

SCHEDULE 1

Statement of Reasons

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Section 63(4) and (5) of the *Planning Act 2016*

SITE DETAILS	
Site Address	228A Campbell Street, NEWTOWN QLD 4350
Real Property Description	Lot 1 RP74665
Site Area	544m ²
Owner	Peter Harley Young and Catherine Mary Young

PROPOSED DEVELOPMENT		
Name of Applicant	Peter Harley Young and Catherine Mary Young	
Type of Application	Development Permit for a Material Change of Use	
Proposed Development	Short-term Accommodation	
Level of Assessment	Impact	
Gross Floor Area	130 m ²	
Impervious Area	160 m ²	
Site Cover	26%	
Car Parking Spaces	Two (2)	
Service Vehicle Provision	Nil	
Submissions Received	Objection:	No submissions were received opposing the development
	Support:	Two (2) properly submissions were received supporting the development
Decision	Approval	
Decision Date	5 October 2021	

ASSESSMENT MATTERS					
Assessment benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • <i>State Planning Policy July 2017</i>; • <i>South-east Queensland Regional Plan 2017</i>; • The Local Government Infrastructure Plan; and • <i>Toowoomba Regional Planning Scheme 2012 (Version 26)</i> <ul style="list-style-type: none"> ○ Strategic Framework; ○ Airport Environs Overlay Code; ○ Low Density Residential Zone Code; ○ Medium Density Residential Code; ○ Environmental Standards Code; ○ Integrated Water Cycle Management Code; ○ Landscaping Code; ○ Transport, Access and Parking Code; and ○ Works and Services Code. 				
Reasons for decision	<p>The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.</p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">Assessment benchmark</th> <th style="width: 50%;">Reasons for the approval despite non-compliance with benchmark</th> </tr> </thead> <tbody> <tr> <td> <p>Low Density Residential Zone Code</p> <p>PO3 Short-term accommodation occurs where:</p> </td> <td> <p>The proposed development does not comply with Performance Outcome PO3 (d). However, the proposed development is considered to be generally consistent with the overall outcomes and purpose of the zone code for the following reasons:</p> </td> </tr> </tbody> </table>	Assessment benchmark	Reasons for the approval despite non-compliance with benchmark	<p>Low Density Residential Zone Code</p> <p>PO3 Short-term accommodation occurs where:</p>	<p>The proposed development does not comply with Performance Outcome PO3 (d). However, the proposed development is considered to be generally consistent with the overall outcomes and purpose of the zone code for the following reasons:</p>
	Assessment benchmark	Reasons for the approval despite non-compliance with benchmark			
<p>Low Density Residential Zone Code</p> <p>PO3 Short-term accommodation occurs where:</p>	<p>The proposed development does not comply with Performance Outcome PO3 (d). However, the proposed development is considered to be generally consistent with the overall outcomes and purpose of the zone code for the following reasons:</p>				

	<p>(a) it is of a small scale that is consistent with the intensity of development in the surrounding residential area;</p> <p>(b) adjoining or located on the opposite side of a road to existing Short-term accommodation or other Accommodation activities of a similar scale and density;</p> <p>(c) all car parking needs can be met on site;</p> <p>(d) have direct vehicle access to a distributor, sub-arterial and regional arterial level road that is not a State-controlled road; and</p> <p>(e) do not unduly detract from the amenity of nearby residences.</p>	<ul style="list-style-type: none"> • The proposed Short-term Accommodation would provide tourist accommodation at a density and scale similar to a Dwelling House and conserve the amenity and lifestyle of the local residents. • The acoustic amenity of surrounding residents can be protected through conditions requiring the use to comply with the relevant criteria for noise limits and restricting the number of guests to a maximum of six (6). <p><u>Overall Outcomes</u></p> <p>(k) The proposed Short-term Accommodation will utilise the existing dwelling which is at scale that is consistent with the surrounding low density residential area. The proposed Short-term Accommodation does not have direct access to a distributor or higher-level road; however, the site is located approximately 220m from Taylor Street (a Sub-arterial road) and will generate traffic similar to a Dwelling House use. The proposal includes two (2) on-site car parking spaces that would meet the needs generated by the development. Therefore, subject to conditions, the proposed use would not detract from the residential amenity of the area.</p> <p>(l) It is recommended that the proposed Short-term Accommodation be allowed to accommodate a maximum of six (6) persons at any one time to avoid adverse impacts from excessive traffic and noise from the use. Therefore, it is considered that the proposed development can maintain an acceptable level of residential amenity.</p>
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For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Toowoomba Regional Council Planning and Development Online website at: <http://www.tr.qld.gov.au/payments-self-service-laws/web-apps/pdonline/8892-planning-and-development-online>. When accessing Council's website please use the following Application Number: MCUI/2021/3730