disruption to sewer, stormwater and water infrastructure is avoided; and</i>

Performance Outcomes	Acceptable Outcomes	Response
		Complies – development will not have the potential to impact upon identified infrastructure items. <i>(f) there is adequate buffering, screening or separation to adjoining development.</i> Complies – existing and compliant separation to adjoining sites for the existing uses will be maintained.
Precincts		
PO₁₃ Development in the 100ha Precinct: (a) does not involve the creation of additional lots smaller than 100ha; (b) maintains the productive capacity of the land; and (c) maintains the natural and scenic landscape values of the land.	No acceptable outcome is nominated.	The proposed development complies and/or provides sufficient grounds to warrant approval despite any perceived or actual conflict, as follows: <i>(a) does not involve the creation of additional lots smaller than 100ha;</i> Complies – no additional lots created. <i>(b) maintains the productive capacity of the land; and</i> Complies – the realignment will effectively amalgamate the existing agricultural land in operation across the sites, thereby maintaining its productive capacity. <i>(c) maintains the natural and scenic landscape values of the land.</i> Complies. Refer also to “Assessment Against Purpose and Intent of the Rural Zone Code” section within Section 7 of this Report and the attached

Performance Outcomes	Acceptable Outcomes	Response
		detailed assessment of Agricultural Land Overlay Code.
PO₁₄ Development in the 200ha Precinct: (a) does not involve the creation of additional lots smaller than 200ha; (b) maintains the productive capacity of the land; and (c) maintains the natural and landscape values of the land.	No acceptable outcome is nominated.	N/A

Reconfiguring a Lot Code

Table 9.4.5:1 – Reconfiguring a Lot Code – Requirements for accepted development and assessment benchmarks for assessable development⁶⁴

Performance Outcomes	Acceptable Outcomes	Response
Rearrangement of Boundaries		
PO₁ The lots resulting from the rearrangement of boundaries does not contribute to: (a) the proliferation of lots of rural land fragmentation; or (b) the potential to introduce uses or activities which conflict with the intent of the applicable zone for all or part of the site.	AO_{1.1} No additional lots are created by the rearrangement of boundaries. AO_{1.2} The resulting lots from rearranging boundaries are contained entirely within a single zone.	Complies
PO₂ Lots resulting from rearrangement of boundaries do not require any new or additional infrastructure connections, or modification of existing connections.	AO_{2.1} All lots resulting from rearrangement of boundaries: (a) retain all existing connections to water, sewer, electricity and other	Complies

Performance Outcomes	Acceptable Outcomes	Response
	infrastructure wholly within the lot they serve; (b) do not require additional infrastructure connections or augmentation of existing connections; (c) except where in the Rural Zone, have sealed vehicle crossovers; (d) have stormwater drainage for lots 4000m² or less: (i) connected to adequately sized inter- allotment drainage; or (ii) that drains the entirety of each lot independently without fill to the kerb and channel or swale of the road frontage.	
PO₃ Where in the rural zone, all lots resulting from rearrangement of boundaries are provided with all weather road access from the driveway crossover to the nearest formed road.	AO_{3.1} Where in the rural zone, all lots resulting from rearrangement of boundaries are provided with a formed gravel road from the driveway crossover to the nearest formed road in accordance with SC6.2 PSP No.2 Engineering Standards – Roads and Drainage Infrastructure.	Complies

Performance Outcomes	Acceptable Outcomes	Response
PO₄ All new lots provide sufficient area, frontage and dimensions, and road access that enable their future development to achieve relevant outcomes in applicable Use, Zone, Overlay, and Other Development Codes in relation to: (a) dwellings, buildings and/or other structures; (b) setbacks ; (c) landscaping; (d) on site car parking and vehicle access; (e) recreation areas (private open space); (f) cultural heritage and character streetscape values; (g) other design criteria. Editors note: i. Setback considerations include solar access, privacy and amenity of residents and adjoining neighbours, on-site effluent disposal. ii. A building envelope may demonstrate suitability to accommodate future development.	AO_{4.1} All lots are rectangular and have minimum width to depth ratios, areas, dimensions and frontages as prescribed in Table 9.4.5:4. AO_{4.2} Where in the Low Medium Density Residential Zone development for lots 450m² or less in area are capable of accommodating a rectangular building envelope with area and dimensions for: (a) a dwelling, including ancillary buildings and structures such as garages, covered carports and decks, that comply with the minimum setback requirements of the overlay or zone in which the land is located and building regulations; (b) private open space and recreation areas; (c) vehicle access and on-site car parking in accordance with the Transport, Access and Parking Code.	AO4.1 – Alternate Outcome – complies with Performance Outcome as the lots maintain compliant frontages and sufficient areas and dimensions to enable the ongoing use of the lots in accordance with the existing characteristics and/or the Zone intents. Refer also to assessment of Agricultural Land Overlay Code below and the ‘Purpose and Intent of Rural Zone’ section within Section 7 of this Report. AO4.2 – N/A

Table 9.4.5:2 – Reconfiguring a Lot Code – assessment benchmarks for assessable development⁶⁵

Performance Outcomes	Acceptable Outcomes	Response
Master Planning		
PO₁ Except where in the Rural Zone (other than where in the Heinemann Road Transport Precinct) Limited Development (Constrained Land) Zone, Community Facilities Zone, Open Space Zone or Recreation Zone, development: (a) occurs in a logical pattern and sequence; (b) is of a scale and density that facilitates an efficient land use pattern and facilitates a mix of lot sizes that provide for a range of residential dwelling choices; (c) is designed to create compact and walkable neighbourhoods that are well connected to employment nodes, centres, open space and recreational areas, community services and educational opportunities; (d) creates a high quality streetscape and public open space network with connected public spaces and parks; (e) appropriately responds to constraints and natural values and mitigates any adverse impacts on areas of ecological significance;	AO_{1.1} A Master Plan is prepared in accordance with SC6.4 PSP No. 4 Master Planning.⁶⁷	N/A – within Rural Zone

Performance Outcomes	Acceptable Outcomes	Response
(f) is provided with all necessary infrastructure networks and is well serviced by community facilities; and (g) creates lots which are suitable for their intended use without requiring significant earthworks⁶⁶.		
General		
PO₂ The layout of streets, lots and infrastructure gives the locality a strong and positive identity by: (a) responding to site characteristics, settings, landmarks, places of cultural heritage significance and views; (b) creating legible and interconnected movement and open-space networks; (c) locating community, retail, commercial and public transport facilities at focal points within convenient, safe and direct walking distance for residents/users; and (d) providing connections to existing facilities, services and movement networks in the surrounding area.	<i>Where included in a local plan:</i> AO_{2.1} Neighbourhood design and lot layout is consistent with the requirements of any local plan. <i>All other circumstances:</i> No acceptable outcome provided.	Complies

Performance Outcomes	Acceptable Outcomes	Response
PO3 The layout of streets, lots and infrastructure responds appropriately to environmental features of the site or locality by: (a) following the natural topography; (b) protecting and promoting views of landscape features, significant ridgelines, mountains, hills, rocky outcrops or other geological formations; (c) minimising the need for earthworks; (d) minimising vegetation loss and/or fragmentation; (e) maintaining natural drainage features and floodways; (f) maintaining important wildlife corridors and habitat areas; (g) providing for adequate buffering of (d), (e) and (f); (h) protecting and maintaining areas of indigenous cultural significance; and (i) connecting streets and open space to existing streets and open space on adjoining land as necessary for the orderly development of the precinct.⁶⁸	<i>In partial fulfilment of the performance outcome:</i> AO_{3.1}⁶⁹ A lot with an area of less than 450m² intended to be used for a dwelling house has a natural slope: (a) across the width of the lot not exceeding 10%; and (b) along the length of the lot not exceeding 5%.	Complies
PO₄ Street blocks and lot types are generally rectilinear and arranged to provide:	<i>In partial fulfilment of the performance outcome:</i>	N/A

Performance Outcomes	Acceptable Outcomes	Response
(a) an efficient neighbourhood pattern, that supports walking cycling and public transport use; (b) the highest densities are located around open space, amenity features or other focal points; and (c) a mix of lot sizes which provide a wide choice in affordable and accessible housing and achieve streetscape variety.	AO_{4.1} Subdivision involving the creation of lots for residential use ensures lots within the block are arranged so that: (a) there are between four (4) and six (6) adjoining attached (terrace or row) house lots in a group (to enable group housing construction and integrated streetscape solution); (b) there are no more than eight (8) narrow frontage (less than 15m) lots in a row; (c) there are no more than four (4) lots with a width of 7.5m or less in a row unless serviced by a rear lane; and (d) there are no minor mismatches (e.g. less than 1m) in the rear corner lot boundaries of adjoining lots (to minimise the risk of set out error); AO_{4.2} Subdivision involving the creation of lots for residential use ensures lots with access to a laneway intended to accommodate more than one dwelling have a: (a) minimum width of 7.5m; and (b) minimum depth of 30m. AO_{4.3} Street blocks fronting local streets do not exceed 100m in length.	
PO₅ Reconfiguration avoids risk to human safety and the environment from natural hazards⁷⁰ and contaminated land.	<i>In partial fulfilment of the performance outcome</i> AO_{5.1} Where contamination is suspected (e.g. former dips, industrial sites), provide a	Complies – not a contaminated site

Performance Outcomes	Acceptable Outcomes	Response
	preliminary contamination report for Residential or Rural Residential subdivisions.	
PO₆ The development is integrated with the surrounding urban or rural environment, having regard to: (a) the layout and dimensions of streets and lots; (b) connections to surrounding streets and pedestrian and cycle networks and other infrastructure networks; (c) provision for shared use of public facilities; (d) open space networks, retained habitat areas or corridors, landscape features and views and vistas; and (e) connections to centres.	No acceptable solution is nominated.	Complies
PO₇ In a reconfiguration that involves the creation of a new street (other than in a Rural Zone or the Rural Residential Zone) streetscape and landscape treatments are provided that: (a) create an attractive and legible environment with a clear character and identity; (b) use and highlight features of the site such as views, vistas, existing vegetation, landmarks and places of cultural heritage significance;	No acceptable solution is nominated.	N/A

Performance Outcomes	Acceptable Outcomes	Response
(c) enhance safety and comfort, and meet user needs; (d) complement the function of the street in which they are located by reinforcing desired traffic speed and behaviour; (e) assist integration with the surrounding environment; (f) maximise infiltration of stormwater runoff; and (g) minimise maintenance costs through: (i) street pavement, parking bays and speed control devices; (ii) street furniture, shading, lighting and utility installations; (iii) retention of existing vegetation; and (iv) on street planting.		
PO ₈ Neighbourhood design and lot mix provides sufficient opportunities for community, retail, commercial and other uses to meet community needs, where this is consistent with the intended character of the zone or precinct in which the land is located and appropriate to the size of development.	No acceptable outcome is nominated.	N/A
PO ₉ Reconfigurations within the Low-medium Density Residential Zone and the Emerging Community Zone contribute to housing diversity and different levels of affordability	AO _{9.1} Reconfigurations incorporate the lot types identified in the performance outcome as follows:	N/A

Performance Outcomes	Acceptable Outcomes	Response
to meet community needs by incorporating a mix of residential lot sizes drawing from the following lot types: (a) Traditional: A traditional lot caters for large dwelling houses, typically on lots with a frontage of up to 20m and depth of 30m to 32m for single storey dwelling houses and 25m for two (2) storey dwelling houses. (b) Multi-family: A multi-family lot allows for small multiple dwellings (typically four (4) to six (6) dwellings). Multiple dwellings on multi-family lots contribute significantly to diversity within a neighbourhood. Multi-family lots will typically be provided on-street corners to reduce the negative impact of rows of garage doors. (c) Courtyard: A courtyard lot has an area between 375m² and 480m² and comfortably accommodates a smaller detached dwelling house on a lot with a frontage of approximately 15m. (d) Villa: A villa lot has an area between 250m² and 320m² and accommodates a smaller dwelling house on a lot with a frontage of approximately 10m. It is suited to the housing needs of an increasing number of one and two person households. A dwelling house on a villa lot is detached but usually built to one side boundary of the lot.	(a) reconfigurations creating between 10 and 50 additional lots incorporate at least two (2) different lot types; and (b) reconfigurations creating more than 50 additional lots incorporate a mix of at least three (3) lot types.	

Performance Outcomes	Acceptable Outcomes	Response
(e) Terrace: A terrace lot has an area between 187.5m² and 240m² and will typically accommodate attached dwellings houses or dwelling houses built to both side boundaries on lots with a frontage of typically 7.5m. Dwelling houses on a standard 7.5m terrace lot will generally be two (2) habitable rooms wide and two (2) storeys in height. A terrace lot is also capable of development with a narrow (4m wide) single-storey detached dwelling house where one wall is built up to, and along most of the length of one side boundary. Dwelling houses on narrow terrace lots will be built as an integrated development as far as practicable and typically require frontage to both a street and laneway to accommodate on-site car parking that does not interfere with the safe and efficient functioning of the street; (f) Row: A row lot has an area between 125m² and 160m² and provides for narrow attached dwelling house or a dwelling house built to both side boundaries on lots with a frontage of typically 5m. A row lot typically requires rear lane access for car parking so the street frontage is free of driveways.		

Performance Outcomes	Acceptable Outcomes	Response
PO₁₀ Reconfigurations within the Low-medium Density Residential Zone achieve a residential density that makes efficient use of the land and associated physical infrastructure.	AO_{10.1}⁷¹ Reconfigurations in the Low-medium Density Residential Zone facilitate a minimum residential density of 30 dwellings per hectare.	N/A
PO₁₁⁷² Reconfigurations within the Principal Centre Zone, Major Centre Zone, District Centre Zone or Local Centre Zone ensure an integrated, orderly and efficient development outcome is achieved across all lots in respect to access to the external road network, pedestrian and vehicle movement within the site and built form and function.	No acceptable outcome is nominated.	N/A
Lots Sizes and Design⁷³		
PO₁₂ Lot size in the Emerging Community Zone does not compromise the future development potential of the area for urban purposes.	AO_{12.1} Lots in the Emerging Community Zone have the minimum area and frontage as shown in Table 9.4.5:4.	N/A
PO₁₃⁷⁴ In the Rural Zone, the productive capacity of rural land resources is protected from the reconfiguration of lots that facilitates inappropriate intensification of development in the zone.	AO_{13.1} Lots have a minimum area as shown in Table 9.4.5:4.	Alternate Outcome – complies with Performance Outcome. Noting that the existing lots are significantly less than the minimum areas within Table 9.4.5:4 and, most importantly, the proposed development does not result in the creation of additional lots; and therefore, will not facilitate inappropriate intensification of development in the zone – thereby complying with the PO.

Performance Outcomes	Acceptable Outcomes	Response
		Refer also to assessment of Agricultural Land Overlay Code below and the 'Purpose and Intent of Rural Zone' section within Section 7 of this Report.
Movement network design⁷⁵		
PO₁₄ The street and road network has a clear structure, with roads that conform to their function in the network, having regard to: (a) traffic volumes, vehicle speeds and driver behaviour; (b) on street parking; (c) sight distance; (d) provision for public transport routes and stops; (e) provision for pedestrian and cyclist movement, prioritising these where appropriate; (f) provision for waste collection and emergency vehicles; (g) lot access; (h) convenience; (i) public safety; (j) amenity; (k) the incorporation of public utilities and drainage; and (l) landscaping and street furniture.	AO_{14.1} The street and road network is consistent with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	Complies – refer to relevant section of Section 5 of this Report.
PO₁₅ The road network provides for convenient and safe movement between local streets and higher order roads.	AO_{15.1} The proposed road network complies with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	N/A

Performance Outcomes	Acceptable Outcomes	Response
PO ₁₆ Local streets do not operate as through traffic routes for externally generated traffic (other than for pedestrians, cyclists and public transport).	No acceptable outcome is nominated.	N/A
PO ₁₇ Safe, convenient and efficient intersections are provided for vehicles, pedestrians, cyclists and public transport.	AO _{17.1} Intersections and pedestrian and cyclist crossings are provided in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	N/A
PO ₁₈ Access arrangements for lots do not affect the function, vehicle speeds, safety, efficiency and capacity of streets and roads.	AO _{18.1} Access arrangements are consistent with the characteristics intended for the particular type of road or street specified in SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	Complies – refer to relevant section of Section 5 of this Report.
PO ₁₉ On-road car parking is provided according to projected needs taking into account: (a) total parking demand; (b) car parking opportunities on lots; and (c) non-residential and external parking generators.	AO _{19.1} On-street parking is provided in accordance with the Transport, Access and Parking Code.	N/A
PO ₂₀ The movement network facilitates efficient and cost-effective provision and maintenance of infrastructure.	AO _{20.1} Infrastructure is provided in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	N/A
PO ₂₁ Rear lanes are designed to:	AO _{21.1} Rear lanes are designed in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.	N/A

Performance Outcomes	Acceptable Outcomes	Response
(a) provide enough width to enable safe and efficient vehicle movement, including service vehicles; (b) have either a straight or T configuration and not be dead ends or cul-de-sacs; (c) enable easy and safe access into and out of garages without using doors that open into the lane; (d) not create a more direct through-route alternative for vehicles than the adjoining street network; (e) ensure rear yards of properties can be fenced for security; (f) ensure any rear boundary treatment or tree planting does not create concealed recesses or provide uninvited access opportunities into rear yards; and (g) not provide for visitor parking within the lane unless in specifically designated areas.		
PO₂₂ Development does not compromise the delivery of existing or future public transport routes and encourages a highly connected local street network that enables public transport to efficiently service the area without the need to 'repeat a part of a route as part of the one trip'.	AO_{22.1} Street networks in new developments are designed to accommodate the movements of a 14.5m long bus.	N/A

Performance Outcomes	Acceptable Outcomes	Response
Road design⁷⁶		
PO₂₃ The geometric design features of each type of road: (a) convey its primary function for all relevant design vehicle types; (b) have an adequate horizontal and vertical alignment that is not conducive to excessive speeds; (c) encourage traffic speeds and volumes to levels commensurate with road hierarchy function; and (d) ensure unhindered access by emergency vehicles.	AO_{23.1} Design of the roads comply with the SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure .	Complies – will not affect the existing geometric design features of the road.
Pedestrian and cyclist facilities		
PO₂₄ A network of pedestrian and cycle ways is provided having regard to: (a) opportunities to link open space networks, and community facilities, including public transport stops, local activity centres and schools; (b) likely trip purpose; (c) topography; (d) cyclist and pedestrian safety; (e) cost effectiveness; (f) likely user volumes and types; (g) convenience; and (h) accessibility.	AO_{24.1} In partial fulfilment of the performance criterion, pedestrian and cycle ways are provided in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure . AO_{24.2} Footpaths and bikeways are provided in accordance with the Austroads Guide to Road Design – Part 6A: Pedestrian and Cyclist Paths (Austroads 2009m) .	N/A

Performance Outcomes	Acceptable Outcomes	Response
PO₂₅ The alignment of pedestrian paths and cycleways is designed so that they: (a) allow for the retention of trees and other significant features; (b) maximise the visual interest provided by views and landmarks where they exist; (c) do not compromise the operation of or access to other infrastructure services; (d) are widened at potential conflict points; and (e) consider CPTED principles and disability access requirements.	No acceptable outcome is nominated.	N/A
PO₂₆ Safe street crossings are provided for pedestrians and cyclists across major roads.	AO_{26.1} Crossings and intersections are provided in accordance with <i>SC6.3 PSP No 2 – Engineering Standards – Roads and Drainage Infrastructure and Austroads Guide to Road Design Part 4: Intersections and Crossings: General</i> .	N/A
Public Transport		
PO₂₇ The movement network caters for the extension of existing or future public transport routes to provide services that are convenient and accessible to the community.	No acceptable outcome is nominated.	N/A
PO₂₈ Reconfiguration caters for the extension of public transport routes by locating the	AO_{28.1} Except in the rural zone and the rural residential zone, at least 90% of proposed lots	N/A

Performance Outcomes	Acceptable Outcomes	Response
highest likely public transport 'trip generating' land uses in the vicinity of existing or potential public transport routes, where this is consistent with the intended character of the zone or precinct in which the land is located.	are within 400m safe walking distance from an existing or potential bus route or 500m walking distance of an identified bus stop.	
PO ₂₉ Residential densities within walking distance of existing and potential public transport stations and routes are at levels that take advantage of the infrastructure where this is consistent with the intended character of the zone or precinct in which the land is located.	No acceptable outcome is nominated.	N/A
Open Space Network		
PO ₃₀ Neighbourhood design and lot layout provides a balanced variety of park types, including: (a) small local parks, which are designed to: (i) provide a small open space setting for adjoining dwellings; (ii) incorporate and retain existing natural features; (iii) incorporate landscaping to assist in creating neighbourhood identity and way-finding; (b) neighbourhood parks, which are designed to: (i) be centrally located;	AO _{30.1} The lot reconfiguration makes provisions for the establishment of public parks in accordance with Part 4 Local Government Infrastructure Plan ⁷⁷	N/A

Performance Outcomes	Acceptable Outcomes	Response
(ii) support the local community's recreational needs; (iii) provide opportunities for community and special events; (c) lineal or corridor parks, which are designed to: (i) connect with existing or planned open space in the locality; (ii) incorporate pedestrian and cycle paths; (iii) protect significant natural features; (iv) convey stormwater; (v) provide for other recreational needs when not flooded; and (d) natural parkland areas which: (i) retain locally significant wetlands, remnant vegetation and habitat for fauna; (ii) continue ecological corridors and linkages to areas outside of the neighbourhood; (iii) maintain important landscape and visual quality values.		
PO₃₁ Where provision for a public park is required in Part 4 – Local Government Infrastructure Plan⁷⁸ the design and lot layout provides for safe and secure, well distributed and located parkland that:	AO_{31.1} The public park meets the requirements of section 4.5.5 of the planning scheme. AO_{31.2} The public park meets the standards identified in Table 9.4.5:3.	N/A

Performance Outcomes	Acceptable Outcomes	Response
(a) has passive surveillance by surrounding development; (b) is of a suitable size, shape and topography for its function; (c) is located on a suitable road; (d) is highly accessible to local communities; and (e) achieves an acceptable standard of flood immunity.		
PO₃₂ Neighbourhood design and lot layout provides for safe and secure, well distributed and located parkland that: (a) provides a clear relationship between the public realm and adjoining land uses through treatment including alignment, fencing and landscaping; (b) enhances the area's local identity and landscape amenity; (c) provides for a range of recreational opportunities to meet community needs; (d) forms a linkage to existing parkland or habitats; (e) respects and retains existing natural elements; and (f) protects biodiversity values and features.	No acceptable outcome is nominated.	N/A
Amenity		
PO ₃₃ Reconfiguration provides for sufficient buffering to minimise impacts on	No acceptable outcome is nominated.	Complies

Performance Outcomes	Acceptable Outcomes	Response
accommodation activities and other sensitive land uses from nearby incompatible uses ⁷⁹		
PO ₃₄ The layout of lots created for industrial or commercial purposes facilitates the siting and design of development in a manner that ensures the amenity of accommodation activities and sensitive land uses is protected.	No acceptable outcome is nominated.	N/A
PO ₃₅ Where the lot reconfiguration is of land in the Low-medium density residential Zone, Low Density Residential Zone or Rural Residential Zone that is within 250m of land within the Medium Impact Industry Zone or 500m of High Impact Industry Zone it must not result in future sensitive uses within the site being exposed to industrial air, noise or odour emissions that impact on human health, amenity and wellbeing.	AO _{35.1} Where reconfiguring a lot on land in the Low-Medium Density Residential Zone, Low Density Residential Zone or Rural Residential Zone that is within 250m of land within the Medium impact industry Zone or 500m of land within the High impact industry Zone, it is demonstrated that a future sensitive use on proposed lots can meet: (a) the indoor noise objectives set out in the <i>Environmental Protection (Noise) Policy 2008</i> are met; and (b) the air quality objectives in the <i>Environmental Protection (Air) Policy 2008</i> , are met through the use of measures such as:	N/A

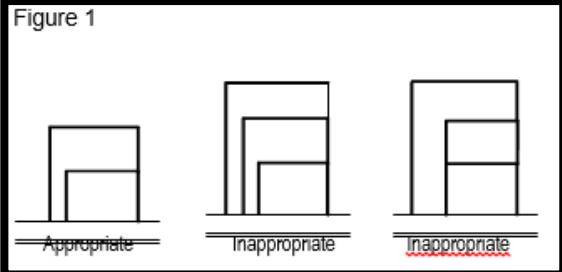
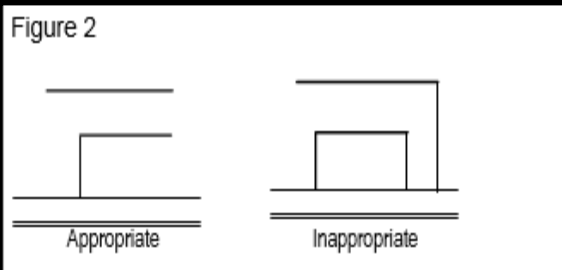
Performance Outcomes	Acceptable Outcomes	Response
	(i) landscaping and open space; (ii) setbacks; (iii) the orientation of lots away from the industrial area; (iv) barriers, mounds and fencing; and/or (v) screening.	
Safety and security		
PO₃₆ The reconfiguration discourages crime, vandalism and anti-social behaviour and facilitates: ⁸⁰ (a) personal and property security; (b) casual surveillance of footpaths and parkland; and (c) activity and interaction within public spaces and movement networks.	AO_{36.1} The reconfiguration is designed in accordance with Crime Prevention Through Environmental Design (CPTED) Guidelines.	Complies
Natural values		
PO₃₇⁸¹ Development is provided with an adequate water supply for firefighting purposes that is safely located and freely accessible.	AO_{37.1}⁸² Development within a water supply area the creation of new lot/s is connected to council's reticulated water supply system and a water supply outlet located within a road reserve is within 40M of the following: (a) all of the land; or (b) a building envelope designated on each lot; or	N/A – no new lots created

Performance Outcomes	Acceptable Outcomes	Response
	(c) the centre of each lot, excluding access handles (where no building envelope is designated); and (d) all existing or proposed buildings.	
PO ₃₈ The reconfiguration provides for lot sizes and titling arrangements that ensure areas of ecological significance remain intact as part of common property or within large lots.	No acceptable outcome is nominated.	Complies
PO ₃₉ The layout of roads, driveways and other infrastructure avoids crossing or otherwise fragmenting waterways, wetlands, habitat areas or ecological corridors.	No acceptable outcome is nominated. ⁸³	Complies
Climate response		
PO ₄₀ The street, lot orientation and lot size facilitate buildings that conserve non-renewable energy sources through climate-responsive siting and design.	<i>In partial compliance with the performance outcome:</i> AO_{40.1} Neighbourhoods are generally designed so that: (a) the long axis of roads runs east-west; (b) the number of wide lots (lots with a width greater than 15m) is minimised on streets running north-south; and (c) lots are generally rectangular in shape and not splayed. AO_{40.2} Where they are proposed, built-to-boundary walls are located on the west-southwest	Complies

Performance Outcomes	Acceptable Outcomes	Response
	boundary of lots except where these boundaries are on the higher side of a sloping lot.	
Services		
PO₄₁ Services, including water supply, stormwater management, sewage disposal, waste disposal, drainage, electricity and telecommunications, are provided in a manner that: (a) is efficient; (b) minimises risk of adverse environmental or amenity related impacts; (c) promotes total water cycle management and the efficient use of water resources; and (d) minimises whole of life cycle costs for that infrastructure.	No acceptable outcome is nominated. ⁸⁴	Complies - refer to Section 5 of this report.
Noise Impacts⁸⁵		
PO₄₂ Lots are of a suitable size and dimensions to facilitate adequate noise management.	AO_{42.1} Lots near a rail corridor or a regional arterial, sub-arterial or distributor roads are of sufficient size and depth to ensure that future dwellings are not exposed to road or rail noise greater than 63dB <i>L_{A10(18hr)}</i> . AO_{42.2} Where it is not practical to achieve the required noise levels through lot layout and design,	Complies

Performance Outcomes	Acceptable Outcomes	Response
	noise attenuation barriers are utilised to achieve the required noise levels.	
PO₄₃ Noise attenuation measures: (a) are compatible with the local streetscape; (b) minimise whole of life cycle costs where they are to be located on or adjacent to public land or common property; and (c) are designed to discourage crime and anti-social behaviour, having regard to: (i) aesthetic quality and compatibility with streetscape; (ii) physical accessibility; (iii) provision of casual surveillance of Public Open Space and movement networks; (iv) opportunities for concealments or vandalism; and (v) easy and economic maintenance.	No acceptable outcome is nominated.	N/A – not required.
Air Quality		
PO₄₄ Reconfiguration does not result in lots intended for accommodation activities or sensitive land uses being subject to adverse air quality or impacts.⁸⁶	No acceptable outcome is nominated.	Complies – refer to Air Quality section of Section 5 of this Report.

Performance Outcomes	Acceptable Outcomes	Response
Additional requirements for volumetric subdivision		
PO ₄₅ The reconfiguration of the space above or below the surface of the land facilitates appropriate development in accordance with the intent of the zone or precinct in which the land is located or is consistent with a lawful approval that has not lapsed.	No acceptable outcome is nominated.	N/A
Hatchet Lots⁸⁷		
PO ₄₆ Lot reconfigurations only create hatchet lots as a means of increasing residential densities in within: (a) Walking catchments around centres offering a broad range of goods, facilities and services (being 800m around Major and 400m around District centres and designated Local centres within the centre hierarchy); (b) Land that benefits visually from high quality parkland; (c) Walking catchments around major non- industrial employment areas (land within 800m walk of 1000 or more non- industrial jobs); (d) A central transport corridor bounded by Nelson, West, Jellicoe and Hume street, and (e) An 800m walking catchment of the	AO _{46.1} Lot reconfigurations only create hatchet lots in the Low-medium Density Residential Zone.	N/A

Performance Outcomes	Acceptable Outcomes	Response
University of Southern Queensland (Toowoomba campus).		
PO₄₇ The location and configuration of the access strip/easement and main body does not compromise: (a) the streetscape qualities of the area; (b) the residential amenity of the area; or (c) the Street System.	AO_{47.1} Only 1 Hatchet Lot is created behind any full frontage lot as shown in Figure 1 below. Figure 1  AO_{47.2} The access strip/easement to the Hatchet Lot is located on only 1 side of the lot with direct frontage to the street as illustrated in Figure 2 below. Figure 2 	N/A

Performance Outcomes	Acceptable Outcomes	Response
PO₄₈ The configuration of hatchet lots maintain the ability of existing buildings and structures to – (a) provide adequate daylight and ventilation to habitable rooms; (b) allow adequate light and ventilation to habitable rooms of buildings on adjoining lots; and (c) not adversely impact on the amenity and privacy of residents on adjoining lots.	AO_{48.1} Where the lot reconfiguration creates a hatchet lots the new lot boundaries create setbacks to existing dwellings that comply with the minimum distances in the Queensland Development Code or relevant planning scheme code.	N/A
PO₄₉ The access strip/easement: (a) has a minimum width of 6 metres for its full length; (b) is located on the southern or western side of the lot; (c) has a maximum length of 30 metres; (d) is located so that there is no more than one driveway serving an adjoining property within 6 metres of the access strip/easement boundary (see figure 3 below).	No acceptable outcome is nominated.	N/A

Performance Outcomes	Acceptable Outcomes	Response
Figure 3 One driveway within 6m of access strip One driveway with 6m of access strip Two driveways within 6m of access street		
PO₅₀ Stormwater is discharged from the site to a lawful point of discharge, as defined in the Queensland Urban Drainage Manual (QUDM), without the use of pumped or charged pipe systems, and not to private land other than to an easement for stormwater purposes befitting the site and allowing discharge to a lawful point of discharge in land over which Council has tenure or control.	AO_{50.1} The site: (a) has a natural surface with an elevation that is higher than the abutting road and enables stormwater to drain gravitationally to the abutting road via subsurface pipes; or (b) has a natural surface with an elevation that is higher than Council's stormwater drainage network in the abutting road and enables stormwater to drain gravitationally to the	Complies – refer to Infrastructure section of Section 5 of this Report.

Performance Outcomes	Acceptable Outcomes	Response
Note: Land over which Council has tenure or control does not include Council's open space network.	(c) stormwater drainage network in the abutting road via subsurface pipes; or has lawful access to an inter allotment drainage network with available capacity to meet the requirements of the development.	
Reconfigurations creating lots less than 450m² in area in a residential zone		
PO₅₁ Lot reconfigurations creating lots less than 450m² and at least 20 new lots, facilitate the orderly, neighbourly, integrated and timely development of those lots through a Plan of Development. Note: Orderly neatly and methodically arranged. Neighbourly exhibiting the qualities expected in a friendly neighbour. Integrated combining or coordinating separate elements so as to provide a harmonious, interrelated whole Timely done or occurring at a favourable or useful time.	AO_{51.1} Lot reconfigurations creating lots less than 450m² incorporate an Approved Plan of Development prepared by a suitably qualified professional(s) that sets development standards that comply with the performance outcomes within the Small Lot Housing Design Code and which includes, but is not limited to, the location of the following: (a) the lot layout and streets, including lot numbers, lot areas, street reserve widths, street or road carriageways (may include bus stops, taxi ranks, loading zones and similar service areas where proposed), and location and width of footpaths; (b) land slope and major infrastructure items; (c) primary and secondary street frontages (if necessary); (d) public open space areas, including lot number and area; (e) built-to-boundary wall locations (including mandatory built-to-boundary situations);	N/A

Performance Outcomes	Acceptable Outcomes	Response										
	(f) where privacy fencing is required at an interface with a street or park; fencing and, if sloping land, retaining wall details; (g) for lots under 450m²: (i) location, areas and dimensions of private open space; (ii) building envelopes indicating minimum setbacks, access points, and heights; and (iii) driveway crossovers											
PO₅₂ The lots are located on a road that is appropriate to accommodate small lots.	AO_{52.1} Small lots are located in accordance with the following table: <table><tr><th>Proposed lot width</th><th>Vehicle Access Location</th></tr><tr><td>Lot width <10m</td><td>Laneway, Local or collector roads only</td></tr><tr><td>Lot width 10 – 12.4m</td><td>Laneway, Local or collector roads only</td></tr><tr><td>Lot width 12.5 – 14.9m</td><td>Laneway, Local, collector or distributor roads only</td></tr><tr><td>Lot width >15m</td><td>Laneway, Local, collector, distributor or sub-arterial roads only</td></tr></table>	Proposed lot width	Vehicle Access Location	Lot width <10m	Laneway, Local or collector roads only	Lot width 10 – 12.4m	Laneway, Local or collector roads only	Lot width 12.5 – 14.9m	Laneway, Local, collector or distributor roads only	Lot width >15m	Laneway, Local, collector, distributor or sub-arterial roads only	N/A
Proposed lot width	Vehicle Access Location											
Lot width <10m	Laneway, Local or collector roads only											
Lot width 10 – 12.4m	Laneway, Local or collector roads only											
Lot width 12.5 – 14.9m	Laneway, Local, collector or distributor roads only											
Lot width >15m	Laneway, Local, collector, distributor or sub-arterial roads only											

Performance Outcomes	Acceptable Outcomes	Response
	Note: Direct access is not typically available to sub-arterial roads and limited to distributor roads (see PSP No.2 Sc6.2.2.2).	
PO₅₃ Small lots are located so as to minimise the need to cut and fill the land.	AO_{53.1} Small lots are located on land with a pre-development gradient of less than 10%;	N/A
PO₅₄ Development provides a frequency of standard and small lots which are varied to facilitate housing variety.	AO_{54.1} There are no more than six (6) contiguous small lots along a street frontage, with groups of two (2) or more small lots separated by at least two (2) standard lots.	N/A
Reconfigurations facilitating Dual Occupancy development		
PO₅₅ Lot reconfigurations within the Low Density Residential Zone, Low-medium Density Residential Zone, Emerging Community Zone and Township Zone facilitate the integration of Dual Occupancy development into residential neighbourhoods in a manner that is dispersed and does not result in Dual Occupancy becoming the dominant form of housing within a street.	AO_{55.1} Lot reconfigurations designate lots for Dual Occupancy development; AO_{55.2} No more than 20 percent of the properties within a street block are designated for Dual Occupancy development. AO_{55.3} No more than three (3) adjoining properties within a street block are designated for Dual Occupancy development. AO_{55.4} Hatchet lots are not designated as Dual Occupancy lots.	N/A

Performance Outcomes	Acceptable Outcomes	Response
	See Figure 4   Each red line in this figure is an example of the extent of a street block.  No more than 20 percent of properties within the street block are designated for dual occupancy development.	
PO₅₆ Lots designated for Dual Occupancy development by lot reconfigurations within	AO_{56.1} Lots designated for Dual Occupancy development:	N/A

Performance Outcomes	Acceptable Outcomes	Response
the Low Density Residential Zone, Low-medium Density Residential Zone, Emerging Community Zone and Township Zone have an area, shape and dimensions suitable to accommodate their intended use.	(a) have a minimum area of 500m² where in the Low-medium Density Residential Zone; or (b) have a minimum area of 700m² where in the Low Density Residential Zone, Emerging Community Zone or Township Zone; and (c) are rectilinear in shape; and (d) have a frontage that is consistent with the minimum frontage required for the applicable zone.	

Table 9.4.5:3 – Open Space Standards

Land characteristic	Recreation Parks			Sports Parks	
	Local	District	Regional	District	Regional
Shape	Square or rectangular with the sides no greater than 2:1.			Square or rectangular to <u>maximise the area available for playing fields.</u>	
Minimum flood immunity	15% of the total area above Q100 and free of hazards.	25% of the total area above Q50 with the main activity area/s above Q100.	50% of the total area above Q50 with the main activity area/s above Q100 and free of hazards.	Free of hazards with 90% of the land above Q20. All fields/courts above Q50. All facilities above Q100.	Free of hazards with 90% of the land above Q20. All fields/courts above Q50. All built facilities above Q100.
Maximum grade	1:10 for 80% of the area of the park (i.e. a maximum of 20% of the land may have a greater grade than 1:10).	Average grade of 1:10 for 80% of the area of the park. To facilitate wheelchair access to parks, areas with a grade of 1:14 will also be provided, where possible. Variable topography is <u>satisfactory</u> for the remaining area.	Average grade of 1:20 for main use areas, 1:50 for kick about area, and <u>variable</u> topography for remainder.	1:50 for all planning surfaces.	1:50 for all planning surfaces. Laser levelling to a maximum gradient of planning surface 1:100.
Road frontage and visibility	50% of the park perimeter to have frontage to a local road.	50% of the park perimeter to have frontage to a collector road.		50% of the park perimeter to have road frontage.	

Table 9.4.5:4 – Lot Sizes and Dimensions – requirements for accepted development and assessment benchmarks for assessable development⁸⁸

Zone(s)	Lot Type	Precinct(s)	Minimum Lot Area/Max Density [†]	Minimum Frontage/Width	Max Frontage to Depth Ratio [*]
Low Density Residential	Regular and Corner	Clifford Park Stables Precinct	1,200 m ²	20 m.	1:3
		Park Residential	2,250 m ²	20 m.	1:3
		All other circumstances	500 m ²	15 m.	1:5
	Hatchet ⁸⁹	Hatchet lots do not occur within the Low Density Residential Zone.			
	Community Title Scheme	Clifford Park Stables	1,200 m ² (except for communal lots).	20 m.	No Acceptable Measure Prescribed
		All other circumstances	500 m ² (except for communal lots).	15 m.	No Acceptable Measure Prescribed
Low – medium Density Residential	Regular and corner	All	300 m ² ⁹⁰	20 m.	1:3
			Slope [#] <6% 300 m ²	10 m.	1:5
			Slope [#] 6-8% 800 m ²	25 m.	
			Slope [#] >8% 1,000 m ²	30 m.	
	Hatchet	All	Slope [#] <6% 500 m ²	6 m/15 m.	1:5
			Slope [#] 6-8% 800 m ²	6 m/25 m.	
			Slope [#] >8% 1,000 m ²	6 m/30 m.	
	Community Title Scheme	All	No minimum lot size	20 m.	1:3

Zone(s)	Lot Type	Precinct(s)	Minimum Lot Area/Max Density ⁺	Minimum Frontage/Width	Max Frontage to Depth Ratio [*]
Principal Centre	Regular and corner	All	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
	Hatchet	All	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
	Community Title Scheme	All	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
Major Centre District Centre Local Centre Mixed Use <u>Specialised Centre</u>	All	All	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
Open Space Sport and Recreation	All	All	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
Community Facilities	All	All	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed

Zone(s)	Lot Type	Precinct(s)	Minimum Lot Area/Max Density ⁺	Minimum Frontage/ Width	Max Frontage to Depth Ratio [*]
Low Impact Industry Medium Impact Industry High Impact Industry Extractive Industry	Regular and Corner	Wellcamp Low Impact Industry	2 ha.	No Acceptable Measure Prescribed	1:2
		General Industry	2 ha.	No Acceptable Measure Prescribed	1:2
		Transport and Warehousing	5 ha.	No Acceptable Measure Prescribed	1:2
		Intermodal Facility	2 ha.	No Acceptable Measure Prescribed	1:2
		Heavy Industry	10 ha (except for communal lots).	No Acceptable Measure Prescribed	1:2
		Quarry / Extractive Industry	10 ha.	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
		All other circumstances	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed

Zone(s)	Lot Type	Precinct(s)	Minimum Lot Area/Max Density [†]	Minimum Frontage/Width	Max Frontage to Depth Ratio [*]
Rural Residential	Regular and Corner	4000 m ²	4000 m ²	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
		1 Hectare	1 ha.	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
		2 Hectare	2 ha.	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
	Hatchet	Hatchet lots do not occur within Rural Residential Zone			
	Community Title Scheme	4,000m ²	4,000 m ²	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
		1 hectare	1 ha (except for communal lots).	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
		2 hectare	2 ha (except for communal lots).	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed
Rural	Regular and Corner	100 hectare	100 ha.	125 m.	No Acceptable Measure Prescribed
		200 hectare	200 ha.	250 m.	No Acceptable Measure Prescribed
	Hatchet	Hatchet lots do not occur within Rural Zone			
	Community Title Scheme	100 hectare	100 ha (except for communal lots).	125 m.	No Acceptable Measure Prescribed
		200 hectare	200 ha (except for communal lots).	250 m.	No Acceptable Measure Prescribed

Zone(s)	Lot Type	Precinct(s)	Minimum Lot Area/Max Density*		Minimum Frontage/ Width	Max Frontage to Depth Ratio*
Emerging Communities	Regular and Corner	All	10 ha (except for communal lots).		75 m.	No Acceptable Measure Prescribed
	Hatchet	Hatchet lots do not occur within the Emerging Communities Zone				
	Community Title Scheme	All	10 ha (except for communal lots).		75 m.	No Acceptable Measure Prescribed
Limited Development (Constrained Land)	All	No acceptable measure prescribed				
	Hatchet	Hatchet lots do not occur within the Limited Development (Constrained Land) Zone.				
Township	Regular and Corner	All (where reticulated wastewater services are provided)	Slope # <6 %	500 m ²	15 m.	1:2
			Slope # 6-8 %	800 m ²	25 m.	1:2
			Slope # >8 %	1,000 m ²	30 m.	1:2
		All (otherwise)	2,000 m ²	No Acceptable Measure Prescribed	No Acceptable Measure Prescribed	
	Hatchet ⁹¹	Hatchet lots do not occur within the Township Zone.				
	Community Title Scheme	All (where reticulated wastewater services are provided)	500 m ² (except for communal lots).		15 m.	No Acceptable Measure Prescribed
		All (otherwise)	2,000 m ² (except for communal lots).		No Acceptable Measure Prescribed	No Acceptable Measure Prescribed

Table Explanations:

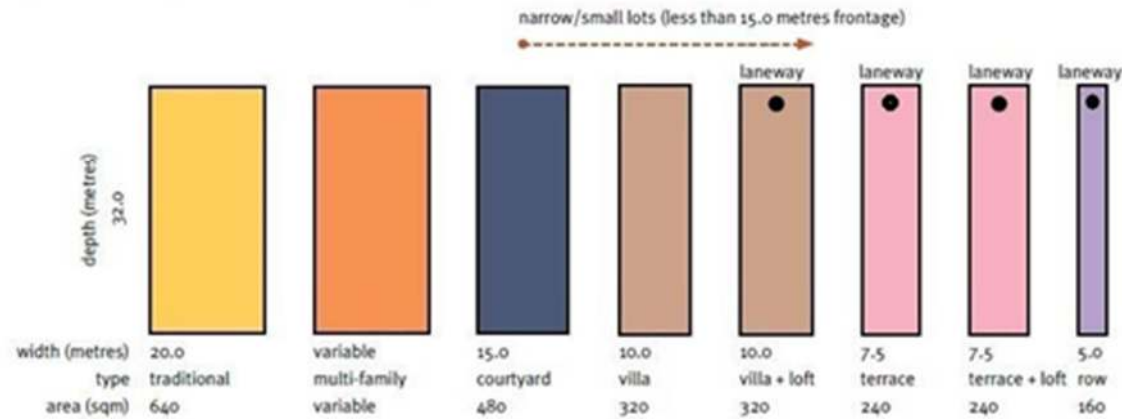
[†] In the case of Hatchet Lots, the frontage to depth ratio is the width to depth ratio, disregarding the access strip frontage.

^{*} across allotment slope.

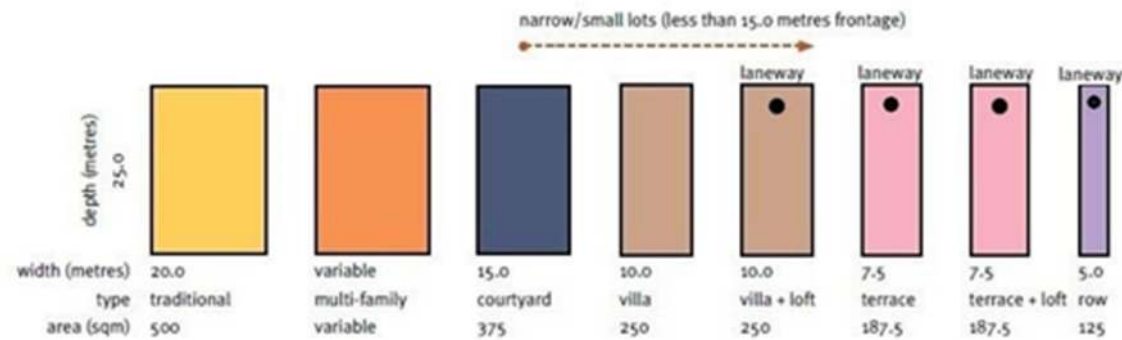
⁹¹ for hatchet shaped lots the minimum lot area does not include the access strip.

Examples of Lot Shapes and Dimensions (PO9)

Typical lot shapes and dimensions - 32.0 metres deep



Typical lot shapes and dimensions - 25.0 metres deep



Source: Urban Land Development Authority Guideline No. 1 - Residential 30 (page 15)

Agricultural Land Overlay Code

Table 8.6.2:1 – Agricultural Land Overlay Code – assessment benchmarks for assessable development

Performance outcomes	Acceptable outcomes	Response
PO1 Development does not reduce the productive capacity of the land or result in conflict with nearby rural uses.	No acceptable outcome is nominated.	Complies – the proposed development will allow for the achievement of and will not conflict with this Performance Outcome. The realignment will not adversely impact upon the viability of the existing agricultural use of the subject land and will not result in a loss of, or fragmentation of agricultural lands. Rather, the proposed development will effectively amalgamate the existing cropping land into one larger lot, thereby improving productive capacity of the land. Refer to the assessment of the ‘Purpose and Intent of Rural Zone’ section within Section 7 of this Report.
PO2 Non-rural uses, and rural uses which are not dependent on the agricultural quality of the land, do not compromise the long term productive capacity of agricultural land.	AO2.1 Non-rural uses, and rural uses which are not dependent on the agricultural quality of the land, are not located on agricultural land. OR AO2.2 Development is compatible with agricultural production and is designed and located in a way that does not inhibit or prevent normal farming practices in the future. Note: examples of development that achieve this outcome may include a golf course, plant nursery or sports field	N/A – no use proposed

PO3 Reconfiguring lots on agricultural land does not result in allotment sizes that result in: (a) fragmentation of rural lands and loss of land to viable rural production; (b) conflict between farming and residential uses; or (c) loss of farming flexibility.	AO3.1 The minimum lot size in the Rural Zone is in accordance with Table 9.3.3:2 of Part 9.3.3, Reconfiguring a Lot Code. OR AO3.2 The proposed lot is smaller than that nominated in Table 9.3.3:2 of Part 9.3.3, Reconfiguring a Lot Code and the reconfiguration is a boundary realignment that would not create any additional lots and would provide for the implementation of improved land management practices or productive utilisation of the land.	Alternate Outcome – Complies with PO – refer to applicant’s assessment of proposed development against Rural Zone Code. Proposed development complies with PO as it will not result in: <i>(a) fragmentation of rural lands and loss of land to viable rural production;</i> Complies - The proposed realignment will not create additional lots and will not undermine the existing ‘viability’ of the rural land. Rather, the proposed development will effectively amalgamate the existing cropping land into one larger lot, thereby improving productive capacity of the land. Refer also to ‘Agricultural Land’ section of Section 5 of this Report and the assessment of the ‘Purpose and Intent of Rural Zone’ section within Section 7 of this Report. <i>(b) conflict between farming and residential uses; or</i> Complies - The proposed realignment will not create or result in potential impacts between farming and residential uses. Noting that the proposed development will not create additional lots, will not result in the potential for additional ‘sensitive uses’ (i.e. Dwellings), will not reduce existing setback and separation distances for the “Dwelling House” use on proposed Lot 2 and any future “Dwelling House” use on proposed Lot 1 can be provided
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		with compliant setbacks from boundary lines. Refer also to 'Agricultural Land' section of Section 5 of this Report and assessment of 'Purpose and Intent of Rural Zone' section within Section 6 of this Report. <i>(c) loss of farming flexibility.</i> The proposed realignment will not result in the loss of useable farmland and will not result in the loss of farming flexibility – as above. Refer also to "Assessment Against Purpose and Intent of the Rural Zone Code" section within Section 7 of this Report and the assessment of the Rural Zone Code herein.
PO4 Residential development in close proximity to agricultural land is located and designed in a manner that avoids its alienation⁴¹.	No acceptable outcome is nominated.	Complies – does not propose residential development.

Bushfire Hazard Overlay Code

Table 8.2.2:1 – Bushfire Hazard Overlay Code – requirements for accepted development and assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
PO₁ Development is provided with an adequate water supply for fire fighting purposes that is safely located and freely accessible.	AO_{1.1}⁶ Development within a water supply area involving the creation of a new lot/s or involving proposed and existing buildings with a combined gross floor area greater than 50m², is connected to Council's reticulated water supply system. It will be readily available at all time for fire fighting vehicles and a water supply outlet located within the road reserve is within 40m² of the following: (a) All of the land; or (b) A building envelope designated on each lot; or (c) The centre of each lot, excluding access handles (where no building envelope is designated); and (d) All existing and proposed buildings And Fire hydrants are designed and installed in accordance with Queensland Fire and Emergency Services Fire Hydrant and Vehicle Access Guidelines, Unless otherwise specified by the relevant water entity. AO_{1.2}⁷ Development outside a water supply area involving proposed or existing buildings with a combined gross floor area greater than 50m², are provided with a dedicated on site water storage system that permanently holds a minimum of 10,000 litres (e.g. dam, swimming pool or water tank) for fire fighting purposes. AO_{1.3}⁸ A water tank is provided within 10m of each building (other than a class 10 building) which:	Complies – the existing “Dwelling House” use on proposed Lot 2 has adequate and ‘compliant’ on-site rainwater harvesting and storage.

Performance Outcomes	Acceptable Outcomes	Response
	(a) Is either below ground level or of non-flammable construction; (b) Has a take-off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: i. 10,000 litres for residential buildings; ii. For industrial, commercial; and other buildings, a volume specified in AS2304-2011 (c) Includes shielding of tanks and pumps in accordance with AS2304-2011 (d) Includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank (e) Is provided with rural fire brigade tank fittings if serviced by a rural fire brigade (i.e. 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines); and (f) Is clearly identified by directional signage at the street frontage.	
PO₂ Development provides for the safety of people and property by avoiding areas of High or Medium bushfire risk.	AO_{2.1} Development is not located on land that is subject to High or Medium bushfire risk. OR AO_{2.2} Where development is located in a High or Medium bushfire risk area (except for single dwellings on existing lots), it complies with a Bushfire Management Plan for the premises⁹.	Complies

Performance Outcomes	Acceptable Outcomes	Response
PO₃ Development provides for the safety of people and property by mitigating the bushfire risk through the siting of buildings.	AO_{3.1} Buildings and structures: (a) are sited in locations of lowest hazard within the lot; and (b) achieve setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater; and (c) are 10 metres from any retained vegetation strips or small areas of vegetation; and (d) are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard.	Complies

Environmental Significance Overlay Code

Table 8.5.1:1 – Environmental Significance Overlay Code – assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Areas of Ecological Significance		
PO₁ Vegetation disturbance or other impacts on areas of ecological significance shown on the Environmental Significance Overlay maps, is avoided or where disturbance cannot be avoided the loss or reduction of ecological values is minimised.	AO_{1.1} Impacts are avoided by locating development wholly outside mapped areas of ecological significance and areas of ecological significance buffer identified on the Environmental Significance Overlay maps. OR Where impacts on areas of ecological significance shown on the Environmental Significance Overlay Maps cannot be avoided, they are minimised by: (a) minimising the total footprint within which activities, buildings, structures, driveways and other works or activities are contained; (b) avoiding further fragmentation of areas of ecological significance and strengthening linkages where possible; (c) utilising areas of lesser importance in terms of biodiversity values so that areas of higher value are conserved to the greatest extent practicable; and (d) maintaining areas of ecological significance in patches of greatest possible size and with the smallest possible edge to area ratio.	Complies - The proposed development will not impact upon the areas of ecological significance that are mapped across the north-east corner of proposed Lot 2.
PO₂ Development optimises biodiversity outcomes by prioritising the location of	AO_{2.1} Biodiversity offsets designed to counterbalance development impacts on areas of ecological	N/A

Performance Outcomes	Acceptable Outcomes	Response
environmental offsets within identified biodiversity corridors.	significance are delivered consistent with the Queensland Government Environmental Offsets Policy 2008 and other applicable biodiversity/environmental offset policies.	
PO₃ Landscaping complements biodiversity values by incorporating the following elements into the landscaping design: (a) native plants of local origin; or (b) known food and habitat trees and shrubs for endemic native fauna species in the local area; or (c) replication of adjacent healthy remnant habitats, including understorey vegetation; and (d) no declared noxious plants, weeds or invasive plants likely to displace native flora species or degrade fauna habitat.	No acceptable outcome is nominated.	N/A
PO₄ Movement of fauna is facilitated within and through the site, particularly along identified biodiversity corridors by: (a) ensuring that development and associated activities do not create barriers to the movement of fauna along and within biodiversity corridors; (b) directing fauna to locations where wildlife infrastructure has been created, to enable wildlife to safely negotiate a development area; and (c) separating fauna from potential hazards.	No acceptable outcome is nominated.	Complies – the boundary realignment will not affect fauna movement.

Performance Outcomes	Acceptable Outcomes	Response
PO ₅ Identified biodiversity corridors on the Environmental Significance Overlay maps and their role to potentially connect areas of ecological significance (through rehabilitation or enhancement) are not compromised by development.	No acceptable outcome is nominated.	N/A.
Waterways and Wetlands		
PO ₆ Development is not carried out within a mapped waterway or wetland identified on the Environmental Significance Overlay maps.	AO _{6.1} Development is located outside the mapped boundary of a waterway or wetland identified on the Environmental Significance Overlay maps.	Complies – The proposed new boundary line intersects a mapped waterway (drainage line) across the site. However, the proposed development will not require any physical works within the drainage corridor, will not require removal of vegetation, will not require disturbance of beds or banks, and will not impact drainage patterns or water quality. The proposed development simply seeks to realign the common boundary of the two proposed lots in line with the physical boundaries of existing agricultural land, whilst maintaining the environmental values and function of the existing drainage line.
PO ₇ Development provides a buffer which protects the ecological, hydrological and water quality values of the wetland or the waterway.	AO_{7.1} Development provides a buffer area which is vegetated with native plants endemic to the area. AO_{7.2} Buildings, structures and works are not carried out within the buffer area identified on the Environmental Significance Overlay maps.	N/A

Performance Outcomes	Acceptable Outcomes	Response
PO ₈ Development retains the existing hydrological regime or re-establishes the previous naturally occurring regime.	AO _{8.1} Existing flows of surface and ground water are not altered through construction of channelled flows or the redirection or interruption of flows.	N/A

Flood Hazard Overlay Code

Table 8.2.3:1 – Flood Hazard Overlay Code – requirements for accepted development and assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Development in Flood islands only		
PO₁ Development involving a vulnerable use is not located in a flood island area. Note: This is the only performance criterion in Table 8.2.3.1 applicable to development in a flood island area.	AO_{1.1} Vulnerable uses are not located within a flood island area.	N/A
Material change of use (Home based business only)		
PO₂ Development ensures occupants and property avoid areas of intolerable risk, and otherwise are prepared for and resilient to flood events.	AO_{2.1} Development is not located in the FR4 or FR3 flood risk areas or the OFP2 (high) overland flow path area. AO_{2.2} Materials stored on site: (a) are those that are readily able to be moved in a flood event; and (b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood. Editor's Note – Businesses should ensure that necessary emergency and continuity plans are in place to account for the potential need to evacuate personnel and to relocate property prior to a flood event (e.g. to	N/A

Performance Outcomes	Acceptable Outcomes	Response
	allow enough time to transfer stock to the upstairs level of a building or off-site).	
Rearrangement of Boundaries		
PO₃ Development layout does not increase the risk to existing or future people, property or infrastructure located on the premises or other premises.	AO_{3.1} Development ensures there is sufficient area outside the FR4 and FR3 flood risk areas and the OFP2 (high) overland flow path area to accommodate the intended use(s). AO_{3.2} Development ensures that building envelopes are located in an area other than the FR4 and FR3 flood risk areas and the OFP2 (high) overland flow path area. AO_{3.3} Development ensures that the entry points into the development are located to provide a safe and clear evacuation route path that meets the requirements of Table 8.2.3.6 during floods up to the Defined Flood Event.	AO3.1 – Complies – The sites are not affected by the FR4 or FR3 flood risk areas or OFP2 (high) overland flow path area. AO3.2 – Complies – The sites are not affected by the FR4 or FR3 flood risk areas or OFP2 (high) overland flow path area. AO3.3 – Complies – The boundary realignment will not alter the existing access locations for proposed Lot 2 and proposed Lot 1 can be provided with a new access location to Gall Road.
Resilient Built Form (all other development, including Dwelling house and Dual Occupancy)		
PO₄ Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding, such that buildings are: (a) located to avoid the risk to occupants and minimise the risk of property damage;	AO_{4.1} Buildings are not located in the FR4 or FR3 flood risk areas. Editor's Note – Development that cannot comply with this acceptable outcome will require assessment by Council.	N/A

Performance Outcomes	Acceptable Outcomes	Response
(b) developed in accordance with the overall outcomes of an applicable Flood Management Precinct; (c) capable of withstanding the flood hazard through compliance with flood planning level requirements and the relevant building assessment provisions. Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.	AO_{4.2} Buildings in a Flood Management Precinct¹⁴ are developed in accordance with the overall outcomes of that precinct. Editor's Note – Development that cannot comply with this acceptable outcome will require assessment by Council. AO_{4.3} Buildings in a flood risk area: (a) of a residential nature provide a finished habitable floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions; (b) of a non-residential nature provide a finished floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions; and (c) where utilising pier and pole construction, if understorey screening is provided it is a minimum of 50% permeable to allow for the flow of flood water through the understorey. Note: The Queensland Government Fact Sheet 'Rebuilding after a flood' provides information about water resilient products and building techniques¹⁵. Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.	

Performance Outcomes	Acceptable Outcomes	Response
	AO _{4.4} Buildings in an overland flow path area provide a finished habitable floor level located, designed and constructed to at least the overland flow planning level specified in table 8.2.3.4.	
PO ₅ Development does not worsen flooding on adjacent properties.	No acceptable outcome is nominated.	Complies – the development will not impact upon flood hazard and risk.

Table 8.2.3:2 – Flood Hazard Overlay Code – assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Development in Flood islands only		
PO₁ Development involving a vulnerable use is not located in a flood island area. Note: This is the only performance criterion in Table 8.2.3.1 applicable to development in a flood island area.	AO_{1.1} Vulnerable uses are not located within a flood island area.	N/A
Risk-compatible Land Use		
PO₂ Development is compatible with the level of risk associated with the natural hazard, such that: (a) vulnerable uses are not located in the Vulnerable Uses Restriction Area; (b) all other uses within the: (i) FR4 flood risk area are limited to non-urban uses; (ii) FR3 flood risk area are consistent with the intent of any underlying Flood Management Precinct or otherwise are limited to non-urban uses; (iii) FR2 flood risk area, FR1 flood risk area, Balance (mixed) flood risk area or OFP1(low) overland flow path area are consistent with the overall outcomes of the relevant	No acceptable outcome provided.	N/A

Performance Outcomes	Acceptable Outcomes	Response
zone or any Flood Management Precinct. Note: Non-urban uses can include Rural activities, sport and recreation activities such as Outdoor sport and recreation or Park, and conservation activities such as Permanent plantation. It does not include tourism activities such as Nature based tourism or Tourist park, or residential activities of any type (including Relocatable home park or Short term accommodation). Building work in the FR4 and FR3 areas should be avoided wherever possible.		
Resilient Built Form		
PO₃ Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding, such that it is: (a) located to avoid the risk to occupants and minimise the risk of property damage; (b) developed in accordance with the overall outcomes of an applicable Flood Management Precinct; (c) capable of withstanding the flood hazard through compliance with flood planning level requirements and the relevant building assessment provisions. Note: New buildings may require a structural engineering design capable of withstanding the	AO_{3.1} Buildings are not located in the FR4 or FR3 flood risk areas. AO_{3.2} Buildings in a Flood Management Precinct¹⁶ are developed in accordance with the overall outcomes of that precinct. AO_{3.3} Buildings in a flood risk area: (a) of a residential nature provide a finished habitable floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions; (b) of a non-residential nature provide a finished floor level located, designed and constructed to	N/A

Performance Outcomes	Acceptable Outcomes	Response
nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.	at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions. Note: The Queensland Government Fact Sheet 'Rebuilding after a flood' provides information about water resilient products and building techniques¹⁷. Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information. AO_{3.4} Buildings in an overland flow path area provide a finished habitable floor level located, designed and constructed to at least the overland flow planning level specified in table 8.2.3.4.	
PO4 Development ensures that a use which requires an interface with the public realm, (including a commercial or residential use), maintains a functional and attractive relationship with the adjacent street frontage¹⁸.	AO_{4.1} Development for a residential use where pier and pole construction is utilised: (a) if understorey screening is provided it is a minimum of 50% permeable to allow for the flow of flood water through the understorey. AO_{4.2} Development for a commercial building or structure maintains an active street frontage through: (a) providing clear pedestrian access from any adjacent footpath to the	N/A

Performance Outcomes	Acceptable Outcomes	Response
	floor level of the commercial activity; (b) providing a retail or food and beverage use, if consistent with the overall outcomes of the applicable zone and precinct, which interfaces with and overlooks the street; (c) urban design treatments which screen the understorey of the building from view from the adjacent street frontage but do not impede flood flow.	
Siting of Development for Reconfiguring a Lot		
PO₅ Development siting and layout in a flood risk area responds to flooding potential and maintains personal safety at all times, such that: (a) subdivision of land occurs consistent with the overall outcomes of any applicable Flood Management Precinct; (b) lots for urban purposes provide a ground level above the Defined Flood Event¹⁹; (c) rural and rural residential lots provide sufficient area outside the Defined Flood Event to accommodate the required minimum lot size; (d) lots (excluding balance or common property lots) on a building format plan under the	AO_{5.1} Development is avoided on that part of any land within the FR4, FR3 or FR2 flood risk areas, or otherwise as specified in the overall outcomes of a Flood Management Precinct²⁰. AO_{5.2} Development complies with the filling requirements of table 8.2.3.5. AO_{5.3} Development in a greenfield area protects a flood conveyance area by providing an easement or reserve over the area of the premises up to the Defined Flood Event to be retained for the purposes of reserve or Park.	N/A

Performance Outcomes	Acceptable Outcomes	Response
Land Title Act 1994 which is subject to a community titles scheme under the Body Corporate and Community Management Act 1997 and associated with a material change of use are located above the Defined Flood Event.		
PO ₆ Development siting and layout in an overland flow path area accommodates the flow path characteristics and minimises the risk to persons, property and infrastructure both on site and external to the site.	AO_{6.1} Development: (a) for urban purposes avoids maintaining overland flow paths in private ownership; (b) for rural or rural residential purposes provides sufficient area outside the overland flow path areas to accommodate the required minimum lot size. OR AO_{6.2} Development is in accordance with an approved site-based stormwater management plan.	N/A
Access and Isolation		
PO ₇ Development in a flood risk area is sited and designed such that:	AO _{7.1} Road and/or pathway layout within the development provides a safe and clear evacuation path:	Complies
(a) road layout avoids isolation in a flood hazard event and does not impede evacuation; (b) vehicular access during a flood hazard event is enabled; (c) provision is made for on-site sheltering during a flood event; and	(a) to ensure persons are not physically isolated from an adjacent flood-free urban area;²¹ (b) by locating entry points into the reconfiguration above the Defined Flood Event and avoiding cul-de-sacs or other non-permeable layouts; and	

Performance Outcomes	Acceptable Outcomes	Response
(d) signage is utilised to ensure that community members have a clear understanding of the nature of the flood risk in the area.	(c) in the form of at least one (1) evacuation route that meets the requirements of Table 8.2.3.6 during floods up to the Defined Flood Event. AO_{7.2} An area is available within the development site at or above the flood planning level with sufficient space to accommodate the likely population of the development in safety for a relatively short time until flash flooding subsides or people can be evacuated. AO_{7.3} Development ensures that: (a) signage is provided on a road or pathway²² indicating the position and path of all safe evacuation routes off the premises; (b) if the premises contains or is within 100m of a waterway, hazard warning signage and depth indicators are provided at each key hazard point, such as at a waterway crossing or an entrance to a low-lying reserve.	
Flood Storage and Conveyance		
PO₈ Development complies with the requirements of table 8.2.3.5 and does not change the flood characteristics of the area, taking account of the cumulative impact of development, outside the site in ways that result in: (a) loss of flood or overland flow storage/conveyance; (b) loss of or changes to flow paths; (c) acceleration or retardation of flows;	No acceptable outcome provided.	Complies – the development will not impact upon flood hazard and risk.

Performance Outcomes	Acceptable Outcomes	Response
(d) increase in the depth or duration of flood or overland flow waters; or (e) any reduction in flood warning times elsewhere on the floodplain. Note: To demonstrate achievement of the performance outcome, an engineering report is to be prepared by a suitably qualified person. Guidance on the matters to be addressed in the report is provided in the Planning scheme policy No.1 – Development application requirements.		
Emergency Management and Business Continuity		
PO₉ Development supports, and does not unduly burden, disaster management responses and recovery capacity and capabilities for a flood hazard event up to and including the Defined Flood Event or the Overland Flow Event.	AO_{9.1} Development enables or does not hinder or complicate self-evacuation of persons, and ensures sufficient warning time for the nature of the use. AO_{9.2} Materials stored on site: (a) are not located within the FR4 and FR3 flood risk areas or the OFP2 (high) overland flow path area, and otherwise are those that are readily able to be moved in a flood event; and (b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood. Editor's Note – Businesses should ensure that necessary emergency and continuity plans are in place to account for the potential need to evacuate personnel and to relocate property prior to a flood event (e.g. to allow enough time to transfer stock to the upstairs level of a building or off-site).	Complies

Performance Outcomes	Acceptable Outcomes	Response
Hazardous Materials		
PO10 Development not in the FR4 or FR3 flood risk areas or the OFP2 (high) overland flow path area ensures public safety and the environment are not adversely affected by the detrimental impacts of floodwater on hazardous materials manufactured or stored in bulk.	AO_{10.1} Development ensures: (a) the manufacture or storage in bulk of hazardous materials is located at least above the flood planning level in Table 8.2.3.3 or the overland flow planning level in Table 8.2.3.4 (whichever is applicable); or (b) structures used for the manufacture or storage of hazardous materials in bulk are designed to prevent the intrusion of floodwaters. Note: Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements related to the manufacture and storage of hazardous substances.	N/A
Infrastructure		
PO11 Essential services infrastructure within a site (including electricity, gas, water supply, wastewater and telecommunications) is located outside the FR4 and FR3 flood risk areas and the OFP2 (high) overland flow path area or maintains its function during and immediately after flood events.	AO_{11.1} Any components of the infrastructure that are likely to fail to function or may result in contamination when inundated by flood water (e.g. electrical switchgear and motors, water supply pipeline air valves) are: (a) located outside the FR4 and FR3 flood risk areas or OFP2 (high) overland flow path area; and (b) located above the flood planning level in Table 8.2.3.3 or the overland flow planning level in Table 8.2.3.4 (whichever is applicable); or	Complies

Performance Outcomes	Acceptable Outcomes	Response
	(c) designed and constructed to exclude floodwater intrusion/infiltration. AO_{11.2} Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by all flood events.	
Community Infrastructure		
PO12 Development involving community infrastructure: (a) is not located within a flood risk area, flood island or the OFP2 (high) overland flow path area if it involves a vulnerable use; (b) remains functional to serve community need during and immediately after a flood event; (c) retains essential site access during a flood event such that the following uses have direct access to low hazard evacuation routes as defined in Table 8.2.3.6: (i) a vulnerable use located outside the Vulnerable Uses Restriction Area; (ii) substation; (iii) utility installations involving water and sewerage treatment plants. (d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.	No acceptable outcome provided.	N/A

Table 8.2.3:3 – Flood Hazard Overlay Code – Flood planning levels for finished floors (residential and non-residential development) and levels for hazardous chemicals

Flood risk area	Freeboard	Flood planning level
FR1 flood risk area	300mm	Defined Flood Event + 300mm
FR2, FR3 and FR4 flood risk areas	500mm	Defined Flood Event + 500mm
Balance – Mixed flood risk area	600mm	Defined Flood Event + 600mm

Note: If the premise is subject to another overlay or overlay component which states a planning level, the planning level that provides the highest level of immunity applies.

Note: The Defined flood event (DFE) varies across the region. Refer to Schedule 1 for a definition of the Defined Flood Event.

Table 8.2.3:4 – Flood Hazard Overlay Code – Overland flow planning levels for finished floors (residential and non-residential development) and levels for hazardous chemicals

Overland flow path area	Freeboard	Overland flow planning level
OFP1 (low)	N/A	600mm above ground level
OFP2 (high)	300mm	Overland Flow Event + 300mm

Note: The Defined flood event (DFE) are catchment-specific. Refer to Schedule 1 for a definition of the Overland Flow Event.

Table 8.2.3:5 – Flood Hazard Overlay Code – Fill requirements

Flood risk area/Overland flow path area	Fill level
FR4 and FR3 flood risk areas	No filling permitted except for the purposes of public infrastructure or otherwise as directed by an approved floodplain management plan
FR2 and FR1 flood risk area	Filling permissible where complying with PO ₈
Balance flood risk area	Filling permissible where complying with PO ₈
OFP2 (high) overland flow path area	No filling permitted except for the purposes of public infrastructure or otherwise as directed by an approved floodplain management plan
OFP1 (low) overland flow path area	Filling permissible where complying with PO ₈

Table 8.2.3:6 – Flood Hazard Overlay Code – Low hazard evacuation route requirements²³

Criteria	Degree of Flood Hazard – Low
Wading ability	If <u>necessary</u> children and the elderly could wade (generally, safe wading velocity depth product is less than 0.25)
Evacuation distances	< 200 <u>metres</u>
Maximum flood depths	< 0.3 <u>metres</u>
Maximum flood velocity	<0.4 <u>metres</u> per second
Typical mean of egress	Sedan
Time (refer to Local Disaster Management Plan)	Ample for flood forecasting. Warning and evacuation routes remain passable for twice <u>as long as</u> evacuation time.