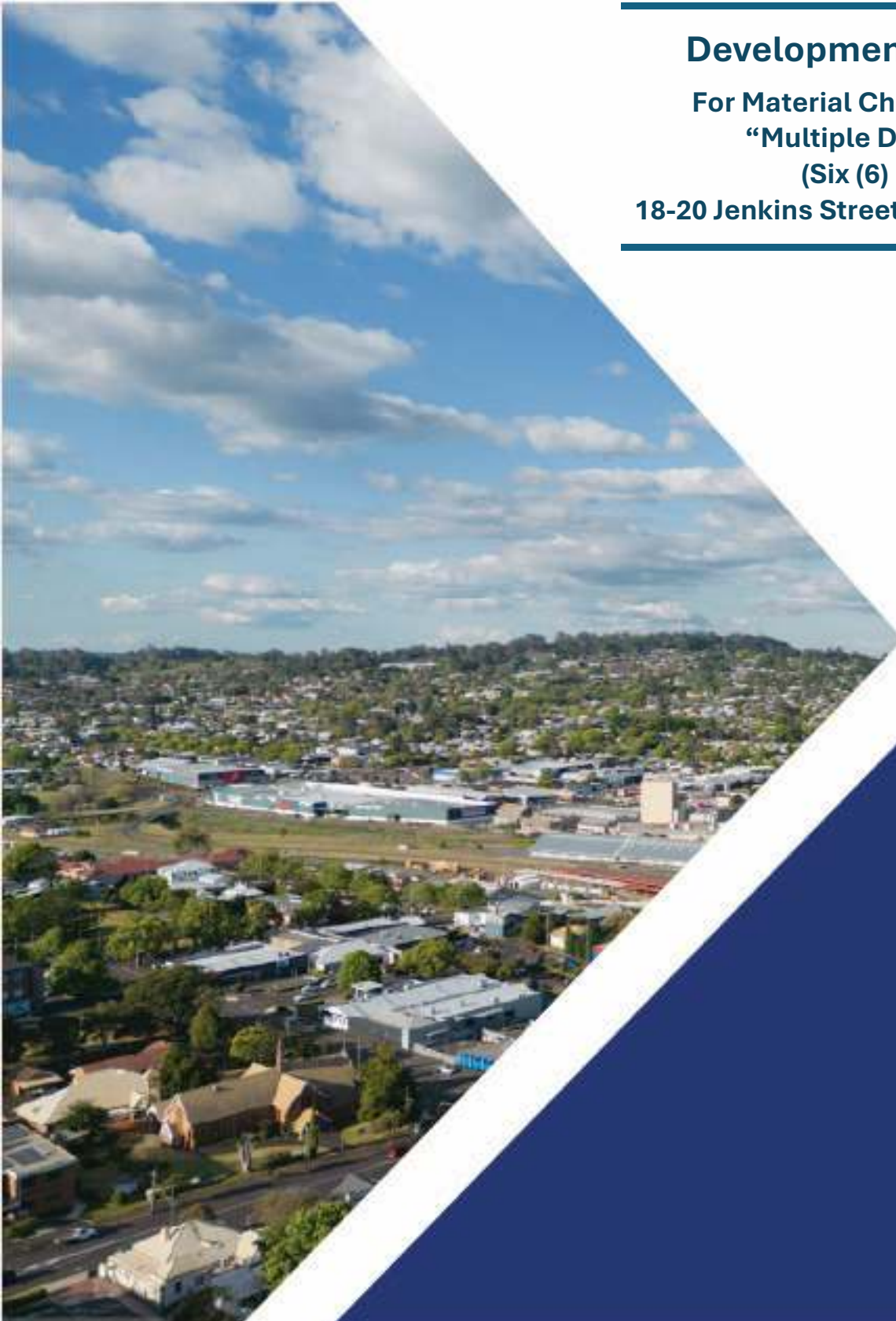


PLANNING REPORT

Development Application

**For Material Change of Use for a
“Multiple Dwelling” use
(Six (6) Units) at**

18-20 Jenkins Street, Newtown, Qld 4350



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Report Date:	2 April 2026

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1. Summary of Application Details

Applicant Details

Applicant Name:	James Gleeson C/- Alpha Planning Applications
Applicant Contact Name:	Andrew Hill
Applicant Contact Address:	C/- Alpha Planning Applications PO Box 764, TOOWOOMBA QLD 4350
Applicant Contact Phone Number:	0439 373 414
Applicant Email Address:	andrew@alphaplanning.com.au

Proposal

Approval Type:	Development Permit
Development Type:	Material Change of Use
Proposed Development:	Six (6) x Three (3) bedrooms units
Planning Scheme Definition:	"Multiple Dwelling" (Six (6) Units)
Level of Assessment:	Impact Assessable
Referrals:	Nil
Planning Scheme:	<i>Toowoomba Regional Planning Scheme 2012</i>

Site Details

Address:	18-20 Jenkins Street, Newtown QLD 4350
Property Description:	Lot 19 RP17023, Lot 2 RP78188 and Lot 3 RP63099
Site Area:	1,786m ² (577m ² , 349m ² and 860m ²)
Existing Use:	Vacant Residential Land
Planning Scheme Zone:	Low Density Residential Zone
Planning Scheme Precinct:	General Precinct
Local Plan:	Nil
Planning Scheme Overlays:	Airport Environs Overlay
Landowner:	James Gleeson

Proposed Buildings/Sealed Areas

Proposed Number of Units:	Six (6)	
Proposed Bedrooms:	Three (3) Bedrooms per Unit Total = 18 Bedrooms	
Proposed Unit Size:	Unit 1 – 175.5m ² Unit 2 – 170.4m ² Unit 3 – 170.4m ²	Unit 4 – 174.2m ² Unit 5 – 169.0m ² Unit 6 – 167.3m ² Total = 1,026.8m ²
Site Area:	1,786m ²	
Proposed Building Footprint/Site Coverage:	41.5% (741.6m ²)	
Proposed Sealed Areas:	23.6% (421.8m ²)	
Proposed Total Impervious Areas:	65.1% (1,163.4m ²)	
Number of Storeys:	Two (2)	
Maximum Height of Building/s:	7.64 metres	

Proposed Landscaping/Permeable Areas

Total Landscaping/Permeable Areas:	35% (625.5m ²)	
Landscaping/Permeable Areas within Front Setback:	56.8% (196.7m ²) of Front Setback Area	
Landscaping outside Front Setback:	29.78% (428.8m ²)	
Private Open Space (POS) Areas:	Unit 1 – 97.4m ² Unit 2 – 74.8m ² Unit 3 – 40m ²	Unit 4 – 96.2m ² Unit 5 – 82.6m ² Unit 6 – 100.2m ²
Sealed Areas in Front Setback Areas:	43.2% (149.6m ²)	

Proposed Car Parking & Infrastructure

On-site Unit Car Parking:	12
On-site Visitor Car Parking:	One (1)
Total On-site Car Parking:	13
Service Vehicle Provision:	N/A
Street Access:	4.8m and 5.5m metre wide concrete sealed driveway crossovers
Services/Infrastructure:	All Urban Infrastructure
Road Frontage/s:	Jenkins Street; and Gaydon Street

2. Introduction

This report has been prepared to support the development application for a Material Change of Use “Multiple Dwelling” (Six (6) units) at 18-20 Jenkins Street, Newtown – described as Lot 19 RP17023, Lot 2 RP78188 and Lot 3 RP63099. This report has been prepared on behalf of the applicant/owner, James Gleeson.



Figure 1: Aerial View of Subject Address

(Source: TRC Online Mapping)

The proposed development is for a Development Permit for a Material Change of Use, 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 including the *State Planning Policy*, *South-East Queensland Regional Plan* and the *Darling Downs Regional Plan*; 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 assessment requirements, and this report demonstrates this within.

3. Site

Site Description

The subject site is located at 18-20 Jenkins Street, Newtown described as Lot 19 RP17023, Lot 2 RP78188 and Lot 3 RP63099 and has a total combined site area of approximately 1,786m².



Figure 2: Aerial View of Development Site

(Source: TRC Online Mapping)

The site is comprised of three (3) rectangular/'L' shaped allotments that overall create an 'L' shaped lot on a generally north to south axis. The site is located on the corner of Jenkins Street and Gaydon Street, with a width/frontage to Jenkins Street of approximately 26 metres and depth of up to approximately 37 metres, and a width/frontage to Gaydon Street of approximately 20 metres and depth of up to approximately 16 metres.

The site is currently improved with two (2) "Dwelling House" uses and associated structures and is currently provided with access from Jenkins Street via an existing approximately 3 metre wide bitumen sealed driveway crossover to 18 Jenkins Street, and an existing kerb crossing (with no sealed driveway) to 20 Jenkins Street.

Planning Designations

The subject land is located within the Low Density Residential Zone (General Precinct), is covered by the Airport Environs Overlay (Light Restriction Zone B, Lighting Area Buffer (6 km) & 3km Wildlife Hazard Buffer Zone) and is located on a Local Access Road (Jenkins Street) under Council's Road Hierarchy. All surrounding and adjoining sites are also located within the Low Density Residential Zone.

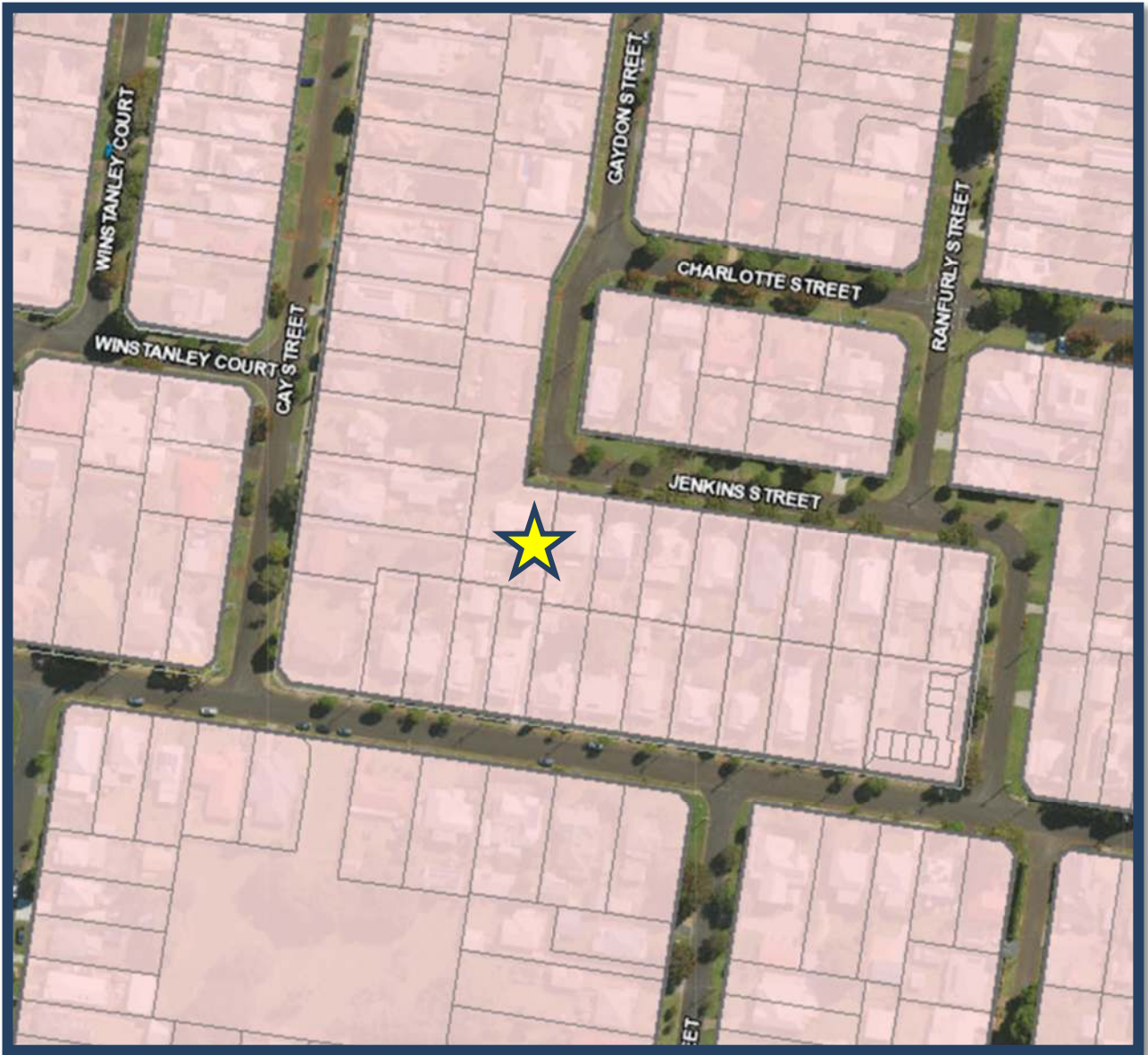


Figure 3: Zoning map of site and surrounds

(Source: TRC Online Mapping)

Environment

Vegetation and Street Trees

The existing lots have been historically cleared of all significant stands of vegetation and generally contains existing ornamental/residential landscaping. There is One (1) Street Tree located within the sites' Gaydon Street frontage.

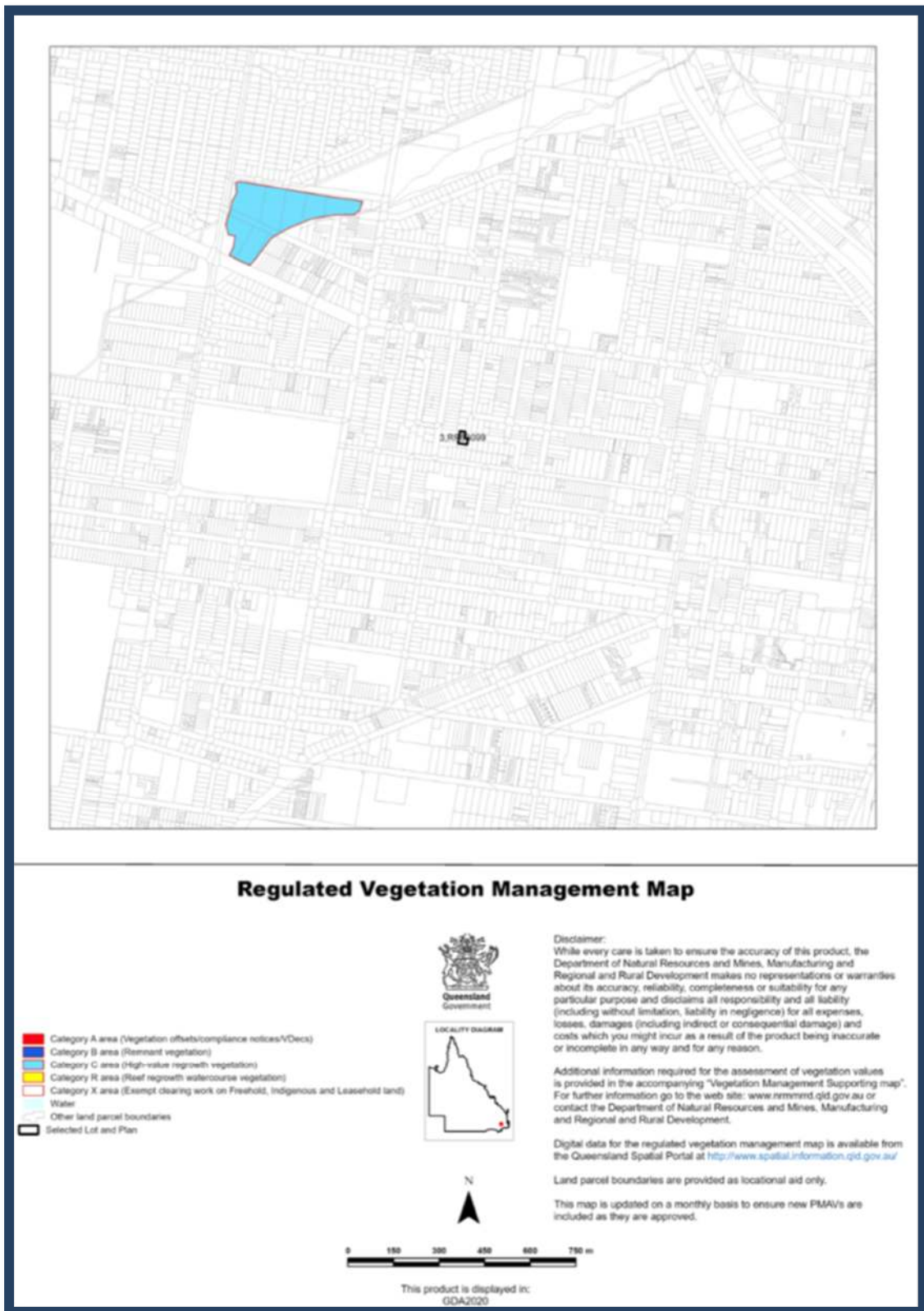


Figure 4: Regulated Vegetation Map

(Source: DNRM Website)

Watercourses

The subject site does not contain identified watercourses.

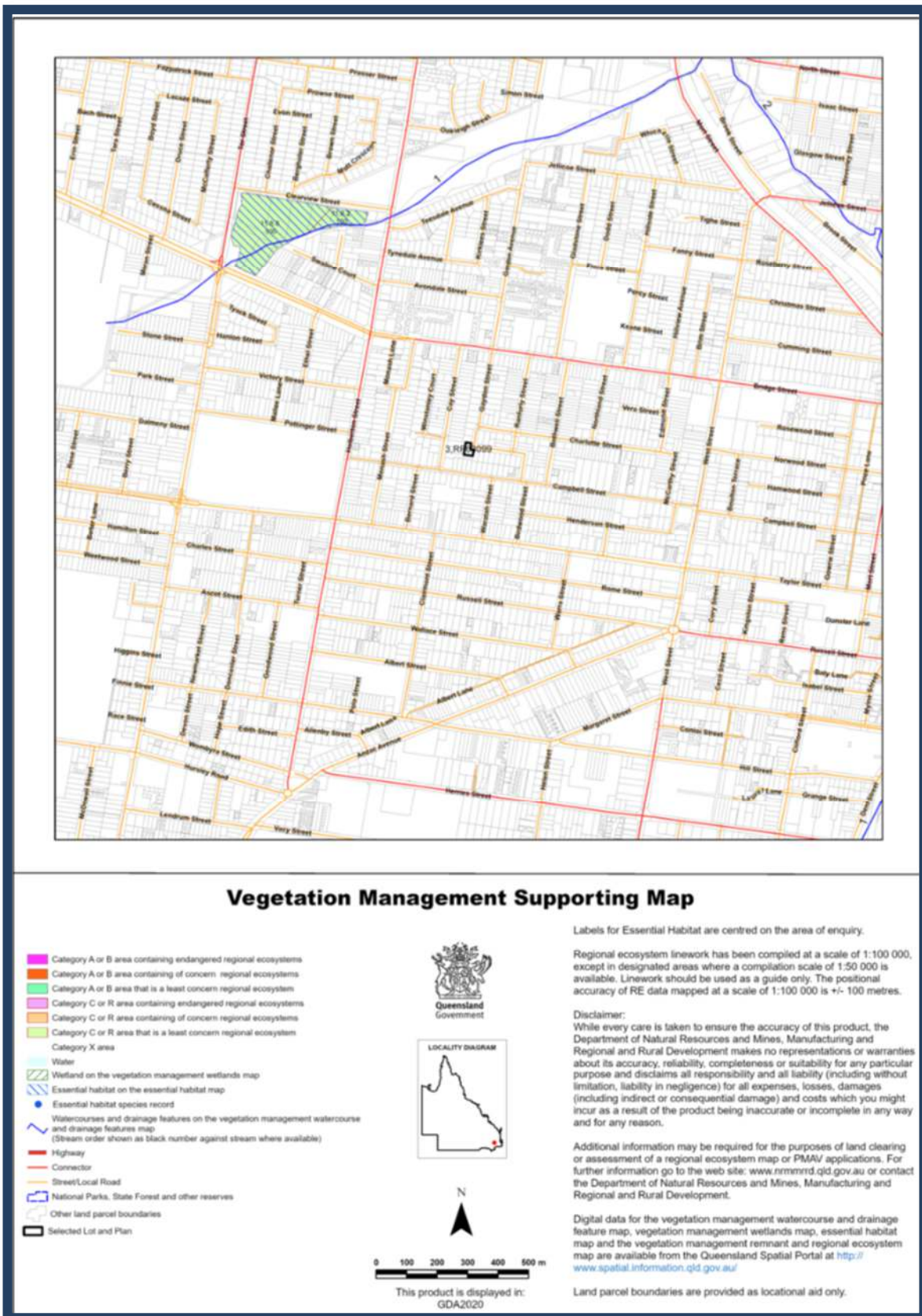


Figure 5: Vegetation Management Supporting Map

(Source: DNRM Website)

Referrable Wetlands

The subject site is not within or adjacent to a referrable wetland.

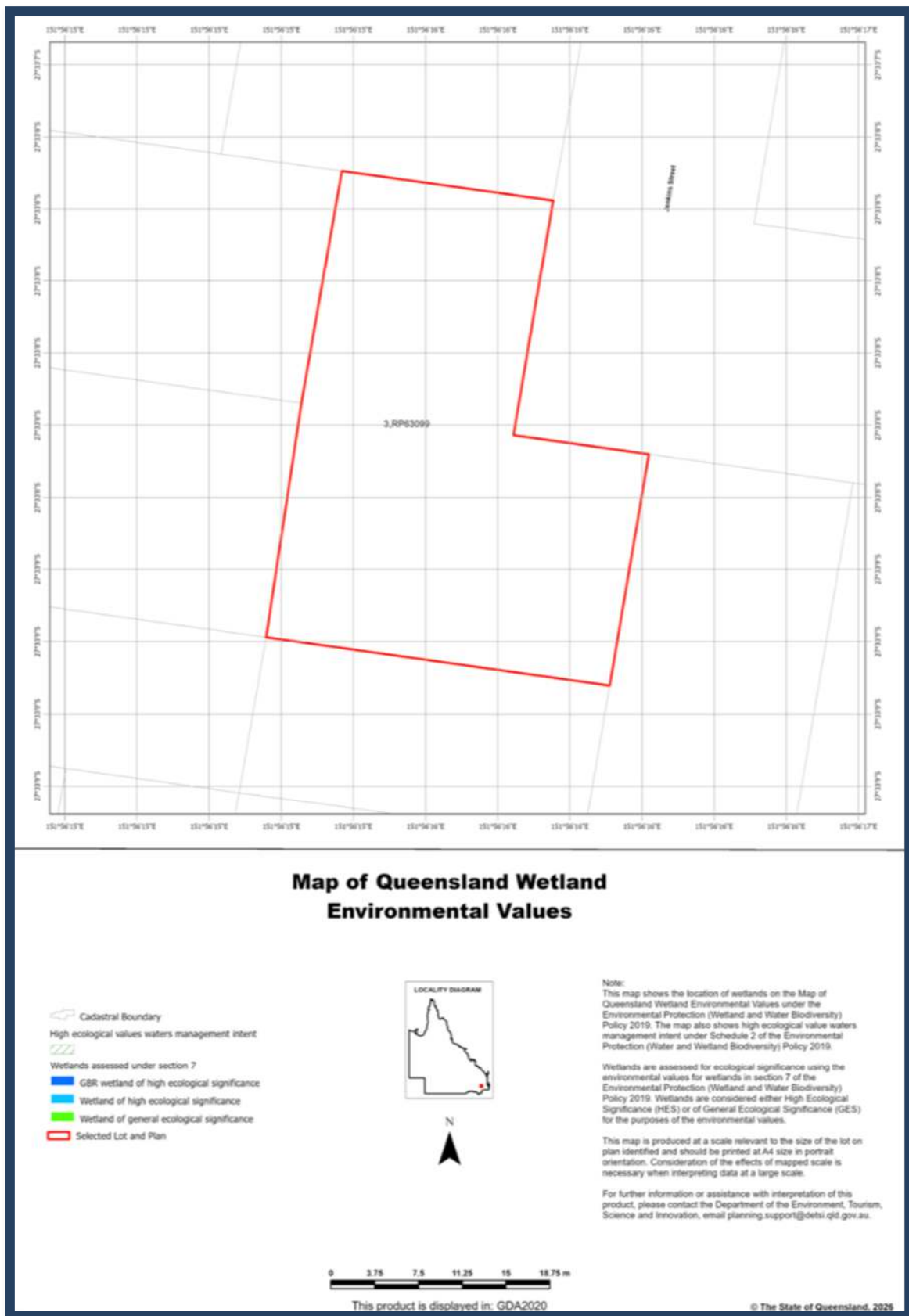


Figure 6: Referrable Wetlands (WPA)

(Source: DNRM Website)

Infrastructure

The site has access and is connected to, or is capable of being connected to, all urban infrastructure including:

- Reticulated electricity (aboveground within Jenkins Street reserve/frontage);
- Telecommunications (underground within Jenkins Street reserve/frontage, including NBN);
- Sealed Roads:
 - Jenkins Street – Ten (10) metre wide bitumen sealed road, with kerb and channel, within a 20 metre wide road reserve.
 - Gaydon Street – Six (6) metre wide bitumen sealed road, with kerb and channel, within a 15 metre wide road reserve.
- Reticulated sewer – 150mm concrete sewer main running from west to east in the south section of the site – with one (1) manhole within the site;
- Reticulated water supply – 150mm AC pipe running along the Jenkins Street and Gaydon Street road reserve; and
- Stormwater infrastructure – channel and underground pipe system within Jenkins Street.

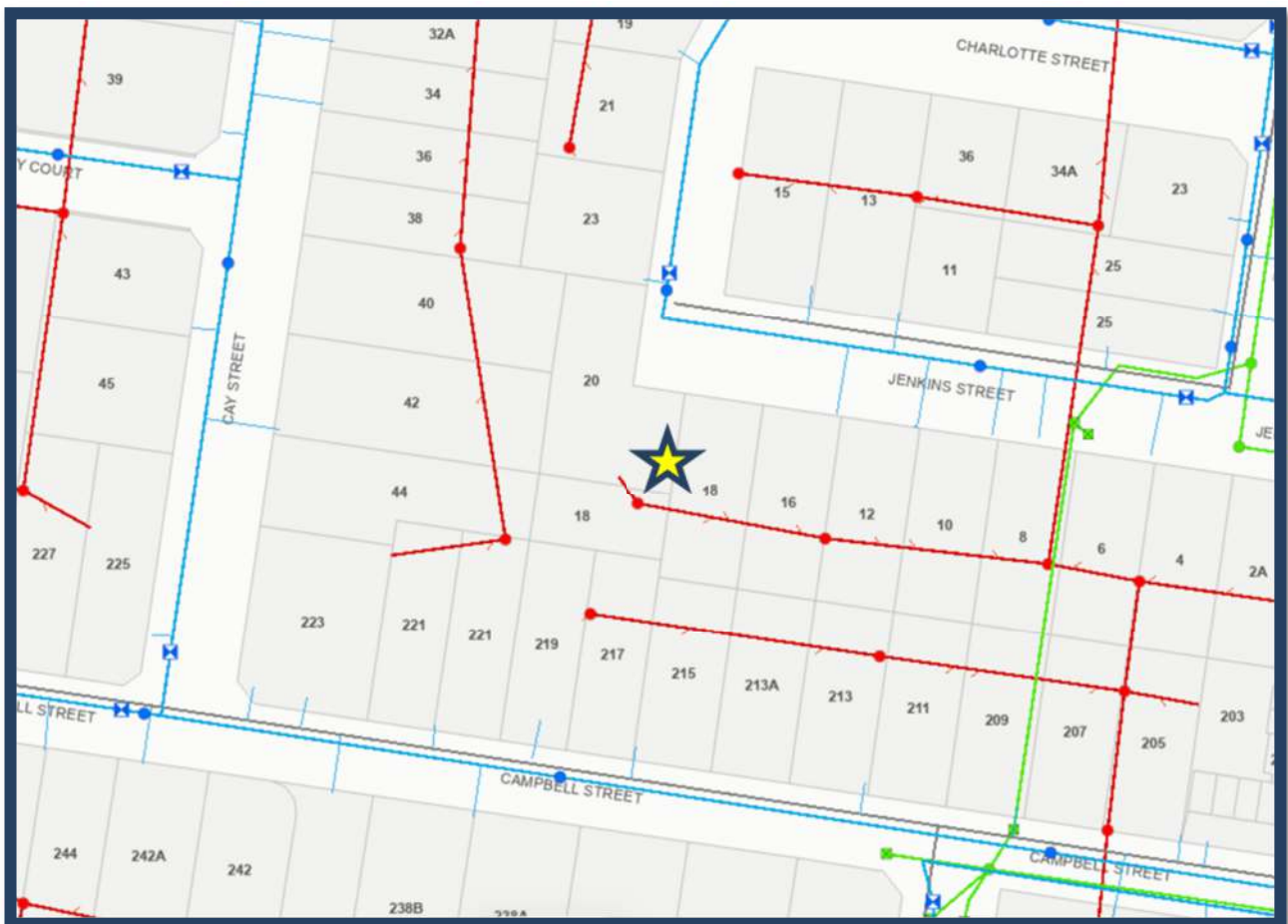


Figure 7: Infrastructure Mapping of site

(Source: TRC Online Mapping)

Access

There is an existing approximately 3 metre wide bitumen sealed driveway crossover from Jenkins Street for the existing “Dwelling House” use within the site (18 Jenkins Street). There is also an existing approximately 5 metre wide flat kerb crossing (with no sealed driveway) from Jenkins Street to the second existing “Dwelling House” use within the site (20 Jenkins Street).



Figure 8: View to west along Jenkins Street showing site’s existing access locations (Source: Google Maps)



Figure 9: Direct view of site’s existing accesses to Jenkins Street

(Source: Google Maps)

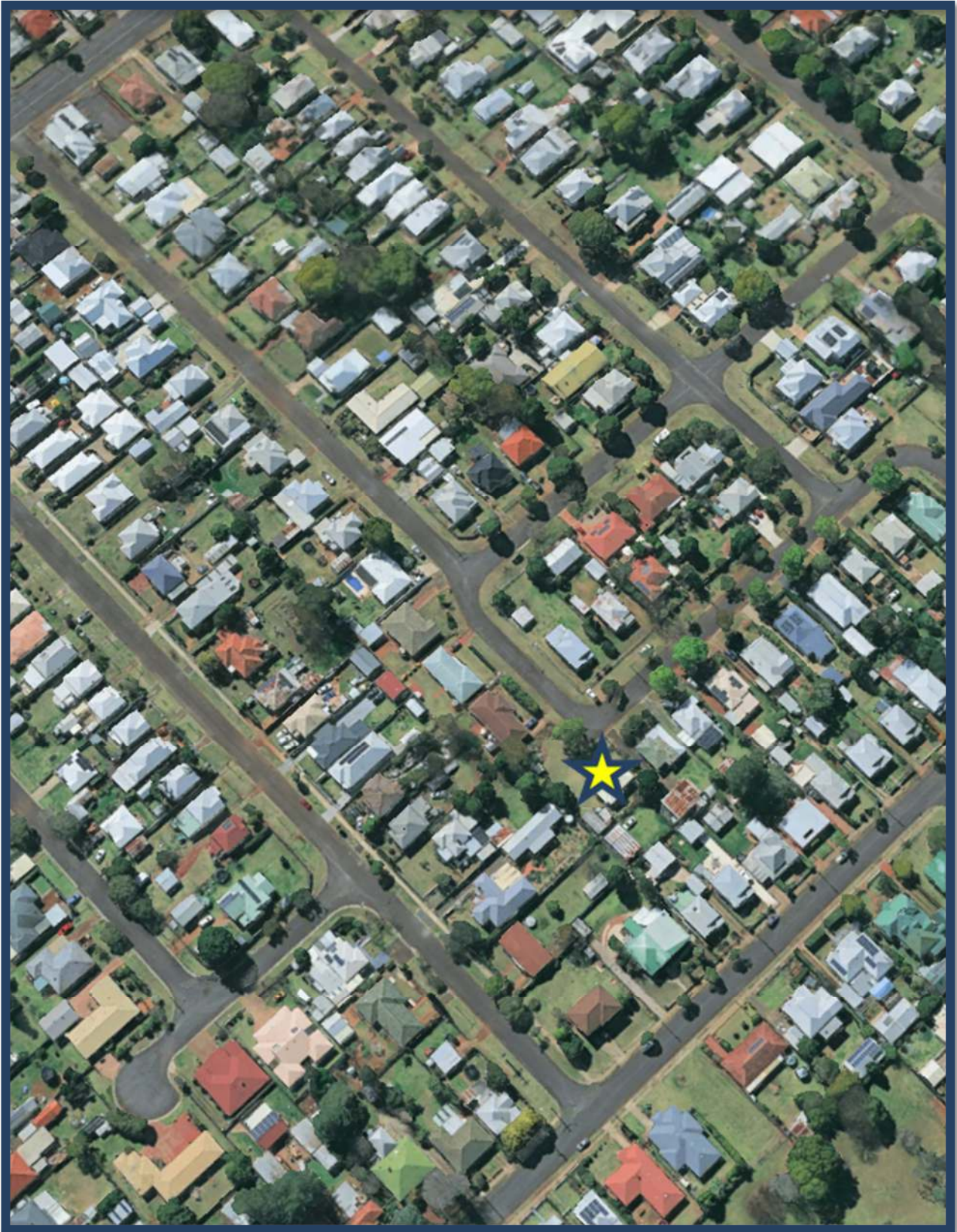


Figure 10: Aerial view of subject site and surrounding road network

(Source: Google Earth)

Topography

The subject site is generally flat and has a gradual fall, generally towards the north to north-east of the site (towards Jenkins Street), of approximately 2.9%.

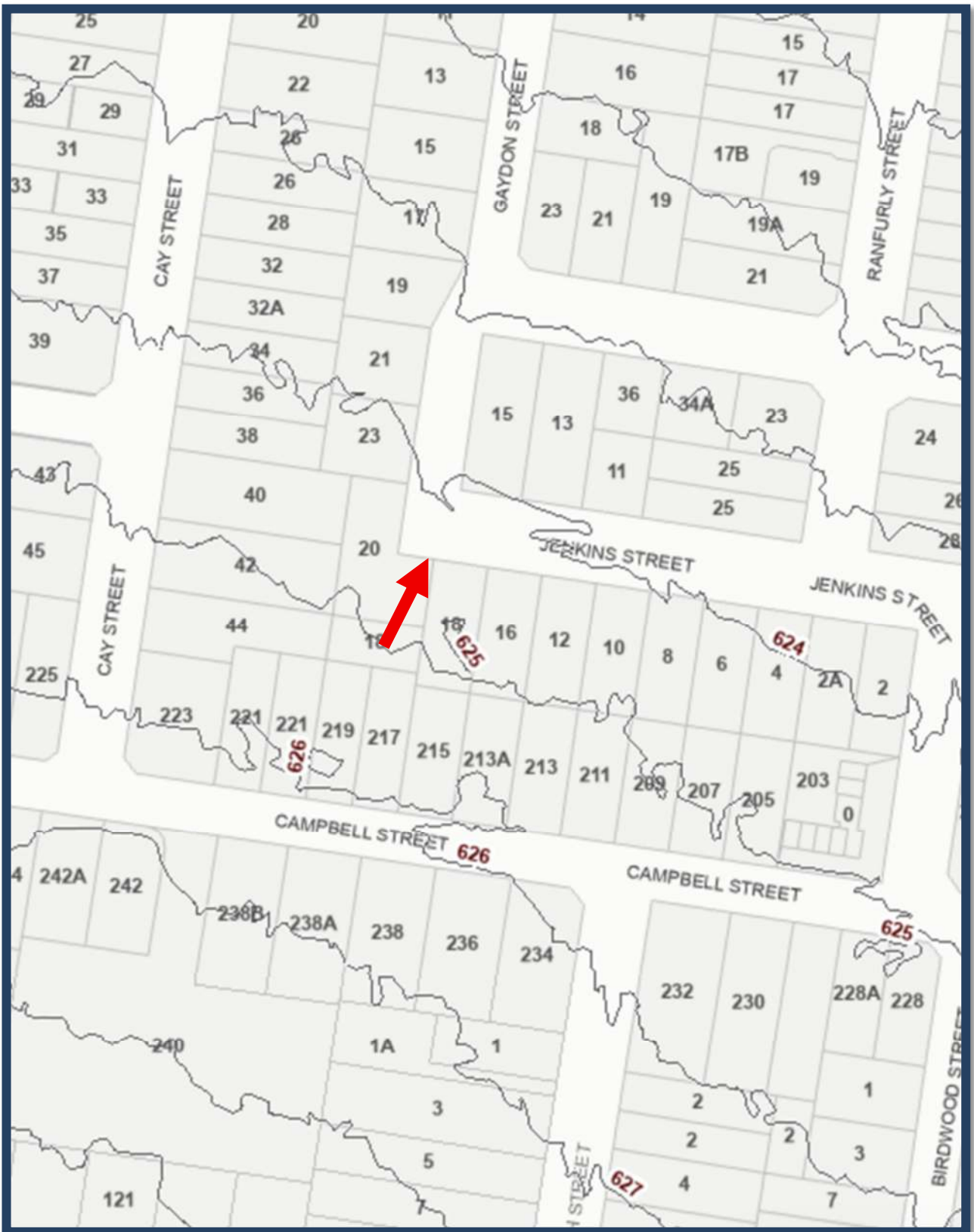


Figure 11: Contour Mapping of site

(Source: TRC Online Mapping)

Site History

There are no relevant approvals over the subject lands available on Council's Development.i portal for the existing use of the site. The historic 'lawful use' of the sites are for "Dwelling House" uses.

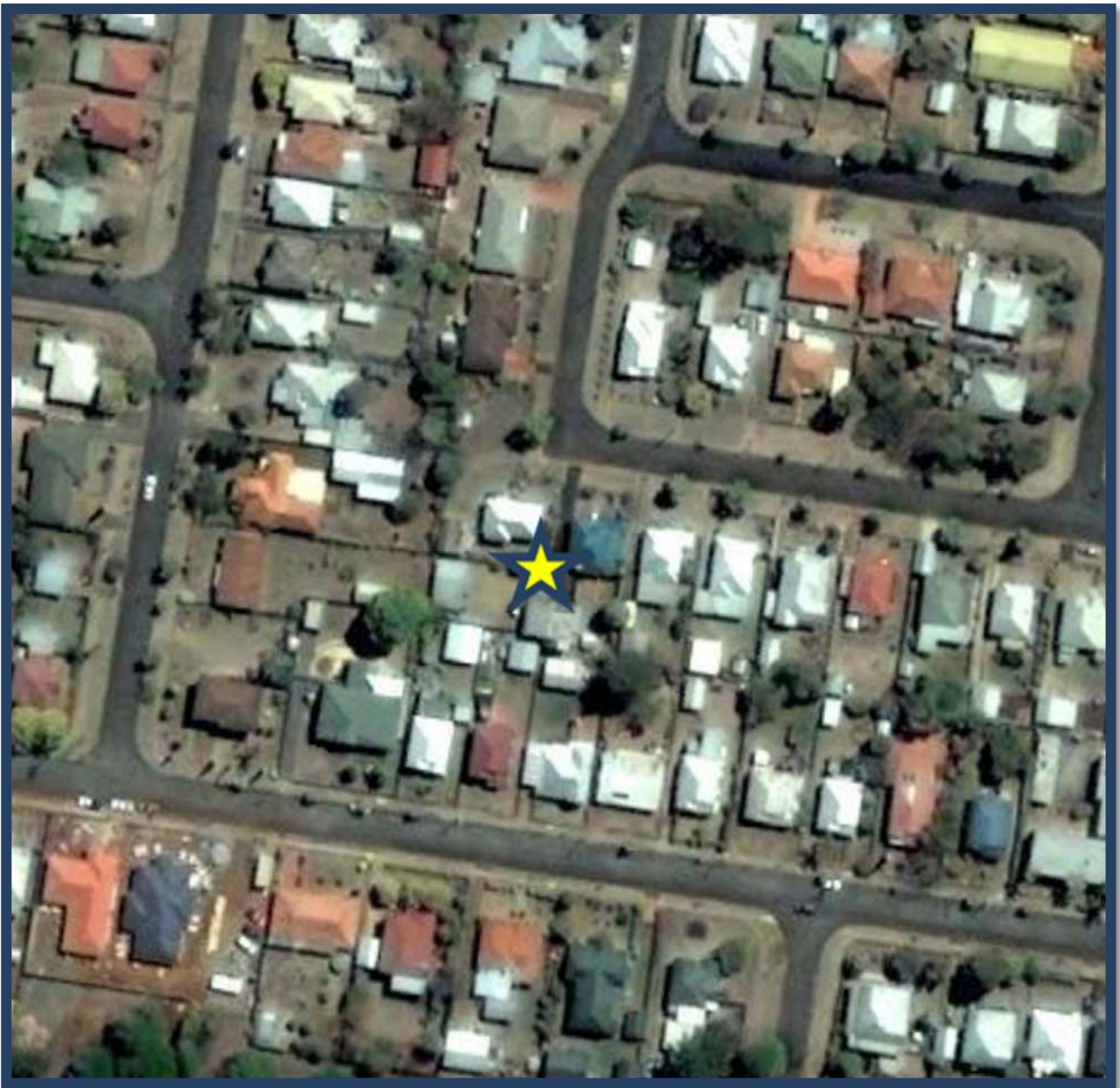


Figure 12: Historical (circa 2004) aerial image of subject site

(Source: Google Earth)

4. Surrounding Uses

The subject site is located approximately 1.2km to the north-west of the Toowoomba CBD within a predominantly residential area. The site is located in close proximity to, and within walking distance to, Newtown Park and to several schools including Toowoomba West Special School and St Ursula's College; and is in close proximity to employment hubs, with the Toowoomba CBD only 1.2km to the south-east, and in close walking distance to Public Transport (Bus) routes (Campbell Street and Bridge Street).

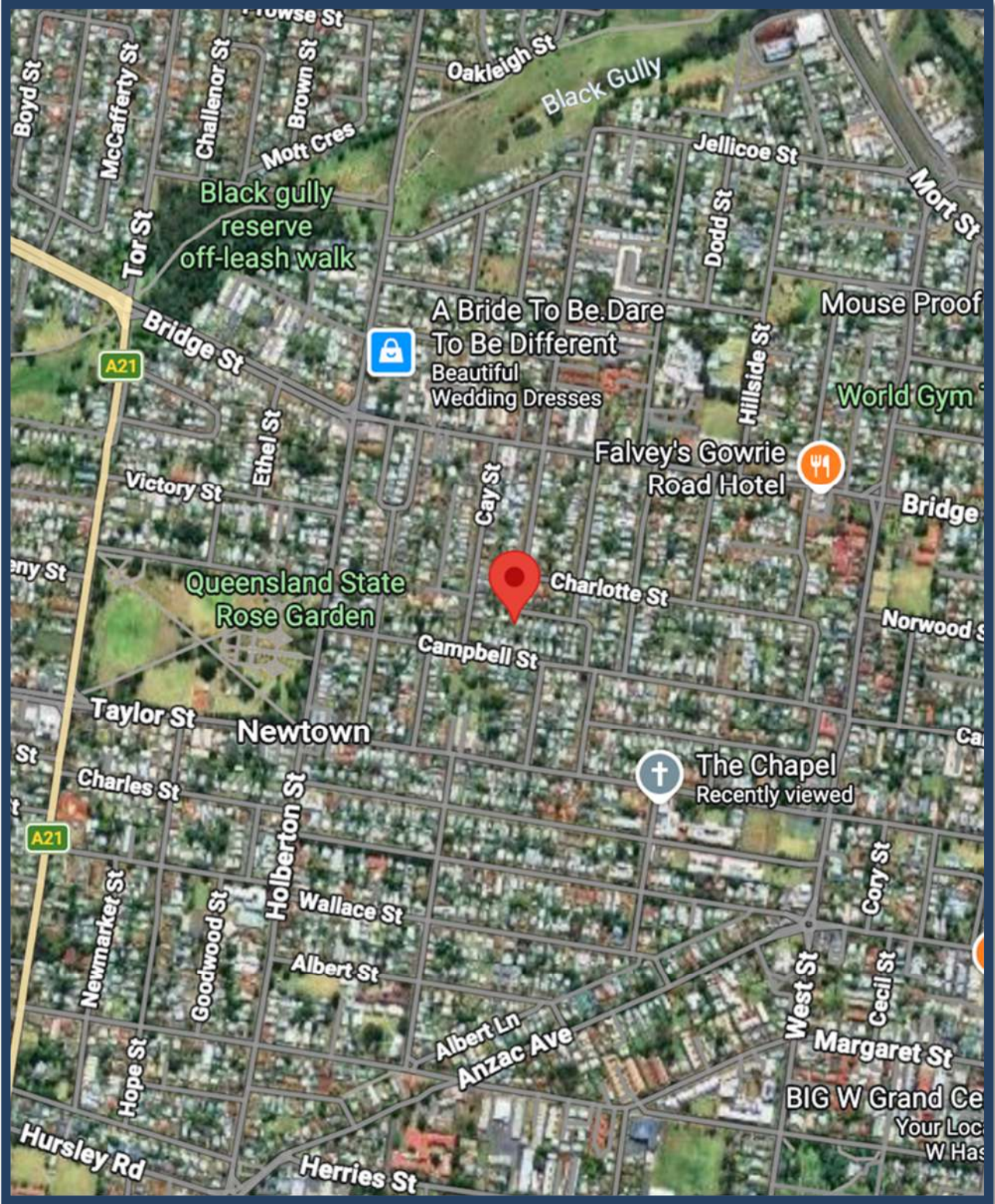


Figure 13: Surrounding Uses

(Source: Google Maps)

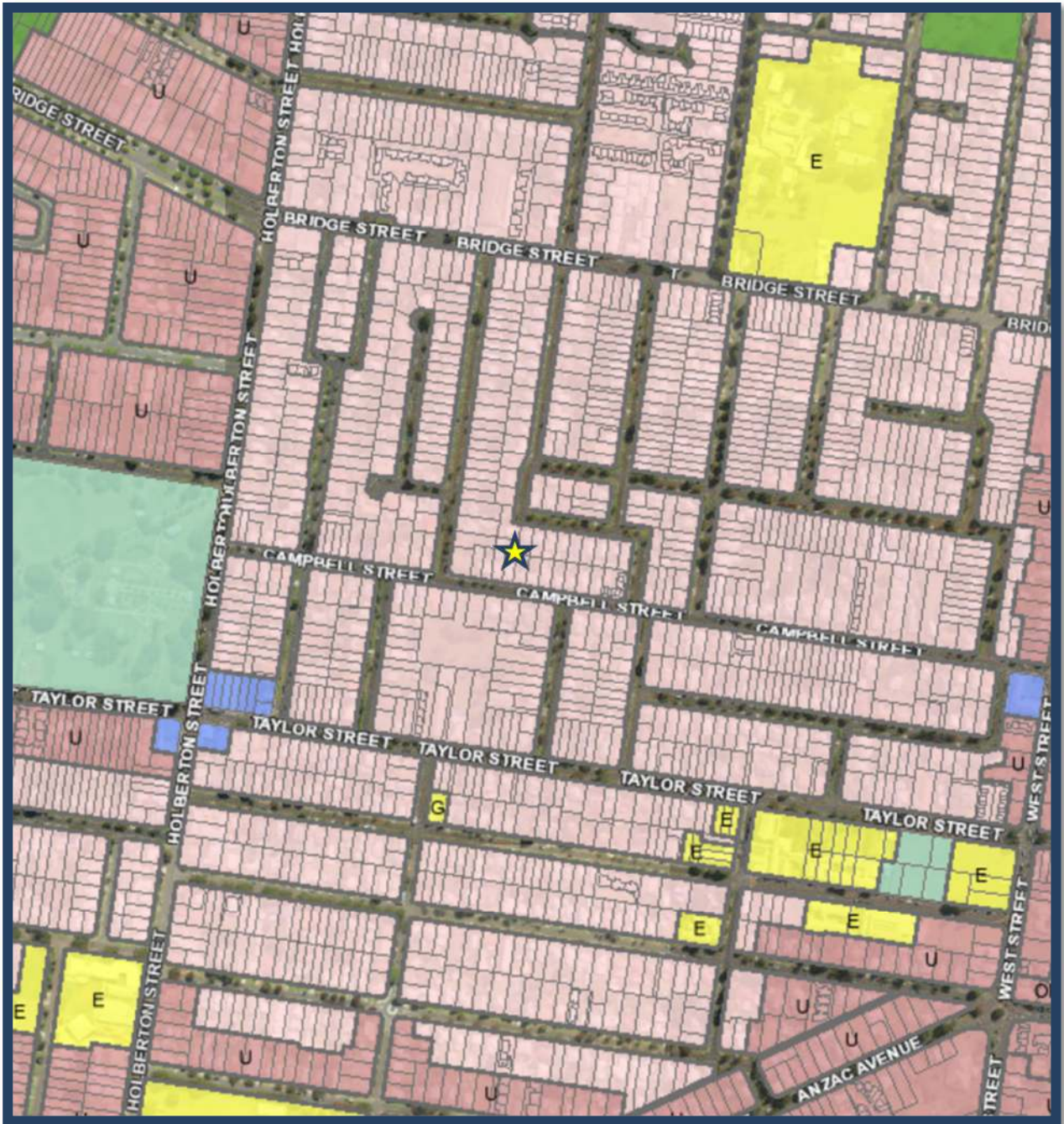


Figure 14: Surrounding Zones

(Source: TRC Online Mapping)

5. Proposed Development

Description of Proposed Material Change of Use

The applicant is seeking a Development Permit for a Material Change of Use for a “Multiple Dwelling” use (Six (6) x Three (3) bedrooms units) at 18-20 Jenkins Street, Newtown (Lot 19 RP17023, Lot 2 RP78188 and Lot 3 RP63099), which is contained within the Low Density Residential Zone. A summary of the details of the proposed development, as discussed above and herein, are provided below:

Details	Total	
General Description of Proposed Use:	Six (6) x Three (3) bedroom units	
Planning Scheme Description:	“Multiple Dwelling” (Six (6) units)	
Existing Site Use:	Two (2) x Dwelling House	
Proposed Total Number of units:	Six (6)	
Proposed Bedrooms:	Three bedrooms per Unit Total = 18 bedrooms	
Proposed Unit Sizes:	Unit 1 – 175.5m ² Unit 2 – 170.4m ² Unit 3 – 170.4m ²	Unit 4 – 174.2m ² Unit 5 – 169.0m ² Unit 6 – 167.3m ² Total = 1,026.8m ²
Site Area:	1,786m ²	
Proposed Building Site Coverage:	41.5% (741.6m ²)	
Proposed Sealed/Impervious Areas:	23.6% (421.8m ²)	
Proposed Total Impervious Areas:	65.1% (1,163.4m ²)	
Number of Storeys:	Two (2)	
Maximum Height of Building/s:	7.64 metres	
Total Landscaping/Permeable Areas:	35% (625.5m ²)	
Landscaping/Permeable Areas within Front Setback:	56.8% (196.7m ²) of Front Setback Area	
Landscaping outside Front Setback:	29.78% (428.8m ²)	
Sealed Areas in Front Setback Areas:	43.2% (149.6m ²)	
Private Open Space (POS) Areas:	Unit 1 – 97.4m ² Unit 2 – 74.8m ² Unit 3 – 40m ²	Unit 4 – 96.2m ² Unit 5 – 82.6m ² Unit 6 – 100.2m ²
On-site Unit Car Parking:	12	

On-site Visitor Car Parking:	One (1)
Total On-site Car Parking:	13
Service Vehicle Provisions:	N/A
Street Access:	4.8m and 5.5m metre wide concrete sealed driveway crossovers
Services/Infrastructure:	The subject land has access to urban infrastructure including: <ul style="list-style-type: none"> • Reticulated electricity; • Telecommunications; • Sealed Road (kerb and channel); • Reticulated sewer; • Reticulated water supply; and • Stormwater infrastructure (road drainage system)
Road Frontage/s:	Jenkins Street and Gaydon Street

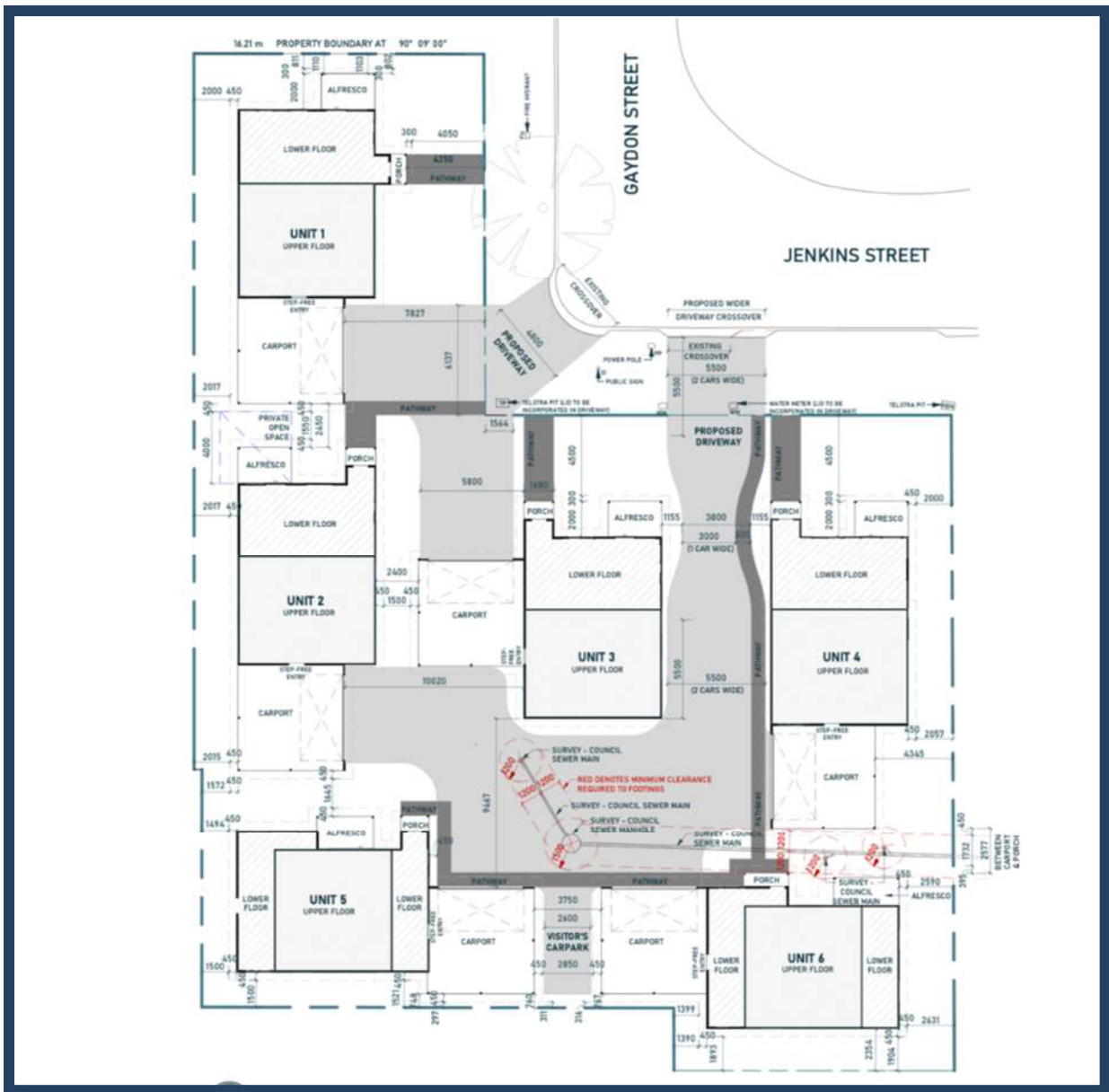


Figure 15: Proposed Site Plan

(Source: Lockhart Drafting & Design)

Built Form and Design

The proposed “Multiple Dwelling” units are comprised of Six (6) units contained within Six (6) separate double storey buildings located on a combined ‘L’ shaped lot and is oriented primarily to its primary frontage (Jenkins Street). The proposed units’ density, height, bulk, scale, setbacks, site coverage, impervious areas, landscaping and design elements are generally compliant with, or well in excess of the Planning Scheme’s requirements; and are in keeping with the intent of the Zone and the existing residential character/streetscape of the surrounding area. The proposed development is designed in a manner that responds to the site’s opportunities and constraints and to the broader surrounding and streetscape contexts. The design of the development adequately and compliantly considers and responds to site specific qualities including the site’s topography and slope, solar aspect and access, prevailing breezes, site access, services, on-site and on-street car parking, adjoining land uses’ built form character and use areas and the views of adjoining uses.



Figure 16: Unit 1 Elevation Plan

(Lockhart Drafting & Design)

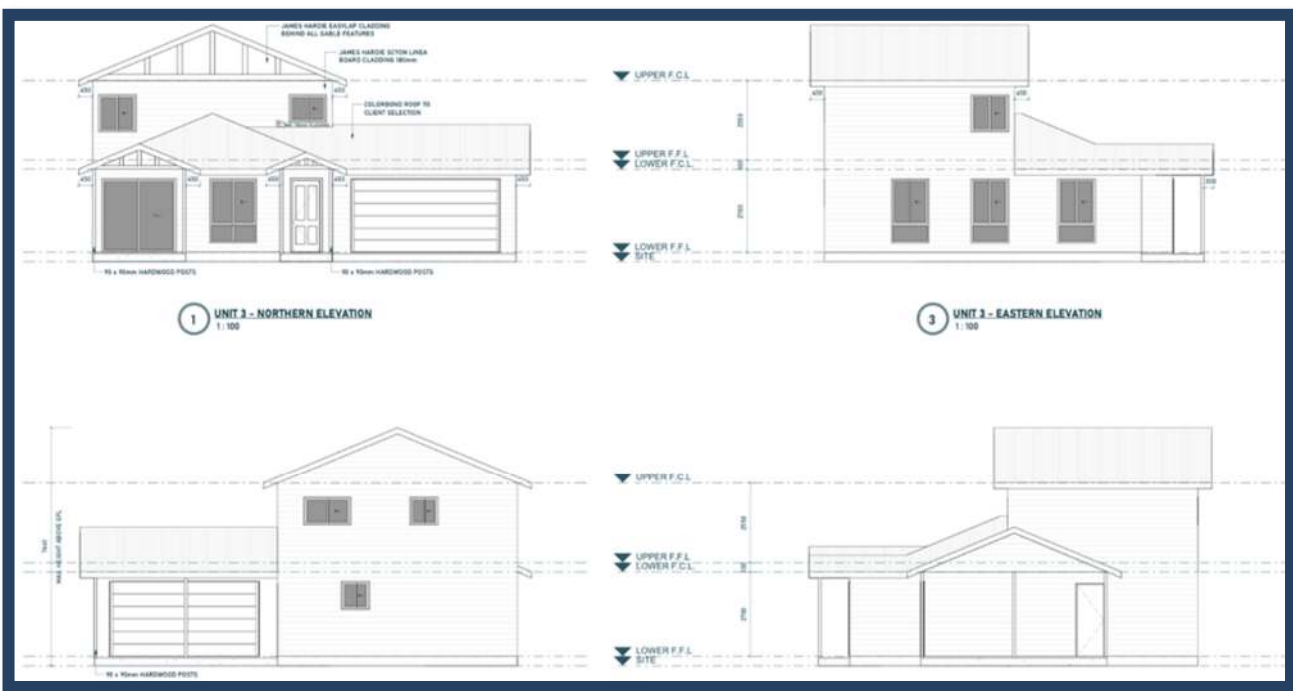


Figure 17: Unit 3 Elevation Plan

(Lockhart Drafting & Design)

The proposed Multiple Dwelling development is designed to a high aesthetic standard and will integrate with and enhance the streetscape, having regard to built form, open space, landscaping and the public realm, parking, access, solar access of both onsite and adjoining properties; and will achieve this by incorporating design elements/features including, but not limited to:

- Site coverage consistent with the intent of the zone, and significantly exceeding compliance with the Zone Code and Use Code requirements at only 41.5% (50% 'allowable'), which ensures that the proposed development maximizes setbacks, maximizes landscaping, ensures adequate useable outdoor areas, ensures adequate space for vehicle movement and parking areas, maximizes solar access for internal and external living spaces, does not compromise solar access for adjoining premises and does not result in overshadowing of adjoining properties – as per its compliance with, and exceedance of compliance with, Performance Outcome PO7 of the Low Density Residential Zone Code & Performance Outcome PO2 of the Medium Density Residential Code) – and ensures an overall built form compliant with the Zone Intent to provide for residential uses at a low density scale;
- Minimum landscaping areas within the front setback areas and within the site that are consistent with the intent of the zone, and exceed compliance with relevant Code requirements, which ensures development minimises hardstand areas, incorporates generous landscaping and minimises visual impacts of hardstand areas, promotes a garden streetscape character, the development is designed to a high aesthetic standard and appropriately integrates with and enhances the locality – as per its compliance with, and exceedance of compliance with, the requirements of Performance Outcome PO5 of the Low Density Residential Zone Code & Performance Outcome PO5 of the Medium Density Residential Code.
- Planning Scheme compliant Building Height, consistent with and notably less than that of the intended character of the zone and precinct, that will ensure that the development does not unduly reduce privacy or access to sunlight of habitable rooms and private open space areas and any existing/potential solar panels on adjoining lands – as per its compliance with, and exceedance of compliance with (only 7.64 metres high with 8.5 metre maximum allowable), the requirements of Performance Outcome PO6 of the Low Density Residential Zone Code;
- Front Boundary setbacks generally compliant with, and exceeding compliance with, the Planning Scheme's requirements. By providing front setbacks that are overall consistent with the prevailing front setbacks within the streetscape and surrounding and adjoining uses (refer also to 'Front Setback Analysis' below) – as per its compliance with the requirements of Performance Outcome PO9 of the Low Density Residential Zone Code;
- Side/Rear boundary setbacks that generally comply with the requirements of the Planning Scheme, which ensures the enhancement of the appearance and character of streets and buildings, that setbacks are appropriate to the scale of the development and the intended character of the zone and precinct, provides for adequate daylight for habitable rooms and open space areas on and adjoining the site, are sufficient to minimise overshadowing and overlooking of adjoining premises, provide adequate separation and buffering between residential and non-residential premises and maximise opportunities for landscaping – as per its demonstrated compliance with Performance Outcome PO10 of the Low Density Residential Zone Code and Performance Outcome PO7 of the Medium Density Residential Code;
- Access and internal driveway design that provides variation in width and alignment, landscaping bordering sealed areas that significantly exceeds the Planning Scheme's minimum requirements and quality materials. To ensure long, unvaried driveways to property boundaries are avoided and do not detract from the local streetscape – as per its demonstrated compliance with Performance Outcome PO11 of the Low Density Residential Zone Code;
- Provision of significant Private Open Space (POS) areas for all proposed units, that exceeds compliance with relevant Code's minimum requirements. Which ensures the development meets the needs of occupants for privacy, relaxation and entertainment, and accommodation of visitors – as per its exceedance of compliance with Performance Outcome PO8 of the Medium Density Residential Code;
- All Private Open Space areas have northern solar access opportunities compliant with the Planning Scheme's requirements;
- 'Front units' are designed to address the street and provide casual surveillance via the provision of internal living areas with 'compliant glazing ratios', entries facing the street and pedestrian pathways leading directly from street to front entries;
- All units have compliant northern and north-eastern solar access to living areas;

- Minimal and compliant earthworks and retaining walls to ensure no potential adverse impacts result from retaining wall heights/earthworks. The development responds to the slope of the land in the siting, design and form of buildings and structures to minimise requirements for cut and fill (as per its compliance with Performance Outcome PO2 of the Medium Density Residential Code);
- Articulation in all elevations, compliant design features and design elements to achieve high aesthetic standards (all compliant with PO18, PO19 & PO20 of the Medium Density Residential Code) such as:
 - Varied materials and finishes
 - Significant fenestration in all elevations;
 - Significant articulation in roofing;
 - Varied roof forms;
 - Significant and multiple articulation within all elevations – particularly where visible from the street;
 - Shade structures over alfresco areas; and
 - Roof overhangs/eaves;
- Roofing variation consisting of:
 - Varying roof heights;
 - Varied roof forms;
 - Varied roof lines; and
 - Articulated roofing.
- Entrance porches and footpaths facing the street and internal driveway;
- Varied use of roof overhangs;
- Units have front entries that provide full weather protection and have clearly defined front entries that are visible from the street; and
- Building facades incorporate external elements and treatments that are of a high quality finish, durable and need minimal maintenance.



Figure 18: 3D Perspective

(Lockhart Drafting & Design)

The proposed use's design and presentation to the street is generally superior to that of the existing and surrounding uses and adequately reduces the overall bulk and scale of the development. Whilst also maximising the potential for landscaped and open space areas visible from the street. It is considered that the proposed design complies with the Planning Scheme's requirements, the intent of the Zone, is of a high

standard and will improve the visual amenity and character of the streetscape; whilst also avoiding all potential adverse impacts upon the streetscape and adjoining uses.

As such, it is considered that no further regard is required to built form and design in the assessment of the application and/or the conditioning of the approval.

Front Setback Analysis

Existing residential setbacks within 100 metres of the subject site are outlined below.

The average front setback along Jenkins Street is determined as follows:

Southern side of Jenkins Street:

- 2A Jenkins Street = 5.75 metres;
- 4 Jenkins Street = 5.75 metres;
- 6 Jenkins Street = 5.90 metres
- 8 Jenkins Street = 6.3 metres;
- 10 Jenkins Street = 6.3 metres;
- 12 Jenkins Street = 5.6 metres;
- 14 Jenkins Street = 5.5 metres and
- 16 Jenkins Street = 5.00 metres.

Average front setback within 100 metres of site along southern side of Jenkins Street is $46.1/8 = 5.76$ metres – with a 4.61 metre front setback (5.76m – 1.15m) being within 20% (as per Low Density Residential Zone Code) of the average front setback within 100m of the site.

Northern side of Jenkins Street & Eastern Side of Gaydon Street:

- 25 Ranfurly Street = 8.5 metres
- 11 Jenkins Street = 6.25 metres;
- 13 Jenkins Street = 5.50 metres;
- 15 Jenkins Street = 5.25 metres.
- 15 Jenkins Street = 0.75 metres; and
- 23 Charlotte Street = 2.00 metres.

Average front setback within 100 metres of site along southern side of Jenkins Street is $27.6/6 = 4.60$ metres – with a 3.68 metre front setback (4.60m – 0.92m) being within 20% (as per Low Density Residential Zone Code) of the average front setback within 100m of the site.

Western side of Gaydon Street:

- 15 Gaydon Street = 4.50 metres
- 17 Gaydon Street = 5.5 metres
- 19 Gaydon Street = 5.5 metres
- 21 Gaydon Street = 7.00 metres
- 23 Gaydon Street = 5.75 metres
- 20 Jenkins Street = 5.00 metres

Average front setback within 100 metres of site along southern side of Jenkins Street is $33.25/6 = 5.54$ metres – with a 4.43 metre front setback (5.54m – 1.108m) being within 20% (as per Low Density Residential Zone Code) of the average front setback within 100m of the site.

Based upon the above the **average front setback within 100 metres of site is $15.90/3 = 5.30$ metres – with a 4.24 metre front setback (5.30m – 1.06) being within 20% (as per Low Density Residential Zone Code) of the average front setback within 100m of the site.**

The setback distances to the front units closest to the street (Units 1, 3 and 4) mostly exceed the minimum 4.24 metres allowable under AO9.1, with Unit 1 setback 5.9 metres to the main roof line and Units 3 and 4 setback 6.35 metres to the main roof line. The only 'minimum front setback encroachment' is the eaves of the front porch/alfresco of Unit 1, which is setback 4.05 metres from its eave to the front boundary line. The unit buildings' overall built form significantly exceeds the minimum/average front setback, and noting that as only the eave of Unit 1's porch encroaches within the average front setback and there are other existing significantly lesser front setbacks within the street (e.g. 2.00 metres at 23 Charlotte Street and 0.75 metres at 15 Jenkins Street – directly opposite the subject site) it is considered that the proposed development's front setback

generally complies with the Planning Scheme's requirements and provides a front setback that is generally consistent with the existing streetscape and will not result in adverse impacts on visual amenity and/or the amenity of adjoining uses.

Accordingly, it is considered that no further regard is required to the proposed use's front setbacks in the assessment of the application and/or the conditioning of the approval – apart from the inclusion of appropriate standard conditions of approval that require compliance with the proposed/approved design.

Access and Car Parking

Access and on-site car parking is provided in accordance with the Planning Scheme's requirements, including compliant on-site car parking space numbers (Two (2) spaces per unit), compliant on-site visitor spaces (One (1) visitor space), and adequate/compliant garage dimensions (dimensions enable compliant manoeuvring) and manoeuvring areas, as demonstrated by the attached manoeuvring diagrams.

The proposed vehicle access is of a compliant width and is compliantly located to provide compliant sight distances and to avoid adverse impacts. Therefore, it is considered that no further regard is required to access or on-site car parking in the assessment of the application and/or the conditioning of the approval – apart from the inclusion of appropriate standard conditions of approval that require ongoing compliance with the proposed access, on-site car parking and manoeuvring arrangements.

Refuse Collection

Waste collection will be undertaken via Council's on-street collection service of wheeled bins. Adequate area exists within the road reserve for the temporary storage and collection of the refuse containers for all proposed Units. The development site is provided with compliant screened on-site refuse storage areas and will not result in an adverse amenity impacts on any use onsite or adjoining the subject premises.

As such, it is considered that no further regard is required to refuse storage and collection in the assessment of the application by Council, as the inclusion of appropriate standard conditions of approval by Council will ensure ongoing compliance with the Planning Scheme (including conditioning for appropriate screening, as proposed, of on-site bin storage areas).

Earthworks

All reasonable attempts have been made to reduce the extent and height of required/proposed earthworks. Noting that the site generally has a minimal and gradual fall towards the street (north) and is unlikely to require significant earthworks. With proposed retaining walls limited to maximum heights of between 200mm to 400mm. Thus, the proposed use's earthworks and retaining walls will be minimal and will be capable of achieving compliance with the Planning Scheme and the approval can be appropriately conditioned to ensure compliance; and detailed design and assessment can be carried out during the required Operational Works/Building Works application stage.

Therefore, it is considered that no further regard is required to earthworks and retaining walls in the assessment of the application and/or the conditioning of the approval – other than the inclusion of standard conditions generally requiring compliance with the proposal plans and supporting engineering plans.

Infrastructure

The site is connected to and has access to all available urban services and infrastructure. Therefore, it is considered that no further regard to infrastructure provision/issues is required in the assessment or conditioning of the proposed use than as may be discussed further below.

Electricity and Telecommunications

Existing electricity and telecommunications services, which are available within the street frontage, will be provided to service the proposed development. Council can appropriately condition the approval to ensure that the proposed development complies with relevant standards and requirements. Thus, it is considered that no further regard to electricity and telecommunications services is required in the assessment of the proposed use as the approval can be confidently conditioned to achieve compliance with the Planning Scheme and relevant standards.

Water Supply

The site is within Council's reticulated water supply area and the proposed use will be compliantly connected to the existing water supply infrastructure within Jenkins Street in accordance with Council's standards; noting

that the existing water supply infrastructure is considered to be adequate to service the proposed use. This will ensure that the proposed development is provided with compliant water supply and complies with relevant Planning Scheme assessment requirements – noting reasonable and relevant conditions can be confidently imposed to ensure compliance. Consequently, it is considered that no further regard to water supply infrastructure provision/issues is required in the assessment of the proposed use and appropriate standard conditioning of the approval by Council will ensure compliance.

Stormwater

The subject site has a natural surface with an elevation that is higher than the abutting road and falls to the Street. The proposed use proposes to compliantly discharge stormwater to Jenkins Street generally as per existing circumstances (pre-development conditions); and without creating a worsening effect, without concentrating flows that might cause scouring (or other adverse impacts) and without adversely impacting upon adjoining, surrounding or downstream uses. As demonstrated within the attached Stormwater Management Plan – which is considered to propose a stormwater management solution that complies with the QUDM and Council's Planning Scheme.

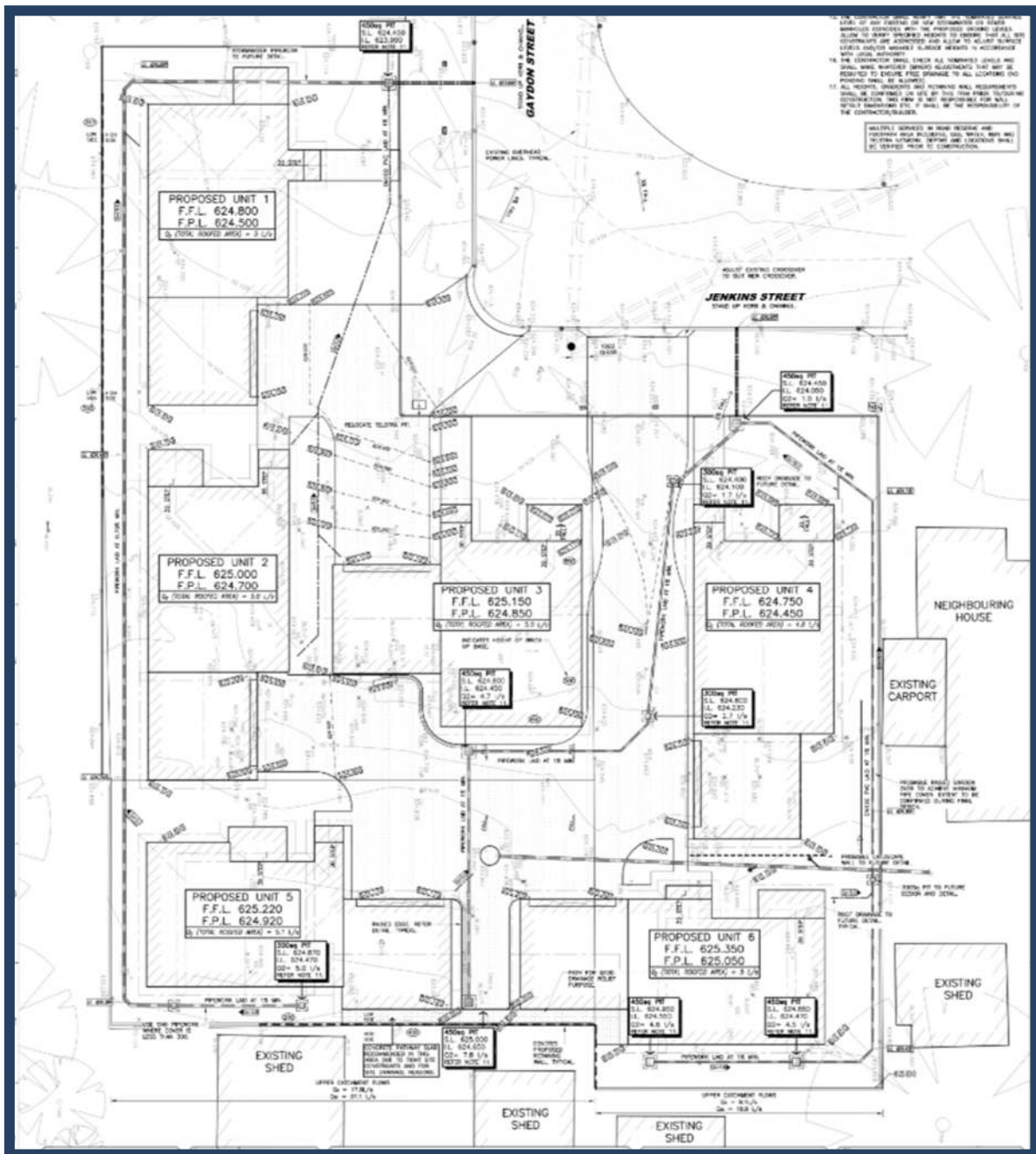


Figure 19: Stormwater Management Plan

(Source: Reid Consulting Engineers)

Traffic Impacts

The site has direct access to Councils roads that are constructed to Council standards, are adequate to accommodate the proposed use, and proposed accesses, on-site car parking and manoeuvring areas all comply with the Planning Scheme's requirements. A formal Traffic Impact Assessment (TIA) has not been prepared for the proposed development as it is considered that the intensity and compliant design of the proposed use and the standard of the construction of the adjoining road does not warrant this. Hence, it is considered that no further regard to roads and traffic impact issues is required in the assessment of the proposed use as the approval can be confidently conditioned to achieve compliance with the Planning Scheme and relevant standards (i.e. access standards and on-site car parking requirements).

Acoustic Issues

The proposed development is for a low density residential use in an existing residential area and is unlikely to generate adverse additional or significant impacts to the existing acoustic amenity character of the area. The proposed use is not expected to significantly impact upon or exceed desired acoustic/noise levels. Consequently, it is considered that no further regard to acoustic impacts is required in the assessment or conditioning of the proposed development. If it deems it to be necessary, Council may choose to apply reasonable and relevant standard conditions to the approval to ensure on-going compliance with the Planning Scheme and relevant acoustic standards (e.g. Air Conditioning location, operation and maintenance).

Air Quality Issues

The proposed development is for a low density residential use and is unlikely to produce any air emissions/pollutants, due to the nature of the proposed use. As such, it is considered that no further regard to air quality impacts is required in the assessment of the proposed development. If it deems it to be necessary, Council may choose to apply reasonable and relevant standard conditions to the approval to ensure on-going compliance with the Planning Scheme and relevant standards – particularly in relation to the construction phase of the proposed development.

Lighting Issues

The proposed development is for a low density residential use and is unlikely to produce any notable 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. If it deems it to be necessary, Council may choose to apply reasonable and relevant standard conditions to the approval to ensure on-going compliance with the Planning Scheme and relevant standards.

Landscaping

As discussed within this Report the proposed use will provide landscaping that is well in excess of that intended/required for the Zone and relevant Codes (35% proposed – 15% required) and that of the existing streetscape character; and will provide a 1 metre wide landscape strip along the site's Jenkins Street and Gaydon Street road frontages. Noting also that the proposed use's design will allow for and proposes additional internal landscaping areas within the front setback areas and that the provision of significant landscaping within its ample front and side setback areas can be readily accommodated. The proposed landscaping will positively contribute to the streetscape and the desired outcomes of the Planning Scheme and will further reduce the bulk and scale and potential visual and amenity impacts of the proposed development's built form.

Accordingly, it is considered that no further regard to landscaping is required in the assessment of the proposed development; and Council can apply reasonable and relevant conditions of approval to ensure compliance with the Planning Scheme and relevant landscaping standards.

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 Material Change of Use for a “Multiple Dwelling” use.

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 *Planning Act 2016* (PA) this application is submitted and should be assessed in accordance with the *Development Assessment Rules*.

State Planning Policy (July 2017)

The Queensland Government's State Planning Policy (SPP) July 2017 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 SPP expresses the state's interests in land use planning and development.*

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:

- affects an economic or environmental interest of the State or a part of the State; or*
- 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 DILGPs SPP Interactive Mapping System (DA)) are listed below:

1. Natural Hazards Risk and Resilience
 - Flood hazard area – Local Government flood mapping area



Figure 21: State Planning Policy Map

(Source: State Planning Policy Mapping)

State Planning Policy (SPP) Development Assessment Benchmarks

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 not apply to the proposed development.

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 a

- (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 not apply to the proposed development.

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.

The Water quality state interest development assessment requirements do 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 does apply to the proposed development – Flood Hazard. However, this state interest is addressed within the Planning Scheme's Flood Hazard Overlay Code, to which the proposed development complies – as the site is not identified as being 'Flood Prone' (not covered by Flood Hazard Overlay Code).

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 not apply to the proposed development.

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 apply to the proposed development. However, this state interest is addressed within the Planning Scheme's Airport Environs Overlay Code, to which the proposed development complies.

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.

South East Queensland (SEQ) Regional Plan

The purpose of the South East Queensland Regional Plan 2009 – 2013 (SEQ Regional Plan) is to manage regional growth and change in the most sustainable way to protect and enhance quality of life in the region. The following parts of the SEQ Regional Plan are relevant when assessing a development application...

- *the sub-regional narratives in Part C*
- *the regional policies in Part D.*

An application conflicts with the SEQ Regional Plan if it does not comply with the sub-regional narratives in Part C or the regional policies in Part D.

The SEQ Regional Plan allocates all land into one of three regional land use categories:

- *Regional Landscape and Rural Production Area*
- *Urban Footprint*
- *Rural Living Area*

The proposed development is within the Low Density Residential Zone, is within the “Urban Footprint”, and is not unsuitable for urban development due to other constraints (e.g. slope, flooding, significant biodiversity values or scenic amenity).

Therefore, it complies with the requirements of the SEQ Regional Plan, and does not require statutory referral to the Department of State Development, Infrastructure and Planning (DSDIP).

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 proposed 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 “Multiple Dwelling” use under the *Toowoomba Regional Planning Scheme 2012*.

Level of Assessment

The proposed “Multiple Dwelling” use is Impact Assessable Development under the *Toowoomba Regional Planning Scheme 2012*. The proposed development is assessable against the entire Planning Scheme, including the Strategic Framework and Zone Intent, as well as the applicable codes of the Planning Scheme herein.

Assessment Against Strategic Framework

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

Themes	Response
<p style="text-align: center;">Settlement Pattern</p>	<p>The proposed development is generally consistent with and will not result in a conflict with this ‘theme’ as the proposed development seeks to support the provision of ‘residential growth’ (additional housing stock) as infill development within an existing urban residential area at densities generally consistent with that intended for the area/zone in which the site is located. Refer also to the applicant’s assessment of the proposed use against the Zone and Precinct Intents.</p> <p>The proposed development will provide much needed increased residential densities in the form of ‘appropriate infill development’ at densities that are generally consistent with the Strategic Outcomes sought; and without adverse impacts upon and without conflict with the other themes of the Strategic Framework.</p> <p>Furthermore, the proposed development will not adversely impact upon the ‘network of towns’, desired ‘compact urban form’, ‘suburban neighbourhoods’, or ‘urban neighbourhoods’, will positively contribute to sustainable urban development’ will not adversely impact upon ‘natural places’, is not subject to ‘development constraints’, and generally maintains the existing amenity and character within the locality.</p>
<p style="text-align: center;">Natural Environment</p>	<p>As discussed within this report the proposed development will not have an adverse impact upon the natural environment; and therefore will not result in a conflict with this ‘theme’.</p> <p>The proposed use will adequately mitigate its limited potential impacts (i.e. stormwater).</p>
<p style="text-align: center;">Community Identity</p>	<p>The proposed use will not result in a conflict with this ‘theme’ and maintains and improves upon the existing character of</p>

	the area; and will positively contribute to the achievement of the 'housing diversity and affordability' element of this theme.
Natural Resources and Landscape	The proposed development will not adversely impact upon natural resources and 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 the proposed development will be adequately and appropriately serviced by, and able to gain appropriate access to, the available transport and public transport networks/services; and can enable residents to obtain access to relevant services and recreation areas by alternate transport methods such as walking and cycling (refer to 'Surrounding Uses' section within Section 4 of this Report).
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. Whilst also ensuring that the development will be serviced by all urban infrastructure networks.
Economic Development	The proposed development will not result in a conflict with this 'theme' and will positively contribute to the achievement of the relevant elements of this theme by providing urgently needed housing stock to accommodate the growing population of the region that contributes to the economic growth and prosperity of the region.

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

Assessment Against Purpose and Intent of the Low Density Residential Zone Code

The following provides an assessment of the proposed development against the Purpose and Intent of the Low Density Residential Zone:

- (1) The purpose of the Low Density Residential Zone code is to provide for a variety of low density dwelling types, including dwelling houses and community uses and small-scale services, facilities and infrastructure that cater for local residents.**

The amenity and lifestyle of residents in the Low Density Residential Zone is conserved while providing mechanisms to promote and implement a mix of housing forms at a density appropriate to each locality. Non-residential uses are small scale and low intensity uses that service the day to day needs of the immediate local residential community and do not undermine the viability of a nearby centre.

Complies – the proposed use is considered to provide a low density residential use that will contribute to the provision of a variety of low density housing forms/dwelling types within the locality. Noting as follows:

- the subject site comprises three existing lots which have a combined land size of 1,786m² (577m², 349m² and 860m²);
- the Planning Scheme supports lot sizes of 500m² and as such the site could theoretically be reconfigured into three (3) lots (via boundary realignment) exceeding the minimum required 500m² lot size intended for the Low Density Residential Zone; and as such, the use of the site

for units enables housing density that is generally consistent with the Planning Scheme's intents, whilst also providing 'design outcomes' that are generally consistent with the Planning Scheme's Zone intents and its design/code compliance requirements;

- further to the above the Planning Scheme also supports "Dual Occupancy" uses on lots within the Zone – noting that a "Dual Occupancy" application on lots over 500m² is Code Assessable development and considered to be consistent with and compliant with the Planning Scheme's Zone intents, subject to the design/code compliance requirements of the Low Density Residential Zone Code and Medium Density Residential Code – to which the proposed "Multiple Dwelling" unit use fully complies and generally exceeds compliance with; and
- as per the above the subject site is of a size that would generally be reasonably considered to be able to be developed into three (3) separate lots containing "Dual Occupancy" uses and thereby achieve a similar residential density to that of the proposed development (being only six (6) dwelling units in total).

Finally, the proposed development's proposed residential density of 33.6 dwellings per hectare (one (1) per 297.67m²) is considered to be consistent with the intent of the subject site's Zone and Precinct. As it remains less than that intended for the Low-medium Density Residential Zone, where development is intended to occur at a minimum of 40 dwellings per hectare to a maximum of 60 dwellings per hectare in the Urban Residential Precinct and a minimum of 60 dwelling to a maximum of 80 dwellings per hectare in the Urban Consolidation Precinct.

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

- (a) the provision of detached dwelling houses as the primary form of housing within the zone and dual occupancy as a secondary form of housing, on a range of lot sizes greater than 500m²;**

Complies – (2)(a) above supports the arguments presented at (1) above. Noting the overall land size would theoretically support the reconfiguration of the site into three (3) lots exceeding 500m² in area that could all support Two (2) units (Dual Occupancy), with Six (6) units in total – generally as is proposed.

- (b) medium density forms of residential development are supported within greenfield areas in this zone where within walking distance of a local, district or major centre providing a wide range of goods, services and facilities, including provision of goods and services to meet daily convenience needs or where adjacent or opposite a district or regional park offering a high level of residential amenity;**

- (c) retirement villages are established in the Low Density Residential Zone only where they are designed to achieve a transition in scale and density from one that is consistent with the surrounding area to a more dense form consistent with a typical retirement village;**

- (d) dual occupancy development is dispersed throughout residential neighbourhoods and does not become the dominant housing form in the street;**

N/A

- (e) lot reconfiguration within greenfield areas in the zone achieves a minimum dwelling yield of 15 dwellings per hectare;**

N/A

- (f) new hatchet lots are not created within this zone and existing hatchet lots are occupied by a single dwelling house only;**

N/A

- (g) development provides for an efficient land-use pattern and is well connected to other parts of the local government area;**

Complies – the proposed use will enable the 'efficient use' of subject site at densities that are generally consistent with and intended within the Zone and provided with connections to the local transport network (located on Distributor Road) and in close proximity to essential urban services and amenities (e.g. schools and parks).

- (h) **development is designed to provide safe and walkable neighbourhoods that connect residents to desirable destinations including schools, parks, shops and community facilities;**

Complies – the proposed development is in very close proximity to schools and parks and public transport routes that will enable easy and safe access to shops, community facilities etc. Refer also to ‘Surrounding Uses’ section within Section 4 of this Report.

- (i) **small scale short-term accommodation occurs only on land with direct access to a road at the distributor, sub-arterial and regional arterial level in the road hierarchy and in proximity to existing development of a similar nature, in buildings of a scale that is consistent with the surrounding residential area, all car parking needs can be met on site, and the use does not detract from the residential amenity of the area;**

N/A

- (j) **development maintains a high level of residential amenity avoiding uses that introduce adverse impacts such as excessive traffic, noise, dust, odour, lighting and other locally specific impacts;**

Complies – refer to the above, relevant sections within Section 5 of this Report and assessment against relevant/applicable codes within this Report. Noting that the proposed development complies with and generally exceeds compliance with all relevant assessment criteria of all applicable Codes – particularly as it relates to residential amenity and avoiding uses that introduce adverse impacts such as excessive traffic, noise, dust, odour, lighting and other locally specific impacts.

- (k) **development reflects and enhances the existing low density scale and character of the area, and is no more than 2 storeys above ground level;**

Complies – see Built Form and Design Section of Section 5 of this Report. Noting that not only does the proposed use not exceed Two (2) storeys above ground level but its overall height is lower than the 8.5 metre high maximum allowable within the zone at only 7.64 metres. Furthermore, its site coverage is significantly lower than the 50% maximum intended within the Zone, at only 41.5%.

- (l) **development is designed to incorporate sustainable practices including maximising energy efficiency, water conservation and encourage sustainable transport use such as walking, cycling and public transport use;**

Complies – see above and ‘Built Form and Design’ section of Section 5 of this Report and ‘Surrounding Uses’ section within Section 4 of this Report.

- (m) **development is supported by necessary community facilities, open space and recreational areas and appropriate infrastructure including utility installations to support the needs of the local community;**

Complies – refer to ‘Surrounding Uses’ section within Section 4 of this Report and ‘Infrastructure’ section within Section 5 of this Report.

- (n) **non-residential uses occur only where such uses:**

- (i) **primarily function to directly support the day to day convenience needs of the immediate local residential community;**

- (ii) **provide a local community or limited business function, and include:**

a) **Child care centre**

b) **Club**

c) **Community care centre**

d) **Community use**

e) **Educational establishment**

f) **Emergency services**

g) **The following uses only where reuse of an existing building used for an existing business activity:**

i. **Food and drink outlet**

ii. **Shop (only convenience)**

iii. **Health care services.**

iv. **Place of worship**

v. **Sales office**

vi. **Veterinary services.**

N/A

- (o) **non-residential uses only occur within the zone where they:**
- (i) **are accessible to the immediate local residential community they serve;**
 - (ii) **are located on land with direct access to a road at the distributor, sub-arterial and regional arterial level in the road hierarchy and minimises intrusion of through traffic into local residential streets;**
 - (iii) **have a built form that is compatible with surrounding residential character and amenity, including:**
 - a) **reuse of existing non-residential premises or**
 - b) **extensions and/or new buildings have height, bulk and scale consistent with intended low density residential built form intent of the zone and compatible with existing streetscape character;**
 - (iv) **do not have a significant detrimental impact on the neighbourhood amenity expected within a predominantly low density residential environment having regard to sunlight and solar access, privacy, hours of operation, generation of odours, noise, waste products, dust, traffic, electrical interference, lighting and visual impacts;**
 - (v) **ensure all car parking needs can be met on site, and off-street car parking areas do not dominate the appearance in the streetscape and are landscaped to provide an attractive frontage that maximise pedestrian activity and safety.**

N/A

- (p) **Development responds to the natural topography and environmental constraints of the land and avoids or where this is not possible, mitigates any adverse impacts on areas of ecological significance, including creeks, gullies, steep land, waterways, wetlands, habitats and vegetation and bushland through location, design, operation and management.**

Complies – refer to relevant sections within Section 5 of this Report and assessment against relevant/applicable codes within this Report. Noting that the proposed development complies with all relevant assessment criteria of all applicable Codes and minimises the use of earthworks and retaining walls.

- (q) **Development for a sensitive use on land within 250m of land within the Medium Impact Industry Zone is designed to mitigate industrial air, noise and odour emissions with potential to adversely impact on human health, amenity and wellbeing**

N/A

The proposed “Multiple Dwelling” use is considered to comply with, and will not result in a conflict with, the Purpose and Intent of the Low Density Residential Zone (General Precinct) as discussed above.

Assessment of Potential Conflict with Planning Scheme Against the ‘Relevant Matters Test’ of the Act

It is considered that there is no conflict between the proposed use and the Planning Scheme. However, where there may be a perceived conflict it is considered Council’s pragmatic consideration of the ‘relevant matters’ will enable approval despite any perceived non-compliance.

It is noted that since the introduction of the *Planning Act 2016* that the ‘test’ for assessing impact assessable development applications has changed; in that a Council may approve an application that is in conflict with the Planning Scheme by having regard to “any other relevant matter”; and the Assessment Manager is afforded flexibility/discretion in determining the appropriate weight to be given to ‘accepted relevant matters’ and ‘prescribed matters’ (as determined by the Court in the case of *Peach v Brisbane City Council (2019) QPEC 41*). To be clear, the ‘new test’ (under the current *Planning Act 2016*) differs to that of the former/old ‘test’ (under *Sustainable Planning Act 2009*), in that ‘relevant matters’ are not the same as ‘sufficient grounds’ and ‘relevant matters’ may be taken into account without a conflict being first identified. Further to the above, it is noted that (as per case law – eg. *Ashvan Investments Unit Trust v Brisbane City Council (2019) QPEC 16*) unlike under the *Sustainable Planning Act 2009* (SPA), where Section 326(1)(b) directed the Assessment Manager (Council) to refuse an application unless sufficient grounds could justify an approval despite a conflict with the Planning Instrument, the *Planning Act 2016* (PA) does not; and instead provides ‘discretionary powers’ under Section 60. With Council’s ‘discretion’ only being limited to the requirements for its decision of the application to be based upon its assessment carried out under Section 45 of the Act (PA), that the decision advances the purpose of the Act and subject to any limitation implied by the purpose, scope and subject matter of the Act (PA) (as per case law of *Smout V Brisbane City Council (2019) QPEC 10*).

‘Relevant Matters Test’

The following provides an assessment of the proposed development against the ‘Relevant Matters’ for the proposed use:

1) Planning, Economic and Community Need:

The proposed use will contribute to the overwhelming Planning, Economic and Community need for the provision of additional housing stock within Toowoomba.

2) The Absence of any Unacceptable Impacts;

As addressed and demonstrated within this Report, and attached technical reports and plans, the following potential impacts will be avoided or adequately mitigated by the proposed development and/or appropriate conditions of approval can be imposed on the approval to ensure compliance:

- **Visual Amenity Impacts** – adequately mitigated – see ‘Built Form and Design’ section of Section 5 of this Report and other relevant sections and assessments of relevant assessment benchmarks/Codes;
- **Environmental Impacts** – adequately mitigated – see ‘Infrastructure’ (Stormwater) section of Section 5 of this Report, the attached Stormwater Management Plan and other relevant sections and assessments of relevant benchmarks/codes (no other potential Environmental Impacts not separately discussed below).
- **Acoustic Impacts** – adequately mitigated – can be conditioned accordingly to ensure compliance – see Acoustic Issues section of Section 5 of this Report.
- **Lighting Impacts** – adequately mitigated – can be conditioned accordingly to ensure compliance – see Lighting Issues section of Section 5 of this Report.
- **Odour Impacts** – adequately mitigated – can be conditioned accordingly to ensure compliance – see Air Quality Issues section of Section 5 of this Report.
- **Privacy Impacts** – adequately mitigated – as per assessment of design, amenity and privacy considerations of the relevant assessment benchmarks herein the proposed use’s design will ensure that the proposed use does not result in overlooking of adjoining residential uses, or any other potential privacy impacts; and if deemed to be required, appropriate conditioning of the approval would ensure compliance is achieved.
- **Waste Impacts** – adequately mitigated – see ‘Refuse’ section of Section 5 of this Report.
- **Dust Impacts** – adequately mitigated – see ‘Air Quality Issues’ section of Section 5 of this Report. Noting that the proposed uses’ car parking and manoeuvring areas will all be sealed.
- **Electrical Interference Impacts** – nil potential
- **Infrastructure Impacts** – adequately mitigated – see ‘Infrastructure’ section of Section 5 of this Report and attached Stormwater Management Plan.

3) Whether Conditions Could be Imposed to Address Areas of Non-Compliance:

Any potential areas of non-compliance can be overcome via the imposition of appropriate conditions of approval.

‘Application of ‘weight’ to Relevant Matters over Prescribed Matters’

It is considered that Council, in its assessment of the application should give greater weight to the ‘relevant matters’ identified above and within this report, than it gives to the ‘prescribed matter’ of non-compliance, for the following reasons:

- the proposed development’s residential densities are less than that of the minimum required densities of the Low-medium Density Residential Zone (refer to Zone and Precinct Intents assessment herein);
- the proposed development’s residential densities are generally consistent with that of development identified as being consistent with the Zone and Precinct Intents (i.e. via boundary realignment into compliant lot sizes and “Dual Occupancy” development on lots complying with minimum lot sizes - refer to Zone and Precinct Intents assessment herein);
- the proposed use complies with all outcomes of the Zone Code intents – as discussed within the “Assessment Against Purpose and Intent of the Low Density Residential Zone Code” in Section 7 of this Report;

- the proposed use does not conflict with and generally supports the Strategic Framework of the Planning Scheme;
- the proposed development will provide a use that is generally consistent with and compatible with that of existing adjoining and surrounding uses and the surrounding environment (i.e. ambient acoustic levels and built form/streetscape);
- the proposed use is considered to be a low density residential use;
- the proposed use generally complies with all applicable Planning Scheme Codes;
- the proposed use's bulk and scale is consistent with the Zone intents;
- the proposed use's height is consistent with the Zone intents;
- the proposed use's design is generally consistent with and will positively contribute to the existing streetscape;
- the proposed use will not result in any adverse visual amenity, privacy, odour, noise, waste products, dust, traffic, electrical interference, or lighting impacts; and
- the approval of the proposed use will not 'give rise' to further development within the zone and area which may compromise the zone intents and/or the existing residential character and amenity of the area.

'Discretionary Test'

As already discussed herein, as per case law of *Smout V Brisbane City Council (2019) QPEC 10*, Council's 'discretion' is only limited to the requirements for its decision of the application to be based upon its assessment carried out under *Section 45 of the Act (PA)*, that the decision advances the purpose of the *Act* and subject to any limitation implied by the purpose, scope and subject matter of the *Act (PA)* (as per case law of *Smout V Brisbane City Council (2019) QPEC 10*).

It is considered that Council can apply its 'discretion' as requested herein, as follows:

1) be based upon its assessment carried out under Section 45 of the Act (PA);

Complies – the approval of the proposed use, as requested by the applicant herein, would be in keeping with *Section 45 of the Act* as it is carried out against the applicable benchmarks of the Planning Scheme, regards matters prescribed by a regulation and has regard to 'other relevant matters' to justify any perceived or actual conflict with the Planning Scheme.

2) the decision advances the purpose of the Act; and

A decision to approve the proposed use would comply with the requirement to "advance the purpose of the Act", generally as outlined and applicable under *Section 5(2) of the Planning Act 2016*, as follows:

Complies:

- follows an ethical decision making process that takes account of short and long term environmental effects of development and provides equity for present and future generations – as demonstrated herein;
- provides opportunities for the community to be involved of the decision making process via the Public Notification process;
- encourages investment, economic resilience and economic diversity as demonstrated herein;
- supplies infrastructure in a coordinated and efficient and orderly manner as demonstrated herein;
- applies amenity and health and safety in the built environment as demonstrated herein; and
- avoids adverse environmental effects of development (e.g. human health) – as demonstrated herein.

3) subject to any limitation implied by the purpose, scope and subject matter of the Act (PA).

Complies.

Applicable Codes

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

- Low Density Residential Zone Code;
- Medium Density Residential Code;
- Environmental Standards Code;
- Integrated Water Cycle Management Code;
- Landscaping Code;
- Transport, Access and Parking Code;
- Works and Services Code; and
- Airport Environs Overlay Code.

The proposed development generally complies with the applicable planning scheme codes. See detailed assessment against the applicable Codes attached within Appendix F and Section 5 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*, and will be carried out in accordance with the Development Assessment Rules after completion of the Confirmation and/or Information Request Stages of the subject application.

8. Conclusion

The proposed Material Change of Use for a “Multiple Dwelling” (Six (6) Units) use at 18-20 Jenkins Street, Newtown QLD 4350 (described as Lot 19 RP17023, Lot 2 RP78188 and Lot 3 RP63099) is to be located on land within the Low Density Residential Zone in an existing urban area.

The proposed development generally complies with the Strategic Outcomes and Purpose and Intent of the Low Density Residential Zone and with the applicable codes of the *Toowoomba Regional Planning Scheme 2012*; or, where there may be a perceived conflict, the pragmatic consideration of other ‘relevant matters’ and the application of appropriate ‘weight’ to these matters justifies approval of the proposed use despite any perceived or actual conflict. Furthermore, any potential adverse impacts can be adequately addressed and mitigated via the appropriate conditioning of the approval by Council.

As it has been demonstrated that the proposed Material Change of Use complies with the requirements of the *Planning Act 2016*, the *South-East Queensland Regional Plan* and *Darling Downs Regional Plan*, the *State Planning Policy*, and the *Toowoomba Regional Planning Scheme 2012*, it is considered that approval of the subject application is warranted by Council; and thus, the approval of the application is respectfully recommended.

Appendix A

Proposal Plans

Appendix B

Stormwater Management Report

Appendix C

Engineering Plans

Appendix D

Engineering Design Certificate

Appendix E

DA Form 1

Appendix F

Detailed Assessment of Applicable Planning Scheme Codes

Low Density Residential Zone Code

Table 6.2.1:1 – Low Density Residential Zone Code – requirements for accepted development and assessment benchmarks for assessable development

Performance outcomes		Acceptable outcomes	Response
Caretaker's accommodation			
<p>PO₁ Development provides for the accommodation of a caretaker, and their family members, involved in the running of a non-residential use, in a manner that:</p> <p>(a) does not compromise the productivity of the use;</p> <p>(b) is safe and comfortable for the amenity of residents; and</p> <p>(c) has regard to the landscape and private recreation needs of the residents.</p>	<p>AO1.1 A caretaker's accommodation is:</p> <p>(a) separated from significant levels of emissions (adverse to human health or amenity) generated by the non-residential use/s of the site by at least 6m;</p> <p>(b) provided with a private landscape and recreation area which:</p> <p>(i) is directly accessible from a habitable room;</p> <p>(ii) if at ground level, has a minimum area of 16m² with minimum dimensions of 4m; and</p> <p>(iii) if a balcony, a veranda or a deck, has a minimum area of 8m² with minimum dimensions of 2.4m.</p> <p>AO1.2 No more than one (1) caretaker's accommodation is established per non-residential use.</p>	N/A	
Dwelling Unit			
<p>PO₂ Development incorporating a dwelling unit is provided in a manner that:</p> <p>(a) integrates visually with the non-residential use through the use of materials, colours and finishes, architectural treatments and landscaping treatments;</p> <p>(b) ensures residents have a high level of safety, security, privacy and amenity;</p> <p>(c) ensures residents are not exposed to noise and light nuisance from the non-residential use; and</p>	<p>AO_{2.1} Separate entrances are provided to the dwelling unit and non-residential uses on the same site.</p> <p>AO_{2.2} Entries to the dwelling unit are clearly identifiable from the street and have a defined pathway.</p> <p>AO_{2.3} Dwelling units are readily distinguishable from the non-residential use for emergency service providers.</p> <p>AO_{2.4} The dwelling unit number is clearly displayed on the unit and letter box.</p> <p>AO_{2.5} The dwelling unit is provided with a private landscape and recreation area which:</p> <p>(a) is directly accessible from a habitable room;</p> <p>(b) if at ground level, has a minimum area of 16m² with minimum dimensions of 4m; and</p>	N/A	

<p>(d) provides residents access to private outdoor recreation spaces directly from the dwelling unit.</p>	<p>(c) if a balcony, a veranda or a deck, has a minimum¹ area of 8m² with minimum dimensions of 2.4m.</p> <p>AO_{2.6} Habitable rooms of the dwelling unit are protected from overlooking of the non-residential use/area by:</p> <p>(a) separation of 9m from a window or activity area of the non-residential use; or</p> <p>(b) screening the outlook from windows, balconies or activity area of the non-residential use within a direct view of 9m to the habitable room or private open space of the dwelling unit.</p>	
<p>Non-residential Uses and building work – Scale of use where involving the reuse of an existing building</p>		
<p>PO₃ The non-residential use is of a scale and intensity that is compatible with the intended built form intent of the precinct in which it is located, existing streetscape character and the residential appearance of the locality.</p>	<p>AO3.1 The use:</p> <p>(a) is carried out in an existing building;</p> <p>(b) only increases the Gross Floor Area of the existing building by a maximum of 25m² and does not reduce existing front or side setbacks;</p> <p>(c) is a single tenancy only;</p> <p>(d) has a maximum gross floor area of 200m²;</p> <p>(e) is conducted wholly within an enclosed building; and</p> <p>(f) does not involve outdoor dining or drive through facility.</p>	<p>N/A</p>
<p>Non-residential Uses and building work – Noise Amenity</p>		
<p>PO4 The non-residential use does not adversely impact on the amenity of the surrounding residential land uses and/or the intended residential streetscape character.</p>	<p>AO4.1 New building plant or air-conditioning equipment is located central to the building and screened from view of the street or adjoining residential uses.</p>	<p>N/A</p>
<p>Non-residential Uses and building work – Privacy and Screening</p>		
<p>PO5 Non-residential uses provide adequate separation, buffering and screening from adjoining residential premises so that the</p>	<p>AO5.1 A 2m wide vegetated buffer is provided to any vehicle movement and parking areas that adjoin a residential boundary.</p>	<p>N/A</p>

<p>privacy and amenity of residential premises is protected.</p>	<p>AO5.2 A 1.8m high solid screen fence and 1.5m wide strip of screen landscaping are provided along all boundaries shared with an adjoining residential use.</p> <p>AO5.3 Windows that have direct views into adjoining residential buildings are provided with fixed screening that is a maximum of 75% transparent to obscure views into the adjoining residential building and maintain privacy for those residents.</p>	
<p>Non-residential Uses and building work– Outdoor Lighting</p>		
<p>PO6 Outdoor lighting for non-residential uses maintains the amenity of the surrounding residential 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.</p>	<p>AO6.1 Outdoor lighting for non-residential uses is restricted to low level security lighting only.</p> <p>AO6.2 Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.</p>	<p>N/A</p>
<p>Utilities and Stormwater</p>		
<p>PO7 A water supply is provided that is adequate for the current and future needs of the intended use.</p>	<p>AO7.1 Development is designed, constructed and connected to Council's reticulated water supply system in accordance with SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure.</p>	<p>Complies – refer to Section 5 of this Report.</p>
<p>PO8 Wastewater treatment and disposal is provided that is appropriate for the level of demand generated, protects public health and avoids environmental harm.</p>	<p>AO8.1 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.</p>	<p>Complies – refer to Section 5 of this Report.</p>
<p>PO9 The development is equipped with an adequate energy supply approved by and installed in</p>	<p>AO9.1 Premises are connected to an electricity supply approved by the relevant energy regulatory authority.</p>	<p>Complies – refer to Section 5 of this Report.</p>

<p>accordance with the standards of the relevant energy regulatory authority.</p>		
<p>PO10 Stormwater resulting from roofed areas and impervious surfaces is collected and discharged in a manner that does not adversely affect the stability of buildings or the use of adjacent land.</p>	<p>AO10.1 Roof water and impervious surface water runoff is collected and discharged in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p>	<p>Complies – refer to Section 5 of this Report.</p>
<p>Waste Management</p>		
<p>PO11 Appropriate refuse container storage areas are provided which are:</p> <p>(a) in a building or enclosing structure or screened from public view;</p> <p>(b) of adequate size to accommodate the expected amount of refuse to be generated by the use;</p> <p>(c) in a position that is conveniently accessible for collection; and</p> <p>(d) able to be kept in a clean state at all times, and waste is captured and discharged to an approved collection point.</p>	<p>AO11.1 Refuse container storage areas are provided that :</p> <p>(a) are screened from public view in a location that is:</p> <ul style="list-style-type: none"> (i) are in a building, outbuilding or other enclosed structure, or (ii) screened, by a minimum 1.5 m high solid fence or wall surrounded by minimum 1m wide landscaping where not adjoining a residential boundary; or (iii) screened by a minimum 1.8m high solid fence where adjoining a residential boundary; <p>(b) are provided with an imperviously sealed pad, on which to stand the bin(s), that is drained to an approved waste disposal system;</p> <p>(c) are within normal hose length of a hose cock; and</p> <p>(d) are large enough to accommodate at least one (1) standard sized container per dwelling and, in commercial and industrial premises, one (1) or more industrial bins of a size appropriate to the nature and scale of use.</p>	<p>Complies – refer to Section 5 of this Report.</p>
<p>Non-residential uses and building work - Access and on-site manoeuvring</p>		
<p>PO12 Provision is made for on-site vehicle parking to meet the demand likely to be generated by the development and:</p>	<p>AO12.1 Where not involving a reuse car parking is provided in accordance with the Transport, Access and Parking Code.</p> <p>AO12.2 Where involving the reuse of a premises:</p> <p>(a) There is no reduction in existing or previously approved on-site car parking;</p>	<p>N/A</p>

<p>(a) 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.</p> <p>(b) to ensure that off-street carparking areas do not dominate the appearance in the streetscape.</p>	<p>(b) There are no alterations to the existing or previously approved access (driveways and vehicle cross-overs) and on-site car parking and manoeuvring areas.</p>	
<p>Non-residential uses and building work - Landscaping</p>		
<p>PO13 Landscaping makes a positive contribution to the site and the amenity of the surrounding area and existing landscaping is not diminished.</p>	<p>PO13.1 Where involving the reuse of a premises there is no reduction in the area or quantity of established or previously approved landscaping.</p>	<p>N/A</p>

Table 6.2.1:2 – Low Density Residential Zone Code – requirements for accepted development and assessment benchmarks for assessable development where not involving Building Work (not associated with a Material Change of Use)

Performance outcomes	Acceptable outcomes	Response
Non-residential uses - Hours of Operation		
PO1 Hours of operation are controlled so that the non-residential use does not impact on the amenity or privacy of adjoining residential uses.	AO1.1 Hours of operation, including for deliveries, are limited to hours between 6:00 am to 9:00 pm.	N/A
Non-residential Uses – Impact on Road Network		
PO2 Non-residential uses are located on major roads and do not introduce non-residential traffic into local streets.	AO2.1 Non-residential uses: (a) have frontage and vehicle access to a Regional Arterial, Sub-Arterial or Distributor Road; and (b) vehicle access to the development does not occur from a local street.	N/A

Table 6.2.1:3 – Low Density Residential Zone Code – assessment benchmarks for assessable development¹⁰

Performance outcomes	Acceptable outcomes	Response
Uses		
<p>PO1 The zone accommodates predominantly dwelling houses and other housing forms at a low density scale and intensity.</p>	<p>AO1.1 Uses which are consistent with the intent of the zone include accommodation activities:</p> <ul style="list-style-type: none"> (a) dwelling house; and (b) dual occupancy, except where located in the Clifford Park Stables and Park Residential Precincts. 	<p>Complies with Performance Outcome. Refer also to Assessment of Zone Intent within Section 7 of this Report.</p> <p>The proposed use is not identified as an inconsistent use within Acceptable Outcome AO1.1.</p> <p>Furthermore, the proposed use has been assessed against and found to generally comply with the Zone and Precinct intents; and additionally, the proposed use has also been assessed against and found to not compromise the outcomes of the Strategic Framework of the Planning Scheme (see Section 7 of this Report).</p> <p>Finally, as the proposed use will result in a residential density that is less than the minimum residential density of the Low-medium Density Residential Zone the proposed development is considered to constitute a low density residential scale and intensity use within the Low Density Residential Zone (see also assessment of Zone and Precinct Intents within Section 7 of this Report).</p>
<p>PO2 The density of accommodation activities in the Clifford Park Stables Precinct is not increased, other than where directly associated with the</p>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>

<p>management of stables on the same site.</p>		
<p>PO3 Short-term accommodation occurs where:</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>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>
<p>PO4 Higher density forms of Accommodation activities (i.e. other than caretaker's accommodation, community residence, dwelling house and dual occupancy) are designed to reflect the residential scale and density of the surrounding area.</p>	<p>AO4.1 The number of dwellings on the site does not exceed one per 500m².</p> <p>AO4.2 The site has a minimum frontage of 12m.</p>	<p>AO4.1 – Alternate Outcome – Complies with PO – as the number of dwellings will exceed one per 500m² (at One (1) per 297.67m²). Refer also to the representations provided for Performance Outcome PO1 above and the applicant's assessment of the proposed use against the Zone and Precinct Intents within Section 7 of this Report.</p> <p>Further to the above it is considered that the proposed development complies with the Performance Outcome as per the assessment of the proposed use's design</p>

		<p>as discussed above and within the Built Form and Design section within Section 5 of this Report. Which demonstrates that the use is designed to reflect the residential scale and density of the surrounding area.</p> <p>Refer also to the assessment of the proposed use's built form against the Zone Code herein. Where it is noted that the proposed use's built form generally complies with, and often exceeds, the zone code's 'minimum requirements'.</p> <p>AO4.2 – Complies</p>
<p>Non-Residential Development</p>		
<p>PO5 Non-residential uses establish only where they:</p> <ul style="list-style-type: none"> (a) except for child care centres, provide for the day to day convenience needs or local service of the immediate local residential community; (b) do not undermine the viability of a nearby centre and are not of a scale that impacts on the role or function centres network; (c) do not contribute to strip development or expansion of an existing centre; (d) are a of a small scale, and have low intensity operation and employment; (d) are highly accessible to the immediate local community it serves and have direct vehicle 	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>

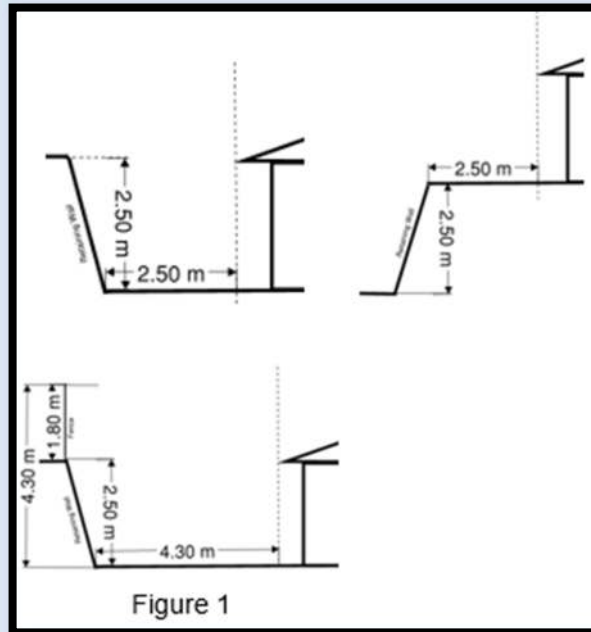
<p>(c) access to a distributor, sub-arterial and regional arterial; do no introduce non-local traffic into a local street;</p> <p>(e) are in buildings, including extensions and alterations to an existing building, that have a low rise bulk and scale compatible with a dwelling house and consistent with the character of adjoining residential buildings and the surrounding streetscape;</p> <p>(f) do not adversely impact the amenity, safety or privacy of nearby residences.</p>		
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Built Form

<p>PO6 Buildings are of a height which is consistent with the intended character of the zone and overlay, and which do not unduly reduce privacy or access to sunlight to habitable rooms, private open space and solar panels on adjoining land.</p>	<p>AO6.1 Buildings have a maximum height of two (2) storeys or 8.5m above ground level.</p>	<p>Complies – maximum of two (2) storeys with a maximum height of only 7.64 metres.</p>
<p>PO7 Except for Dwelling Houses and Dual Occupancies site coverage:</p> <p>(a) maximizes setbacks;</p> <p>(b) maximizes landscaping;</p> <p>(c) ensures adequate useable outdoor areas;</p> <p>(d) ensures adequate space for vehicle movement and parking areas;</p>	<p>AO7.1 For development up to two (2) storeys site cover does not exceed 50% of the site area.</p> <p>For development over two (2) storeys no acceptable outcome is nominated.</p>	<p>Complies – approximately 41.5% site coverage proposed.</p>

<p>(e) maximizes solar access for internal and external living spaces;</p> <p>(f) does not compromise solar access for adjoining premises; and</p> <p>(g) does not result in overshadowing of adjoining properties.</p>		
<p>PO8 Impervious site coverage:</p> <p>(a) ensures development maximizes on-site infiltration and minimizes the additional burden on drainage infrastructure;</p> <p>(b) reduces the visual impact of additional hardstand;</p> <p>(c) respects the existing or preferred neighbourhood character and responds to the features of the site; and</p> <p>(d) allows for the provision of an appropriate supply of landscaping and open space.</p>	<p>AO8.1 Impervious areas of the site do not exceed 60% of the site area.</p>	<p>Alternate Outcome – with only 65.1% proposed.</p> <p>Noting that the development proposes a site coverage that is significantly less than that required, provides landscaping that is well in excess of that required, and will compliantly discharge stormwater to Jenkins Street generally in accordance with current circumstances, it is considered that the proposed development complies with the Performance Outcome.</p>
<p>PO9 The front building setback is consistent with the prevailing front setbacks in the street.</p>	<p>AO9.1 Where the site has frontage to a collector or local road, buildings are set back from that frontage:</p> <p>(a) within 20% of the average front setback of adjoining buildings; or</p> <p>(b) where there are no adjoining buildings, 4m.</p> <p>AO9.2 Where the site has frontage to a road other than a collector or local road:</p> <p>(a) residential buildings are set back from that frontage in accordance with the requirements of the Queensland Development Code.</p> <p>(b) non-residential buildings are set back from that frontage 6m.</p>	<p>AO9.1 – Alternate Outcome – Complies with PO – generally complies with or exceeds minimum requirements – refer to Front setback Analysis within Section 5 of this Report.</p> <p>AO9.2 – N/A</p>

	<p>AO9.3 Where involving non-residential use, buildings are set back a minimum 6m from the road frontage.</p>	<p>AO9.3 – N/A</p>
<p>PO10 Side and rear building setbacks:</p> <p>(a) enhance the appearance and character of streets and buildings;</p> <p>(b) are appropriate to the scale of the development and the intended low density character of the zone or precinct in which the site is located;</p> <p>(c) provide for adequate daylight for habitable rooms and open space areas on and adjoining the site;</p> <p>(d) are sufficient to minimise overshadowing and overlooking of adjoining premises;</p> <p>(e) provide adequate separation and buffering between residential and non- residential premises; and</p> <p>(f) maximise opportunities for landscaping.</p>	<p>AO10.1 Buildings are set back from a side boundary:</p> <p>(a) Ground Floor (up to 3.5m high) – 1.5m; and</p> <p>(b) First floor (up to 7.5m high) – 2m;</p> <p>(c) Above 7.5m – 3m; or</p> <p>(d) the distance of the height of the retaining wall on the side boundary or combination of the height of the retaining wall and a fence, whichever is greater (Figure 1). Where the retaining wall extends into the site, the setback is measured from the base or top of the retaining wall.</p> <p>AO10.2 Buildings are set back:</p> <p>(a) a minimum of 3m from a rear boundary; or</p> <p>(b) the distance equivalent to of the cumulative height of the retaining wall and fence on the rear boundary (Figure 1). Where the retaining wall extends into the site, the setback is measured from the base or top of the retaining wall.</p>	<p>AO10.1 – Alternate Outcome – Complies with PO – The development exceeds the minimum ground floor setback of 1.5m and meets the minimum first floor setback of 2m, with all units being setback at least 2m from the northern and eastern side boundary lines at both the ground and first floor level. The only minor exception is the alfresco roof of Unit 1 which is 802mm from the northern side boundary. This encroachment is considered very minor considering the alfresco is an unenclosed space, located on the ground level, and will not cause overshadowing or overlooking to the neighbouring property with it being located to the south of it.</p> <p>AO10.2 – Alternate Outcome – Complies with PO – The units adjoining the western and southern rear boundaries will be setback at varying distances of between approximately 1.5m and 2m. The development does not strictly comply with the AO10.2 requirement of 3m rear boundary setbacks; however the proposal achieves PO10 for the following reasons:</p> <ul style="list-style-type: none"> • The built form presents as a series of well-articulated, detached building elements rather than a continuous bulk form. The separation of the six dwelling units across the site, combined with variations in



For non-residential development:

AO10.3 Buildings are set back a minimum of 2.5m from a side boundary.

AO10.4 Buildings are set back from a rear boundary whichever is the greater -

- (a) a minimum of 3m; or.
- (b) The distance equivalent to the cumulative height of the retaining wall and fence on the rear boundary. Where the retaining wall extends into the site, the setback is measured from the base or top of the retaining wall.

building orientation and setbacks, reduces perceived scale and bulk and contributes positively to the streetscape. The development maintains a residential character consistent with low density outcomes, notwithstanding the reduced setbacks.

- Adequate access to daylight is achieved for all habitable rooms and private open space areas through the orientation of dwellings, provision of internal spacing between units, and the absence of continuous boundary walls.
- Existing dwellings located on the adjoining rear lots are significantly separated from the subject site and all contain sheds which will act as visual buffers to the proposed development.
- Potential impacts of overlooking and overshadowing are minimised by the development's design including the separation of the dwelling units, orientation, and the size/positioning of window openings.
- The development is wholly residential in nature and located within a residential area. As such, the reduced setbacks do not

		<p>compromise the interface between incompatible land uses, and sufficient buffering is maintained to adjoining residential premises.</p> <ul style="list-style-type: none"> The development provides opportunities for landscaping throughout the site, including along side and rear boundaries within private open space areas. While setbacks are reduced in some locations, the overall site layout incorporates landscape areas that will soften the built form, contribute to visual amenity, and reinforce the low density residential character. <p>AO10.3 – N/A</p> <p>AO10.4 – N/A</p>
<p>PO11 The development is designed to a high aesthetic standard and to integrate with and enhance the locality, having regard to the following:</p> <ul style="list-style-type: none"> (a) built form; (b) open space; (c) landscaping; (d) the public realm; (e) parking and access; (f) solar access; (g) views and outlook; (h) setbacks; (i) height; 	<p>In partial compliance with the performance outcome:</p> <p>AO11.1 A minimum 1m wide landscaping strip is provided for the full length of the driveway and parking areas where parallel to a boundary common with a residential premises.</p> <p>Note: Such landscaping areas must not be compromised by the maneuvering areas required for the vehicle.</p>	<p>AO11.1 – Alternate Outcome – Complies with PO – The proposed two driveways do not run parallel to the adjoining residential premises. The carparking spaces (carports) will be buffered by over 2m of open space landscape area, with the exception of the carparking spaces near the southern rear boundary, which have a distance of 760mm to the rear boundary line adjoining residential premises. Despite this reduced setback, this area is still capable of containing screening species to soften the</p>

<p>(j) scale and bulk; and (k) provision of services</p>		<p>interface with adjoining properties. Overall, the development provides ample opportunities for landscaping distributed across the site which will act to soften the built form and integrate the development with the surrounding locality.</p>
<p>PO12 Non-residential use buildings, including extensions or additions, exhibit design elements that are characteristic of and compatible with surrounding houses in the streetscape including:-</p> <p>(a) buildings orient to and addresses the street frontage; (b) the main building entry faces the street at ground level; (c) building mass is broken up by articulation, fenestration, recesses and landscape elements to avoid large expanses of blank surfaces ; (d) differentiate between private houses and the non-residential use through variation in materials, patterns, textures and/or colours</p> <p>Editor's note – examples of façade treatment to avoid expanses of blank surface may include (but is not limited to):</p> <ul style="list-style-type: none"> • windows are provided in any building façade facing the street or other public and communal space; • awnings, verandahs, pitched roofs and rectangular building 	<p>No acceptable outcome is nominated</p>	<p>N/A</p>

<p>plan forms are used in the building design.</p>		
<p>PO13 Where appropriate, development facilitates active transport and open space connections through the neighbourhood.</p>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>
<p>PO14 The site layout responds sensitively to adjoining land uses as well as on-site and surrounding topography, drainage patterns, utility services, access, built forms and vegetation such that:</p> <ul style="list-style-type: none"> (a) any hazards or nuisance to people or property on the site or offsite are avoided; (b) any earthworks are minimised and design alternatives are prioritised over earthworks; (c) natural drainage lines are retained; (d) existing vegetation is retained or replaced; (e) damage or disruption to sewer, stormwater and water infrastructure is avoided; and (f) there is adequate buffering, screening a separation to adjoining development. 	<p>No acceptable outcome is nominated.</p>	<p>Complies – earthworks minimised and designed to respond appropriately to the topography, the built form is consistent with the character and streetscape of the area, landscaping areas will be provided in excess of that within the streetscape and that required by the Planning Scheme, sealed areas are minimised, infrastructure is adequately protected, stormwater flows generally maintained, compliant separation distances provided and the design takes advantage of vistas, solar access opportunities and prevailing breezes. Noting also as follows:</p> <ul style="list-style-type: none"> (a) <i>any hazards or nuisance to people or property on the site or offsite are avoided;</i> Complies (b) <i>any earthworks are minimised and design alternatives are prioritised over earthworks;</i> Complies (c) <i>natural drainage lines are retained;</i>

Complies – stormwater will continue to be directed and discharged towards the street as per existing natural drainage lines.

(d) existing vegetation is retained or replaced;

Complies – existing vegetation will be retained where possible. The proposed development will provide significant landscaping well in excess of Planning Scheme requirements. The approval can be conditioned to require specific landscaping provisions to replace any loss of existing vegetation as a result of the development.

(e) damage or disruption to sewer, stormwater and water infrastructure is avoided; and

Complies – as discussed herein the development will be designed and constructed to avoid adverse impacts upon infrastructure (e.g. sewer (development will avoid having to 'build over' the sewer) and will allow for stormwater discharge generally as per existing drainage lines.

(f) there is adequate buffering, screening a separation to adjoining development.

Complies – the development is designed to be adequately

		buffered from existing adjoining uses.
Amenity and Safety		
<p>PO15 Development maintains a high level of residential amenity within the site and for surrounding areas, having regard to noise, odour, lighting, access to sunlight, privacy and outlook.</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies – use will not result in adverse impacts on adjoining uses. Noting that as the use provides compliant building heights (well under maximum allowable), provides significant landscape areas along boundary lines, and is designed and orientated to avoid adverse amenity impacts on adjoining uses.</p>
<p>PO16 Site layout, building design and landscaping facilitates the security of people and property having regard to:</p> <ul style="list-style-type: none"> (a) opportunities for casual surveillance of and sightlines to publicly accessible areas such as car parks, pathways, public toilets and communal areas; (b) exterior building design and orientation which promote safety; (c) adequate definition of uses and public and private ownership; (d) adequate lighting; (e) appropriate way-finding mechanisms (e.g. signage); (f) minimisation of entrapment locations; and (g) building entrances, loading and storage areas being well lit and lockable after hours. 	<p>AO16.1 Setbacks are provided from all boundaries in accordance with acceptable outcome AO10.2;</p> <p>AO16.2 The development does not introduce lighting which is inconsistent with a residential area;</p> <p>AO16.3 Sunlight access for the private open space or habitable rooms on adjoining properties or private open spaces on the subject site is not reduced to less than 3 hours between 9am and 3pm on June 21, or</p> <p>AO16.4 Where existing overshadowing by building and fences is greater than this, sunlight is not further reduced by 20%.</p>	<p>Complies – all units provide compliant casual surveillance opportunities, with the front units and internal living areas being oriented to the street.</p>

<p>PO17 Development is designed to incorporate graffiti-prevention measures.</p>	<p>AO17.1 Building design and layout incorporates the following features where practical:</p> <ul style="list-style-type: none"> (a) designs with an absence of 'natural ladders'; (b) minimal unbroken vertical surface areas; and (c) graffiti-deterrent surface treatments.¹¹ 	<p>Complies – see also Built Form and Design Section of Section 5 of this Report.</p>
<p>PO18 Development for non-residential uses provides landscaping that:</p> <ul style="list-style-type: none"> (a) is consistent with the dominant landscape character appearance of the streetscape in an established area and intended in the zone and character overlay in which the site is located; (b) provides an attractive interface between the use, the streetscape and adjoining residential uses (c) provides and maintains: <ul style="list-style-type: none"> (i) the privacy and amenity for adjoining residential uses (ii) sight lines and overlooking to public spaces and the street to enable casual surveillance (iii) a clearly defined pedestrian entry point for visitors and customers that is separated from the driveway; (iv) established trees (including street trees) and other significant existing vegetation. 	<p>AO18.1 Where not involving reuse of a premises development provides a minimum 3m wide landscaped garden strip along the frontage of the site.</p>	<p>N/A</p>
<p>PO19 Development for non-residential uses provide car parking and loading and servicing areas that:</p>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>

<p>(a) are located to minimise impact on any adjoining residential premises</p> <p>(b) are located behind the building, and hardstand areas do not dominate the streetscape;</p> <p>(c) prioritise the movement and safety of pedestrians along the frontage of the site, and between the street frontage and the entrance to the building;</p> <p>(d) are integrated into the building design and include screening and buffering to reduce negative impact on adjoining residential uses</p>		
<p>PO20 Development for a sensitive use on land within 250m of land within the Medium Impact Industry Zone must not result in that use being exposed to industrial air, noise or odour emissions that impact on human health, amenity and wellbeing.</p>	<p>AO20.1 The use is designed to ensure that:</p> <p>(a) the indoor noise objectives set out in the Environmental Projection (Noise) Policy 2008 are met; and</p> <p>(b) the air quality objectives in the Environmental Protection (Air) Policy 2008, are met.</p> <p>Note: Design measure that may assist in achieving the acceptable outcome may include:</p> <p>(a) landscaping;</p> <p>(b) setbacks;</p> <p>(c) the orientation of buildings away from the industrial area; and</p> <p>(d) barriers, mounds and fencing; and/or screening.</p>	<p>N/A</p>
<p>PO21 Where located on land that is affected by environmental emissions generated by an operational rail corridor, sensitive development mitigates noise generated by the railway to the extent that it adversely impacts on the development.</p>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>

Development involving Animal Keeping (where for Stables) in the Clifford Park Stables Precinct		
<p>PO22 The minimum site area for Animal Keeping (where for stables) is sufficient to:</p> <p>(a) meet the needs of the use;</p> <p>(b) accommodate a dwelling house on the same premises; and</p> <p>(c) maintain an overall scale and intensity of development consistent with the character of the local area.</p>	<p>AO22.1 The site area for a Animal Keeping (where for stables) is a minimum of 1,200m².</p>	<p>N/A</p>
<p>PO23 Animal Keeping (where for stables) does not adversely affect the health and safety of residents of the site or adjoining premises and do not unduly impact on the amenity of the local area.</p>	<p>AO23.1 No horse is stabled closer than 15m to a residential building on an adjoining lot.</p> <p>AO23.2 Stable buildings are constructed with impervious reinforced concrete floors, gravity drained to the effluent collection/treatment point.</p> <p>AO23.3 Exterior walls of buildings are constructed of sound absorbent material being brick, concrete, masonry or other similar material.</p> <p>AO23.4 A person who is responsible for the supervision of the stables is accommodated on the premises at all times.</p> <p>AO23.5 A minimum 1.8m high solid screen fence is provided on the site along all common boundaries.</p> <p>AO23.6 Wastes are collected and disposed of daily.</p> <p>AO23.7 All food/waste holding areas and receptacles are contained and covered.</p> <p>AO23.8 A health management plan approved by Council identifies potential health and amenity hazards associated with the stables such as vermin and other pests, animal waste, other odour sources and the methods by which these hazards are to be addressed and managed.</p>	<p>N/A</p>
<p>PO24 Residential development maintains an overall low density, domestic scale and intensity to:</p>	<p>AO24 Accommodation activities are limited to Dwelling Houses and Community Residences.</p>	<p>N/A</p>

<p>(a) maintain suitable development sites for Animal Keeping (where for stables) to co-locate with residential uses; and</p> <p>(b) limit conflicts between Animal Keeping (where for stables) and neighbouring residential uses.</p>		
<p>Development in the Park Residential Precinct</p>		
<p>PO25 Development does not create lots smaller than 2,250m² within the Park Residential Precinct.</p>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>
<p>PO26 Effluent generated by a development is capable of being treated and disposed of on site.</p>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>

Medium Density Residential Code

Table 9.3.7:1 – Medium Density Residential Code – Requirements for accepted development and assessment benchmarks for assessable development

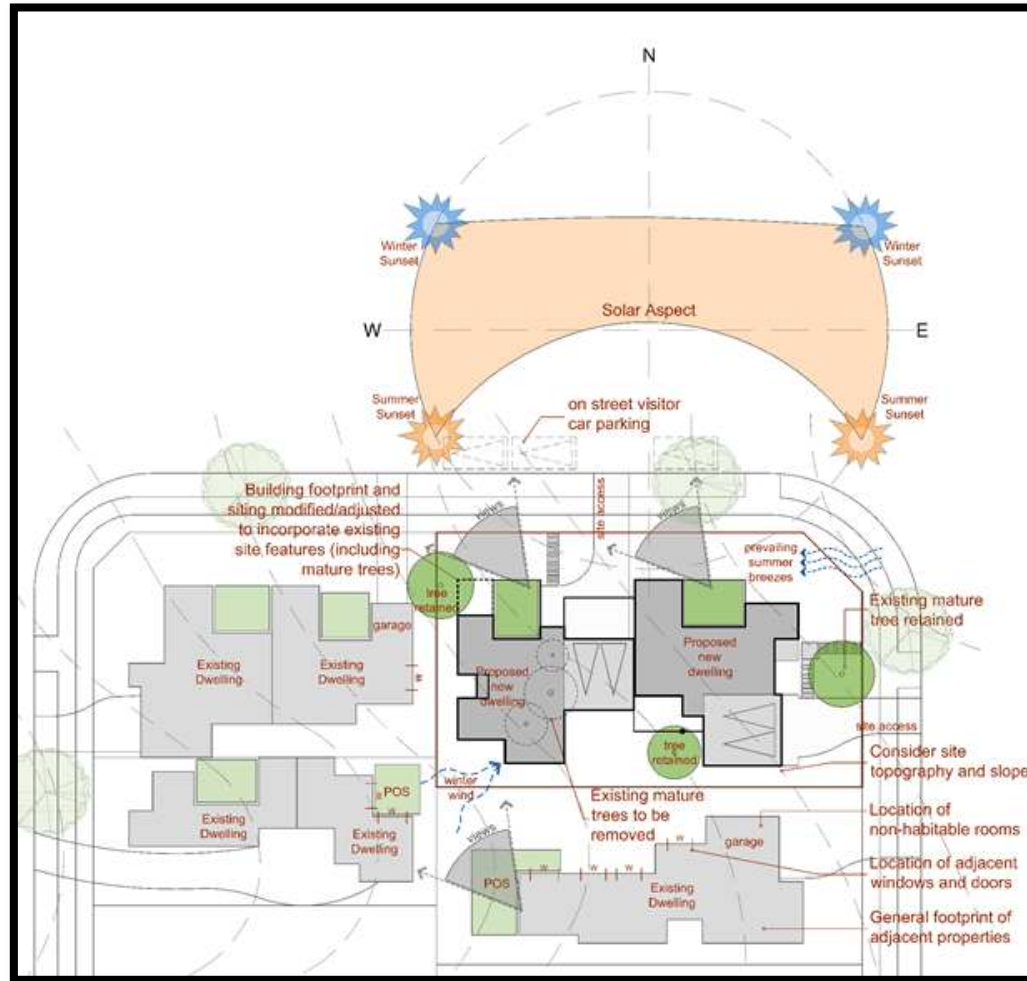
Performance Outcomes	Acceptable Outcomes	Response
Where a Dual Occupancy		
<p>PO1 Dual Occupancy development is dispersed within residential neighbourhoods, not clustering in groups of more than three adjoining or opposite sites, and does not become the dominant form of housing within a street by occupying more than 20 percent of properties within a street block.</p>	<p>AO1.1 <u>In Greenfield Areas</u> Dual Occupancy development occurs on designated Dual Occupancy lots.</p>	<p>N/A – not a Dual Occupancy</p>
<p>PO2 The development is designed in a manner that responds to the sites opportunities and constraints, including any existing building on the lot, and to the broader urban and streetscape contexts.</p> <p>Note: Development should be designed and documented by a suitably qualified professional (i.e. architect or building designer). Details of professional qualifications should be noted on drawings submitted with any development application</p>	<p>AO2.1 The design of the development considers and responds to:</p> <p>a) Site specific qualities including:</p> <ul style="list-style-type: none"> i) site topography and slope (contours at a minimum of 1m intervals); ii) Views iii) solar aspect and access; iv) prevailing breezes v) existing buildings on the site; vi) site access vii) services viii) identification of buildings to be demolished; ix) existing vegetation (locations to be surveyed and the diameter of the trunk at 1m above ground level shown. On highly buttressed trees the extent of buttressed roots is to be shown); 	<p>N/A – not a Dual Occupancy</p>

Performance Outcomes	Acceptable Outcomes	Response
	<ul style="list-style-type: none"> x) proposed position of new buildings overlaid b) Nearby features including: <ul style="list-style-type: none"> i) opportunities for on street visitor car parking; ii) buildings on adjoining land iii) important views from neighbouring properties iv) features and character of adjoining land and buildings including doors & windows v) street fixtures; c) Local qualities and amenities including: <ul style="list-style-type: none"> i) available public transport; ii) nearby amenities such as parks, shops <p>AO_{2.2} Site design retains all existing street trees.</p> <p>Note: See Figure 1 below for examples of site analysis and nearby feature plans.</p>	

Performance Outcomes

Acceptable Outcomes

Response



Performance Outcomes	Acceptable Outcomes	Response
<p>PO3 Development responds to the slope of the land in the siting, design and form of buildings and structures to minimise requirements for cut and fill.</p>	<p>AO3.1 Cut and fill beyond natural ground level does not exceed a vertical distance of 1m, unless contained within building walls and in accordance with the requirements outlined in SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p> <p>Note: See Figure 2.</p> <p>AO3.2 Batters and earth-retaining structures are constructed in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p>	<p>N/A – not a Dual Occupancy</p>

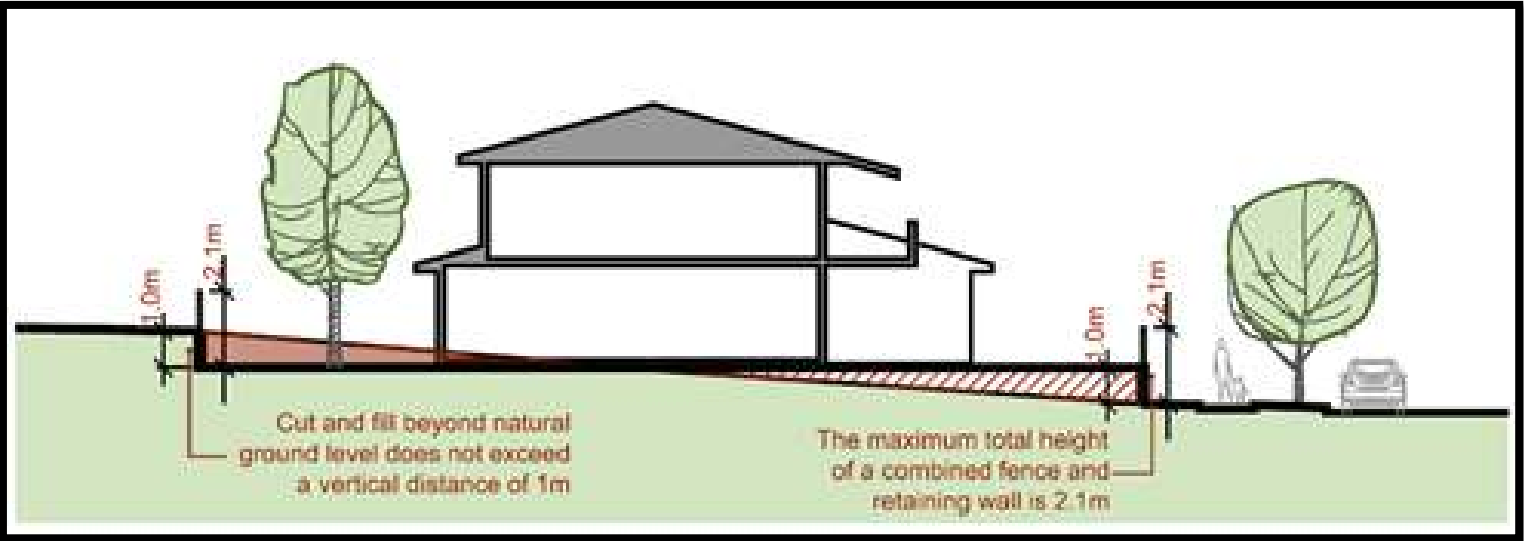


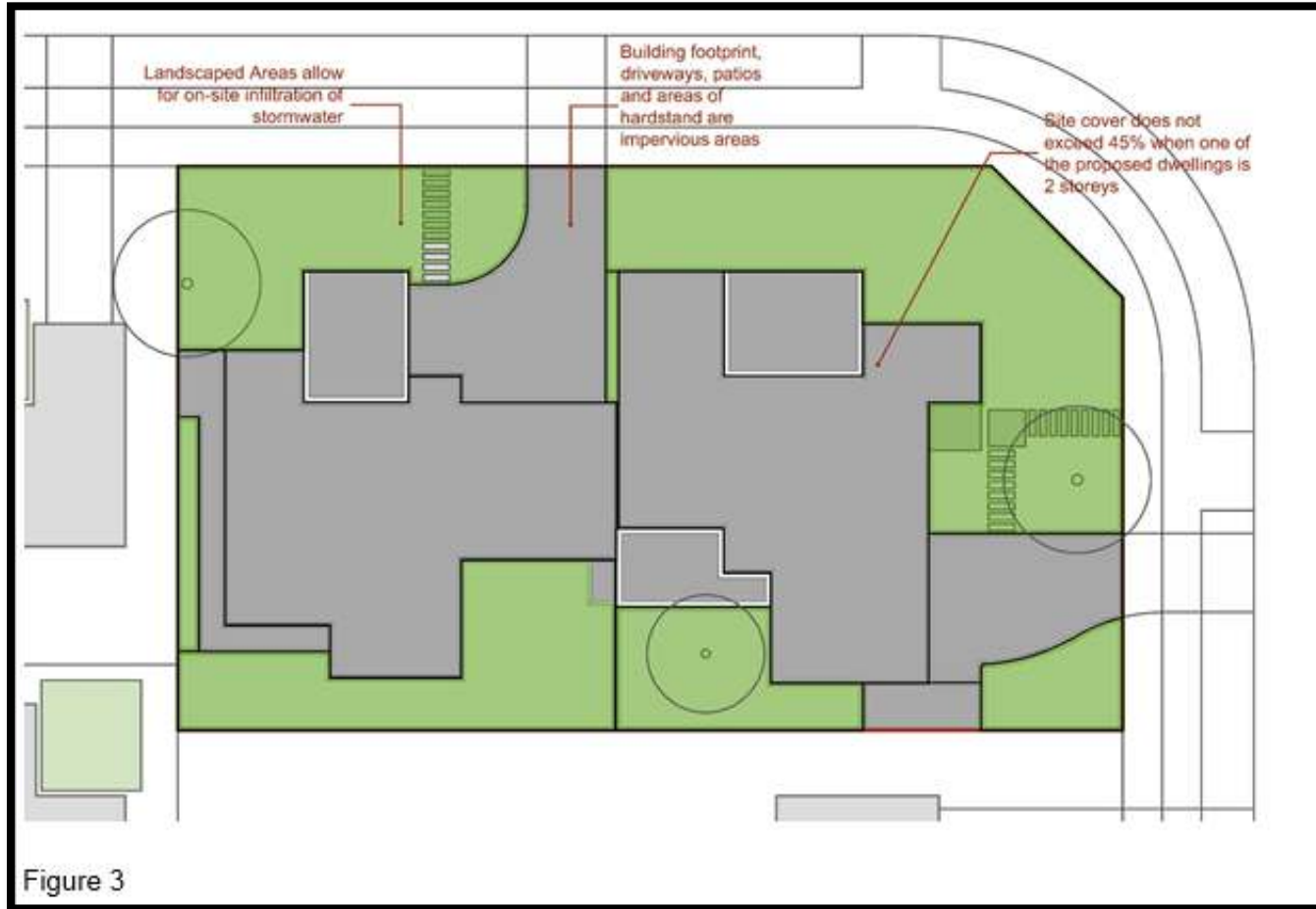
Figure 2

Performance Outcomes	Acceptable Outcomes	Response																
<p>PO4 Development is designed to facilitate the retention of any existing street tree adjacent to the site.</p>	<p>AO4.1 Development does not compromise or require the removal of any street tree</p>	<p>N/A – not a Dual Occupancy</p>																
<p>PO5 Development:</p> <p>(a) provides for the on-site infiltration of stormwater and minimises the additional burden on drainage infrastructure;</p> <p>(b) minimises the visual impact of hard surface areas; and</p> <p>(c) respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p>AO5.1 The impervious site cover does not exceed Table 1:</p> <table border="1" data-bbox="862 470 1411 805"> <thead> <tr> <th colspan="2">Table 1</th> </tr> <tr> <th>Average building height</th> <th>Maximum impervious site cover</th> </tr> </thead> <tbody> <tr> <td>If both of the proposed dwellings are 1 storey</td> <td>70%</td> </tr> <tr> <td>If one or both of the proposed dwellings is 2 storeys</td> <td>65%</td> </tr> </tbody> </table> <p>AO5.2 No more than 50% of the front setbacks area is impervious.</p> <p>AO5.3 Site cover does not exceed rates specified in Table 2.</p> <table border="1" data-bbox="862 997 1411 1300"> <thead> <tr> <th colspan="2">Table 2</th> </tr> <tr> <th>Dwelling Height</th> <th>Maximum site cover</th> </tr> </thead> <tbody> <tr> <td>If both of proposed dwellings are 1 storey</td> <td>50%</td> </tr> <tr> <td>If one of proposed dwellings is 2 storeys</td> <td>45%</td> </tr> </tbody> </table> <p>Note: See Figure 3.</p>	Table 1		Average building height	Maximum impervious site cover	If both of the proposed dwellings are 1 storey	70%	If one or both of the proposed dwellings is 2 storeys	65%	Table 2		Dwelling Height	Maximum site cover	If both of proposed dwellings are 1 storey	50%	If one of proposed dwellings is 2 storeys	45%	<p>N/A – not a Dual Occupancy</p>
Table 1																		
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Dwelling Height	Maximum site cover																	
If both of proposed dwellings are 1 storey	50%																	
If one of proposed dwellings is 2 storeys	45%																	

Performance Outcomes

Acceptable Outcomes

Response



PO6 Areas of hardstand required for parking and pathways:
(a) are minimised,

AO6.1 Landscaped areas are provided in accordance with Table 3:

N/A – not a Dual Occupancy

Performance Outcomes	Acceptable Outcomes	Response																		
<p>(b) incorporate generous landscaping:</p> <p>(i) to promote a garden streetscape character, and</p> <p>(ii) to minimise visual impacts of views to hardstand areas for occupants and the public, particularly in the front garden.</p>	<table border="1" data-bbox="846 272 1429 1082"> <thead> <tr> <th colspan="3" data-bbox="853 277 1422 341">Table 3</th> </tr> <tr> <th data-bbox="853 346 1039 421">Building height</th> <th colspan="2" data-bbox="1046 346 1415 395">Minimum landscaped area</th> </tr> <tr> <td data-bbox="853 400 1039 810"></td> <td data-bbox="1046 400 1227 810">Where 80% or more of the front setback is landscaped area additional landscaping for the balance of the site must be a minimum of:</td> <td data-bbox="1234 400 1415 810">Where less than 80% of the front setback area is landscaped additional landscaping for the balance of the site must be a minimum of:</td> </tr> <tr> <td data-bbox="853 815 1039 895">1-2 storeys</td> <td data-bbox="1046 815 1227 895">10% site area</td> <td data-bbox="1234 815 1415 895">15% site area</td> </tr> <tr> <td data-bbox="853 900 1039 979">3 storeys</td> <td data-bbox="1046 900 1227 979">12.5% site area</td> <td data-bbox="1234 900 1415 979">17.5% site area</td> </tr> <tr> <td data-bbox="853 984 1039 1064">4+ storeys</td> <td data-bbox="1046 984 1227 1064">15% site area</td> <td data-bbox="1234 984 1415 1064">20% site area</td> </tr> </thead> </table> <p data-bbox="822 1114 1464 1230">Note: Landscaped areas included in the calculations consist of garden beds and lawn areas throughout the site with a width of no less than 1.5m;</p> <p data-bbox="893 1254 1464 1342">Excludes all paved and other impervious areas such as driveways, patios, terraces, car parking spaces and bin and other utility areas.</p>	Table 3			Building height	Minimum landscaped area			Where 80% or more of the front setback is landscaped area additional landscaping for the balance of the site must be a minimum of:	Where less than 80% of the front setback area is landscaped additional landscaping for the balance of the site must be a minimum of:	1-2 storeys	10% site area	15% site area	3 storeys	12.5% site area	17.5% site area	4+ storeys	15% site area	20% site area	
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3 storeys	12.5% site area	17.5% site area																		
4+ storeys	15% site area	20% site area																		

Performance Outcomes	Acceptable Outcomes	Response
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	See Figure 4.	
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Figure 4

<p>PO7 The front building setback is consistent with the prevailing front setbacks of other residential buildings in the street.</p>	<p>AO7.1 Buildings are setback from the road frontage: (a) within 10% of the average front setback of existing residential buildings within 100m of the site; or</p>	<p>N/A – not a Dual Occupancy.</p>
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Performance Outcomes

Note: The prevailing setback of the street is determined by the setbacks of the residential buildings on any lot along the road within 100m of the site.

Acceptable Outcomes

(b) where there is no adjoining buildings the front setback is provided in accordance with Table 4.

Table 4	
Building element	Minimum setback
Solid building wall (other than a garage)	4.0m
Solid building wall (where for a garage)	5.5m
Permeable or non-enclosed elements (e.g. porch, verandah, balcony or carport)	3.5m (or 3m where secondary road frontage)

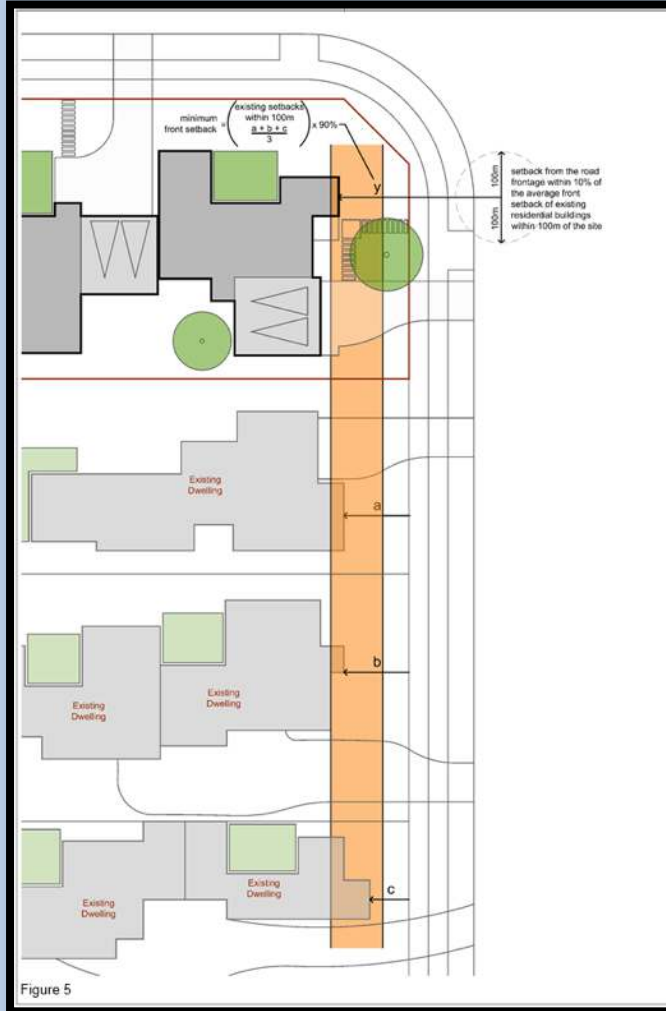
Note: See Figure 5.

Response

Performance Outcomes

Acceptable Outcomes

Response



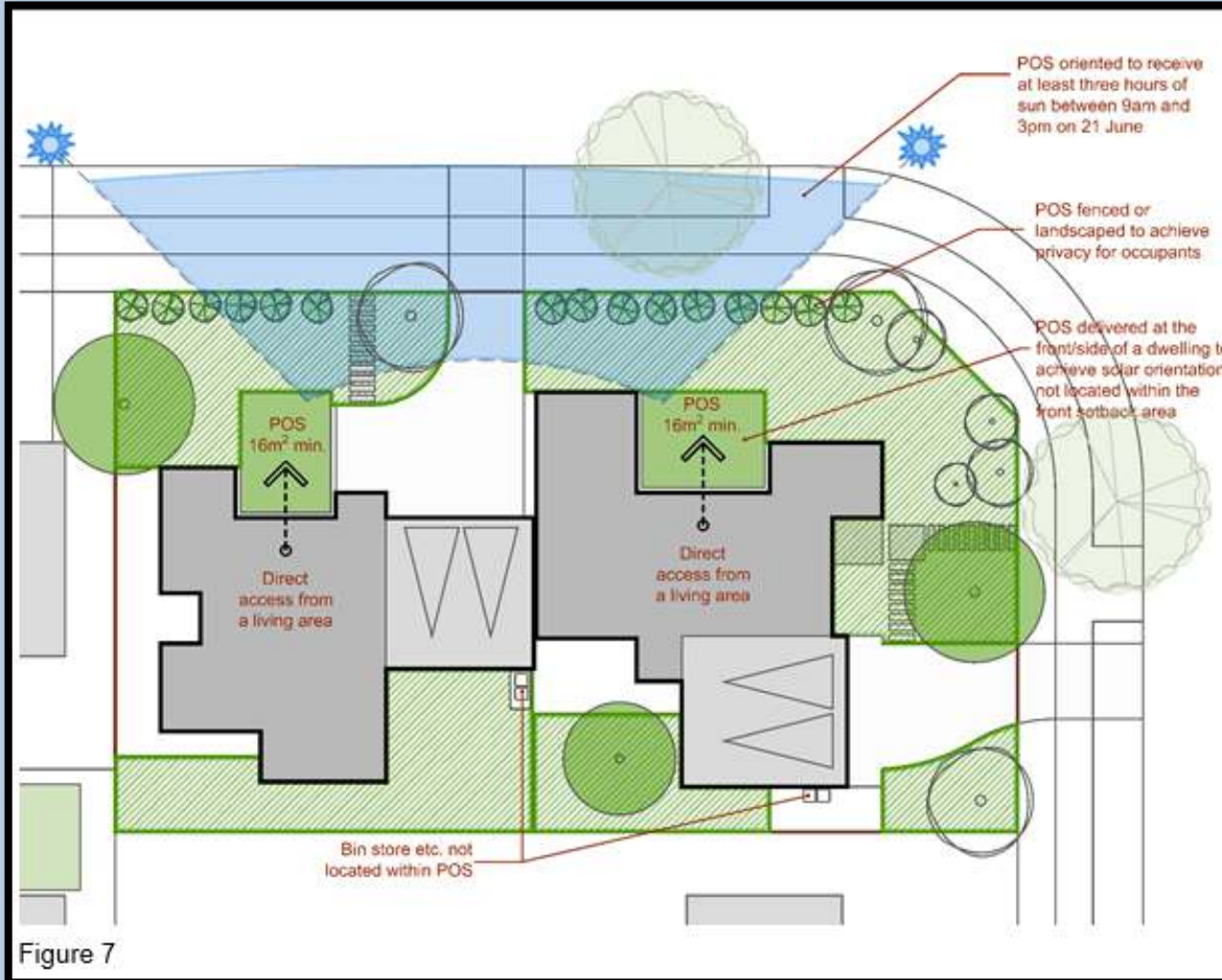
Performance Outcomes	Acceptable Outcomes	Response
<p>PO8 Side and rear building setbacks:</p> <p>(a) are appropriate to the scale of the development and the intended character of the zone and/or precinct and local plan in which the site is located;</p> <p>(b) provide for adequate daylight for habitable rooms and open space areas on and adjoining the site; and</p> <p>(c) are sufficient to minimise overshadowing and overlooking of adjoining premises.</p>	<p>AO8.1 Any part of a building built to a side boundary:</p> <p>(a) must not exceed a maximum height of 3.5m;</p> <p>(b) must not exceed a maximum length of 9m;</p> <p>(c) must be a minimum distance of 2.4m from any other wall built to the side boundary (whether on the site or an adjoining site) or be joined to another built to boundary wall if on an adjoining site; and</p> <p>(d) must not exceed a maximum total length of 50% of the side boundary.</p> <p>OR</p> <p>AO8.2 Buildings are set back from side boundaries in accordance with the following:</p> <p>(a) For lots with frontages less than 20m:</p> <p>(i) 1.2m for any part of the building up to 3.5m high; and</p> <p>(ii) 2m for any part of the building above 3.5m high.</p> <p>(b) For lots with frontages greater than 20m:</p> <p>(i) 1.8m for any part of the building up to 3.5m high; and</p> <p>(ii) 2.4m for any part of the building above 3.5m high.</p> <p>AO8.3 Buildings are set back from the rear boundary a minimum of 3m.</p> <p>AO8.4 Development ensures that solar access to habitable rooms and private open space of adjoining premises: -</p> <p>(a) achieves a minimum of 3 hours of sunlight between 9am and 3pm on June 21; or</p> <p>(b) is not further reduced where existing solar access is less than that specified in (a).</p> <p>Note: See Figure 6.</p>	<p>N/A – not a Dual Occupancy</p>

Performance Outcomes	Acceptable Outcomes	Response
<p>PO9 Development provides adequate and suitable private open space to meet the needs of occupants for privacy, relaxation and entertainment and to accommodate visitors.</p>	<p>AO9.1 Private open space has a minimum area of 16m² and minimum dimensions of 4 metres by 4 metres.</p> <p>AO9.2 Private open space is:</p> <ul style="list-style-type: none"> (a) is oriented to receive at least three hours of sun between 9am and 5pm on 21 June. (b) directly accessible from a living area or kitchen; (c) fenced or landscaped to achieve privacy for occupants; (d) clear of bins, clothes lines, hot water systems, air conditioning units, above ground water tanks and associated infrastructure and other forms of ancillary equipment and (e) not located within the front setback area. <p>Note: See Figure 7.</p>	<p>N/A – not a Dual Occupancy</p>

Performance Outcomes

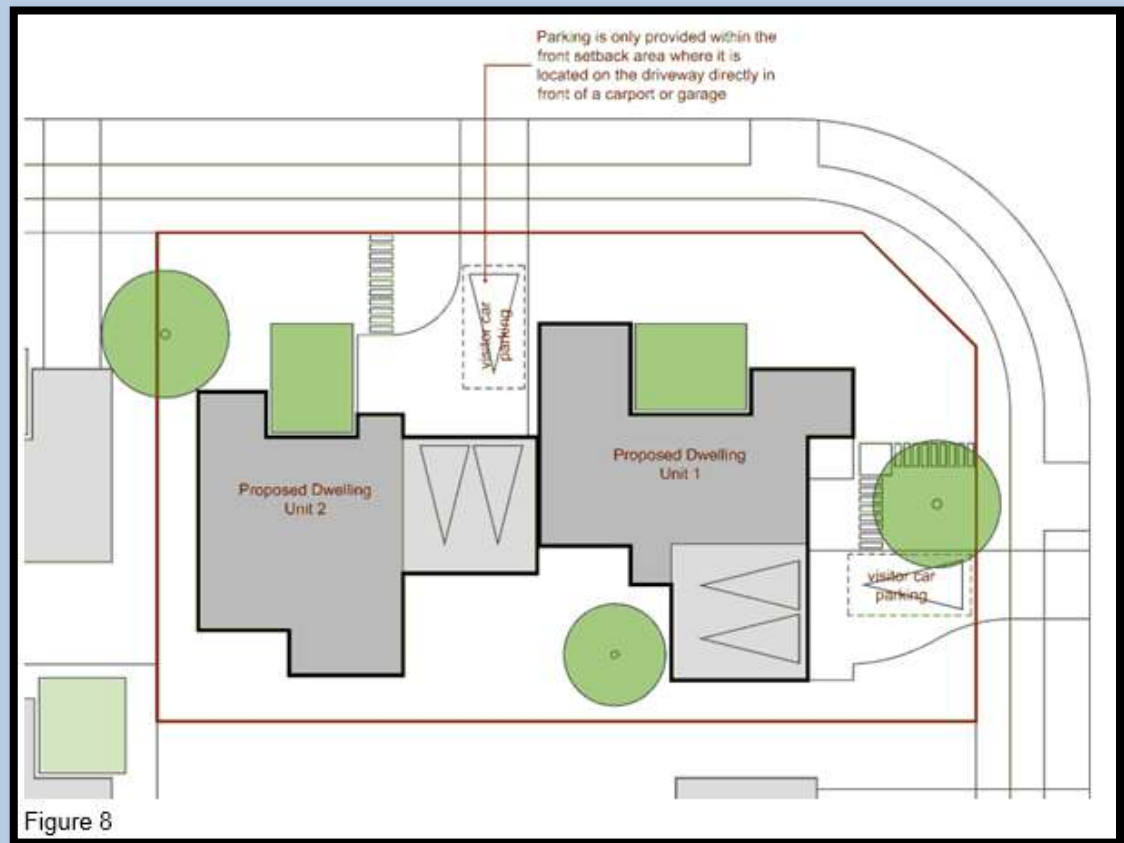
Acceptable Outcomes

Response



Performance Outcomes	Acceptable Outcomes	Response
<p>PO10 All car parking is designed to accommodate a standard car (B85 vehicle) and incorporates adequate manoeuvring area to parking spaces (including carports and garages).</p>	<p>AO10.1 Design of the site layout must ensure a B85 vehicle (as defined in AS 2890.1:2004 Parking facilities - Off-street car parking) is able to enter an enclosed garage or visitor car park in a single forward manoeuvre and exit in a single reverse manoeuvre.</p>	<p>N/A – not a Dual Occupancy</p>
<p>PO11 Development provides resident and visitor car parking which is integrated into the site and building design and:</p> <p>(a) does not negatively impact the amenity of the site, adjoining sites or streetscape;</p> <p>(b) is not a prominent visual feature from the street or other public spaces; and</p> <p>(c) contributes to the establishment of a garden setting by avoiding large areas of visible hardstand.</p>	<p>AO11.1 Parking is only provided within the front setback area where it is:</p> <p>(a) located on the driveway directly in front of a carport or garage; and</p> <p>(b) not covered.</p> <p>Note: Where car parking is provided in accordance with AO11.1(a) the driveway should have a minimum length of 5 metres to avoid parked vehicles extending beyond the site boundary.</p> <p>AO11.2 Where car parking is provided below ground:</p> <p>(a) Access ramps are not located within 6m of the street boundary and do not exceed an opening width of 6m; and</p> <p>(b) Entry to the site for pedestrians is provided separate from vehicle entries by way of a safe, well lit and clearly identifiable pathway or gatehouse;</p> <p>AO11.3 All car parking is freely available for use by to the applicable occupants and visitors of the development.</p> <p>Note: See Figure 8.</p>	<p>N/A – not a Dual Occupancy</p>

Performance Outcomes	Acceptable Outcomes	Response
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PO12 Garages and carports (except those with frontage to a rear lane) do not dominate the street frontage.

AO12.1 Garages and/or carports facing a street make up no more than 30% of the width of the site.

AO12.2 Garages and/or carports facing a street are setback a minimum of 1 metre behind the main face³⁶ of the dwelling.

Note: See Figures 9 and 10.

N/A – not a Dual Occupancy

Performance Outcomes

Acceptable Outcomes

Response

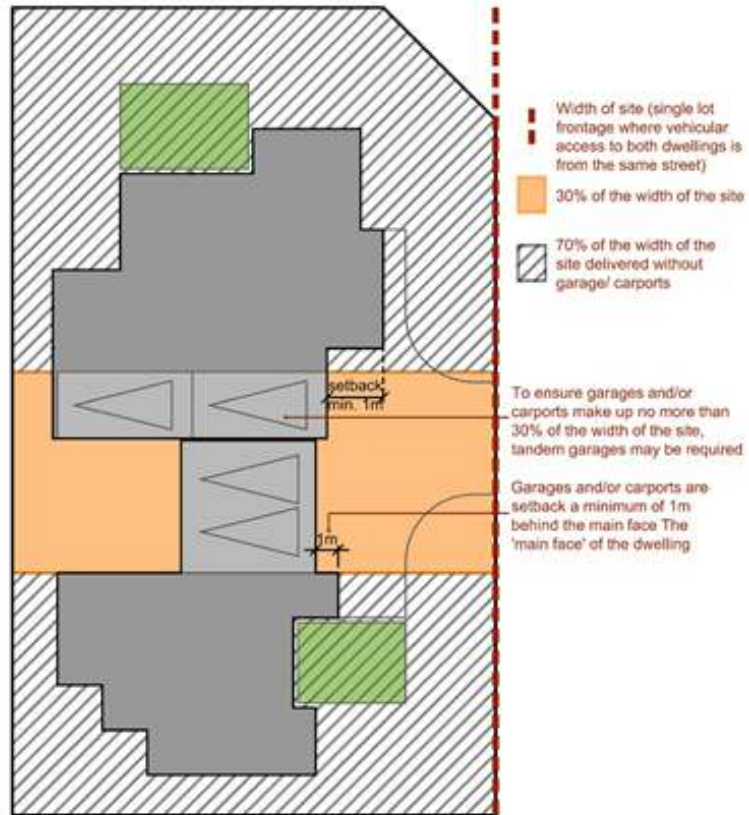
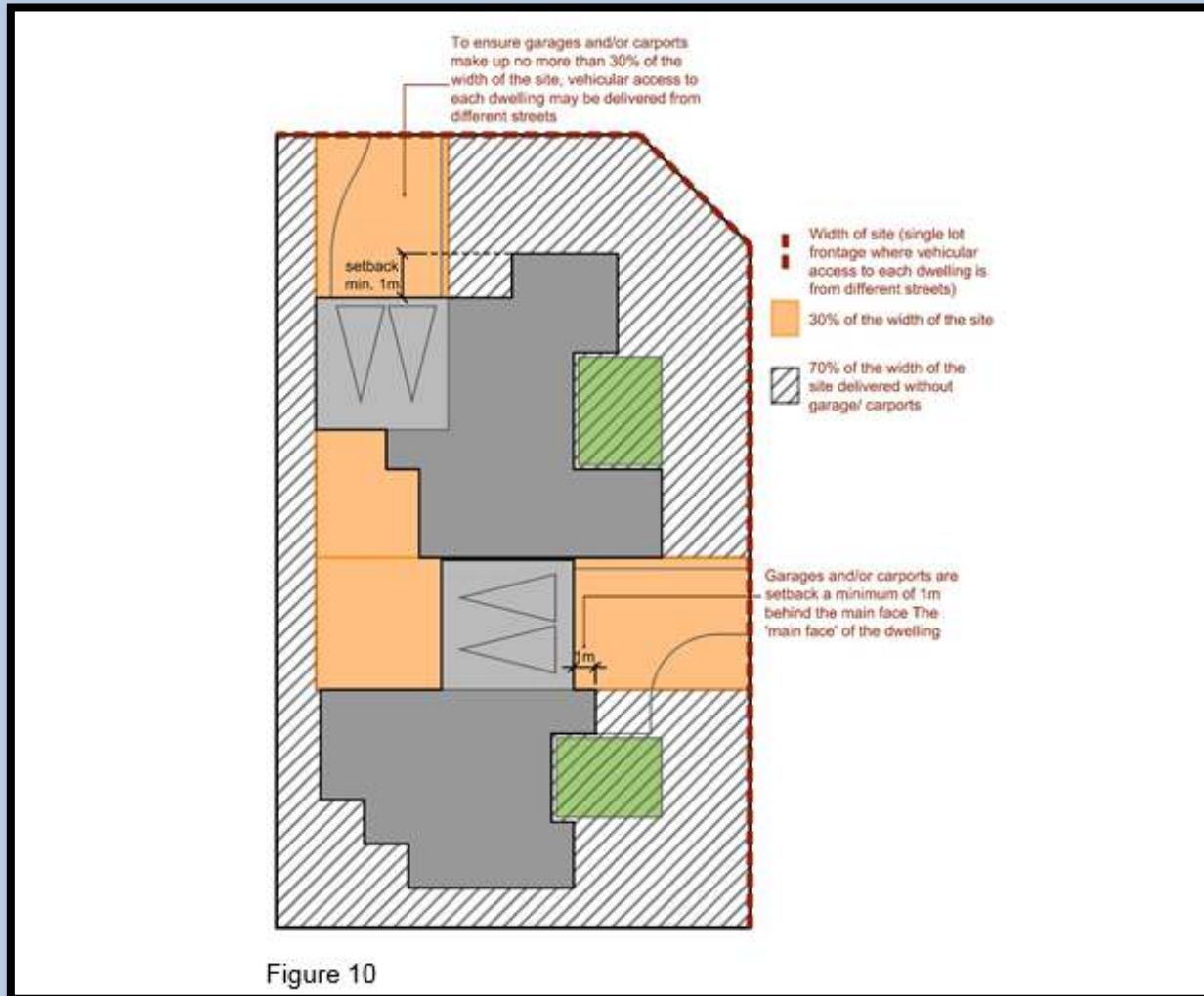


Figure 9

Performance Outcomes

Acceptable Outcomes

Response



Performance Outcomes	Acceptable Outcomes	Response
<p>PO13 Safe and equitable access for both pedestrians and vehicles is provided, to and from buildings and the street whilst minimising the extent and number of driveways.</p>	<p>AO13.1 Where vehicular access to both dwellings is from the same street the driveway is shared and has a maximum crossover width of 5m.</p> <p>AO13.2 Where vehicular access to each dwelling is from different streets the driveway has a maximum crossover width of 3m.</p> <p>AO13.3 Where the site abuts a lane vehicle access is provided from the lane.</p> <p>AO13.4 Separate pedestrian access is provided to each dwelling, clearly distinguishable from the vehicle zone.</p> <p>Note: See Figure 11.</p>	<p>N/A – not a Dual Occupancy</p>

Performance Outcomes

Acceptable Outcomes

Response



Figure 11

Performance Outcomes	Acceptable Outcomes	Response
<p>PO14The privacy of residents of the development or adjoining premises is protected when they are inside a dwelling or in a private open space area.</p>	<p>AO14.1 Habitable room windows of a dwelling are separated a minimum of 9m from a habitable room window or private open space of another dwelling on the same or an adjoining site.</p> <p>OR</p> <p>AO14.2 Where there is a direct view within 9m into a habitable room or private open space of another dwelling on the same or an adjoining site</p> <p>(a) the elements with the view such as windows, balconies, or terraces of a dwelling must be screened in accordance with AO14.3; or</p> <p>(b) the Windows have translucent glazing up to or sill heights of at least 1.5m from the internal floor level; or</p> <p>(c) a solid fence or masonry wall with a minimum height of 1.5m is positioned between the elements with the view.</p> <p>AO14.3 Where screening is used, it:</p> <p>(a) is a solid translucent screen or a louvre perforated panel, trellis or the like that has a maximum of 50% open to solid ratio; and</p> <p>(b) is a fixed, permanent element of a design that complements the style, detailing and materials of the development.</p> <p>Note: See Figure 12.</p>	<p>N/A – not a Dual Occupancy</p>

Performance Outcomes	Acceptable Outcomes	Response
<p>PO15 The development is designed so that occupants are not adversely affected by adjoining non-residential uses.</p>	<p>AO15.1 A 1.8m high solid screen fence and 2m wide vegetated buffer is provided along any section of the site boundary that is common with vehicle movement and/or parking areas associated with a non-residential use on an adjoining site.</p>	<p>N/A – not a Dual Occupancy</p>
<p>PO16 Buildings are designed to a high aesthetic standard providing:</p> <ul style="list-style-type: none"> (a) prominent features towards the street frontage; (b) detailing and finishes appropriate to the scale, quality and character of the street and to help differentiate between dwellings (c) opportunities for informal surveillance of the street and other public spaces; (d) clear and visible entries; and elements that complement or enhance the character of the local neighbourhood. 	<p>AO16.1 Buildings:</p> <ul style="list-style-type: none"> (a) are oriented to and address the street frontage; (b) have front entries that provide full weather protection and where within 10m of any street, have clearly defined front entries that are visible from the street; (c) where within 10m of any street; have one or more habitable rooms facing the street boundary that have windows or doors with a minimum area of clear glazing of 0.25m² for each linear metre of street frontage; and (d) are designed to deliver depth in the façade facing the street or public space with a variation not less than 2m deep for a minimum 50% of the building width at ground level. <p>Note: Variation in building façade may be achieved through delivery of balconies, patios or building footprint articulation. The roofline over a balcony or patio may remain consistent with the dominant roof form.</p> <p>Note: See Figure 13</p>	<p>N/A – not a Dual Occupancy</p>

Performance Outcomes

Acceptable Outcomes

Response

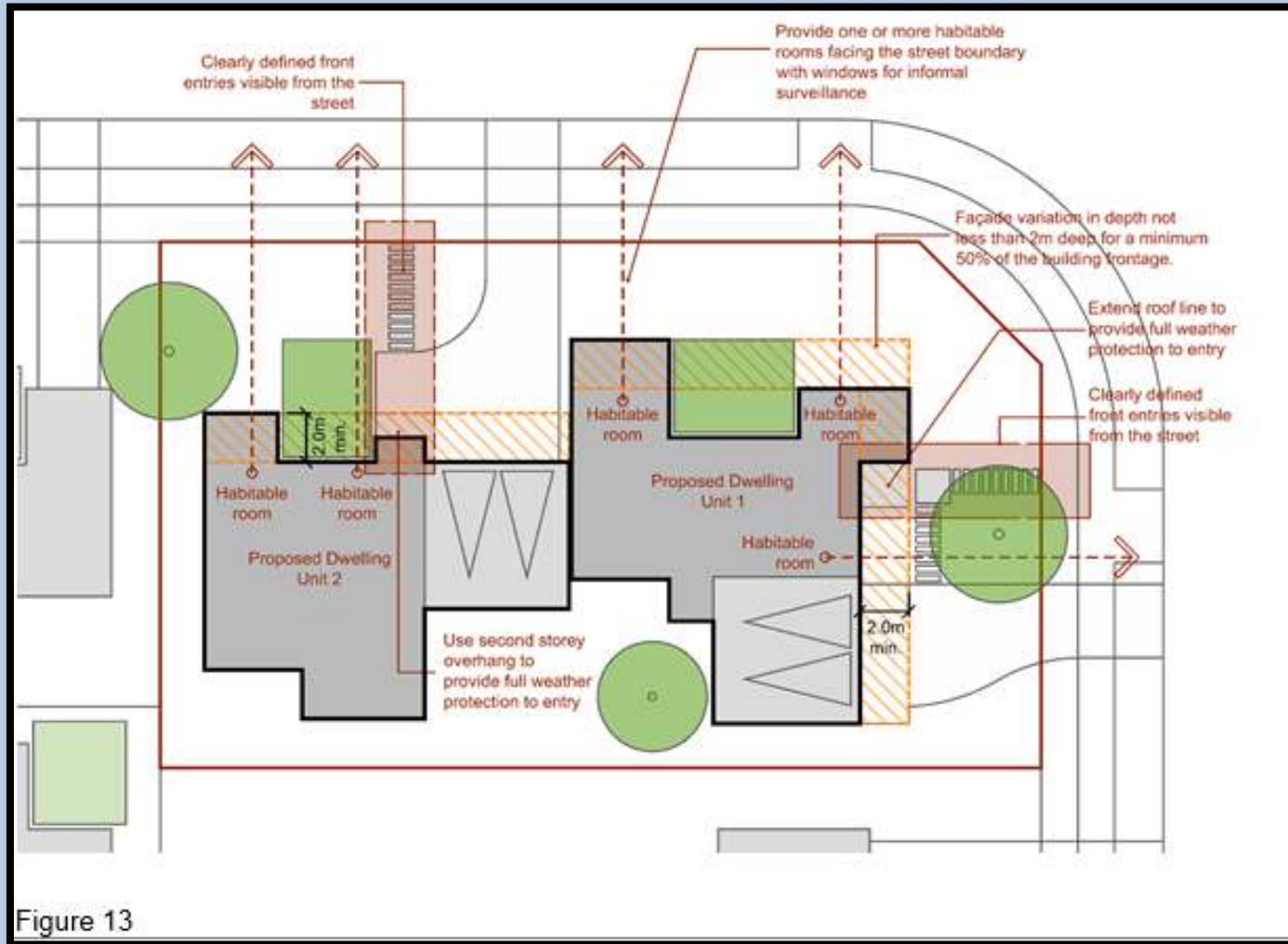


Figure 13

Performance Outcomes	Acceptable Outcomes	Response
<p>PO17 Development incorporates typical domestic detailing to achieve a residential scale living environment with aesthetic standards and amenity for occupants similar to those of single dwellings in the neighbourhood.</p>	<p>AO17.1 The maximum single wall length of a building is 32m with offsets of 600mm minimum provided every 7.5m;</p> <p>Note: Building walls separated by a distance of less than 10% of their combined length are considered as one wall.</p> <p>AO17.2 Building bulk is minimised through articulation and other measures, including the provision of at least one (1) element from at least three (3) of the following element groups:</p> <ul style="list-style-type: none"> (a) verandahs, porches, pergolas or balconies; (b) roof overhangs (minimum 600mm deep); (c) window hoods/screens; (d) awning and shade structures; or (e) 600mm vertical gutter offset to create roof articulation. <p>Note: See Figure 14.</p>	<p>N/A – not a Dual Occupancy</p>

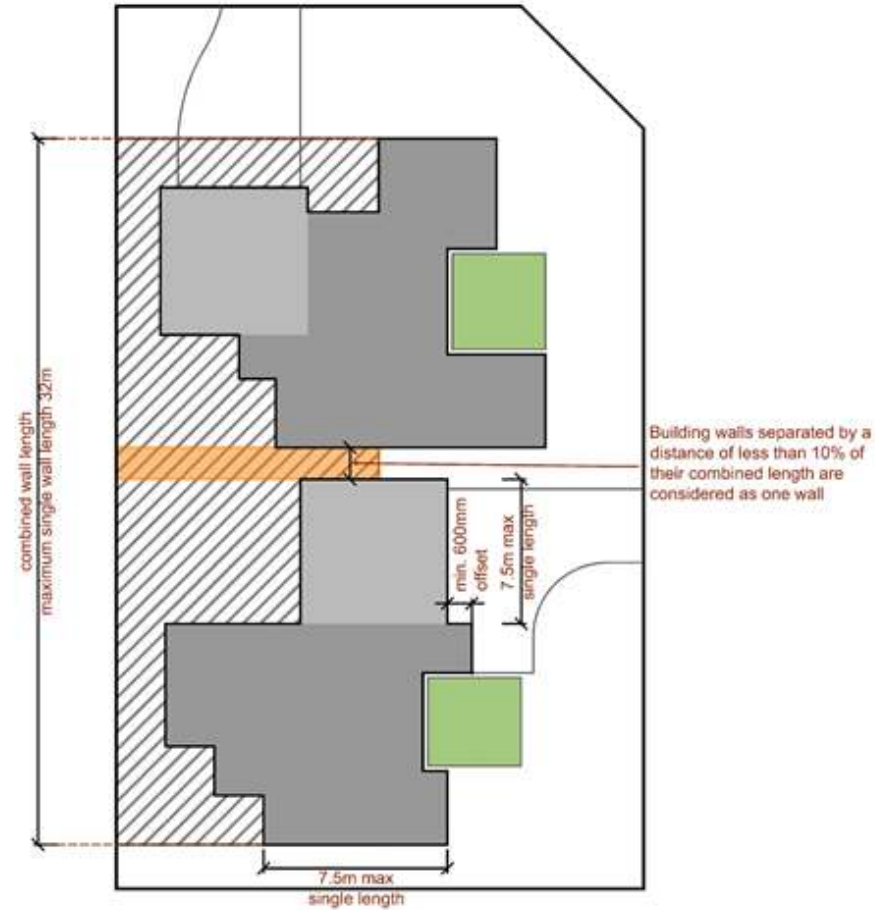


Figure 14

Performance Outcomes	Acceptable Outcomes	Response
<p>PO18 Development provides landscaping that contributes to the landscape character, shade and the micro-climate of the neighbourhood and site through the retention or provision of at least one canopy tree.</p>	<p>AO18.1 One (1) tree capable of achieving a height of at least six (6) metres and canopy spread of at least five (5) metres at maturity is provided.</p>	<p>N/A – not a Dual Occupancy</p>
<p>PO19 The treatment of fencing and retaining walls in all situations reinforces the high quality, amenity and safety of the development.</p>	<p>AO19.1 The maximum total height of a combined fence and retaining wall is 2.1m, as measured from the base of the retaining wall to the top of the fence.</p> <p>AO19.2 Where a combined fence and retaining wall is located on the front boundary, the fence has a minimum transparency of 30% when viewed from in front of the fence (at 90 degree angle to the fence).</p> <p>AO19.3 Retaining walls and fences are constructed of high quality materials and contribute to residential amenity</p> <p>AO19.4 Any fence on the front boundary has a minimum 30% transparency when viewed from in front of the fence (at 90 degree angle to the fence).</p> <p>Note: Where retaining walls are set off the property boundary by a minimum of 600mm, they are not considered to be combined with the fencing. (See Figure 15.)</p>	<p>N/A – not a Dual Occupancy</p>

Performance Outcomes	Acceptable Outcomes	Response
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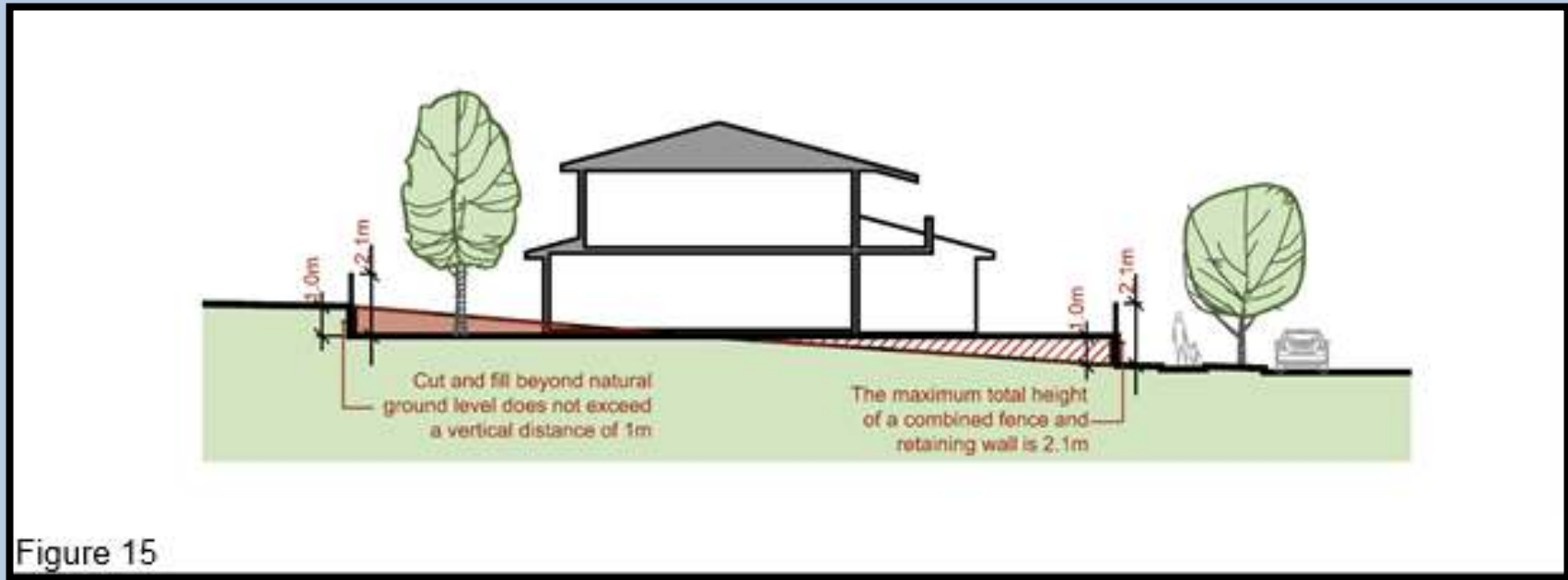


Figure 15

<p>PO20 Front fencing contributes to privacy, screening, security, and street character while maintaining a visual relationship between dwellings and public spaces.</p>	<p>AO20.1 Fences located on a front property boundary or a common boundary with an adjacent park or within the front setback area:</p> <p>(a) have a maximum height of 1.2 metres;</p> <p>OR</p> <p>(b) have a maximum height of 1.5 metres and a minimum transparency of 30% when viewed from in front of the fence (at 90 degree angle to the fence).</p>	<p>N/A – not a Dual Occupancy</p>
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Performance Outcomes	Acceptable Outcomes	Response
	Note: In instances where the fence is located in conjunction with a retaining wall refer PO19.	
<p>PO21 Stormwater discharge from the site is 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.</p>	<p>AO21.1 The site:</p> <p>(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</p> <p>(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 stormwater drainage network in the abutting road via subsurface pipes; or</p> <p>(c) has lawful access to an inter allotment drainage network with available capacity to meet the requirements of the development.</p>	<p>N/A – not a Dual Occupancy</p>
<p>Where a Dwelling House on a Hatched Lot</p>		
<p>PO22 The configuration and finish of the access strip/easement:</p> <p>(a) enhances the streetscape qualities of the area and any adjoining premises;</p> <p>(b) enhances the residential amenity of the area; and</p> <p>(c) contributes to a high quality residential outcome for the site, by the incorporation of landscaping, provision for adequate setbacks and use of high quality materials.</p>	<p>AO22.1 Any area of hardstand, including the driveway, within the access strip / easement:</p> <p>(a) has a maximum width of 3m; and</p> <p>(b) is sealed with a rigid pavement.</p> <p>AO22.2 The access strip/easement has a landscaped area/s with a combined minimum width of 2m for its full length.</p> <p>AO22.3 The driveway landscaping must continue for the full length of the driveway for a minimum width of 0.5m.</p>	<p>N/A</p>

Performance Outcomes	Acceptable Outcomes	Response
	<p>AO22.4 Any fence on the inside boundary of the access strip / easement has a maximum height of one (1) metre for the first six (6) metres from the front boundary.</p>	
<p>PO23 The dwelling does not result in a reduction of amenity, privacy, or loss of solar access for any adjoining property.</p>	<p>AO23.1 The dwelling does not exceed a maximum height of 2 storeys or 8.5m above ground level.</p> <p>AO23.2 The dwelling is setback a minimum of 2m from all boundaries</p> <p>AO23.3 North-facing windows to habitable rooms and/or the private outdoor space of an adjoining premises does not have sunlight reduced to less than 3 hours of solar gain between 9 a.m. and 3 p.m. on 21 June.</p>	<p>N/A</p>
<p>PO24 Stormwater discharge from the site is 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.</p> <p>Note: Land over which Council has tenure or control does not include Council's open space network.</p>	<p>AO24.1 The site:</p> <p>(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</p> <p>(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 stormwater drainage network in the abutting road via subsurface pipes; or</p> <p>(c) has lawful access to an inter allotment drainage network with available capacity to meet the requirements of the development.</p>	<p>N/A</p>

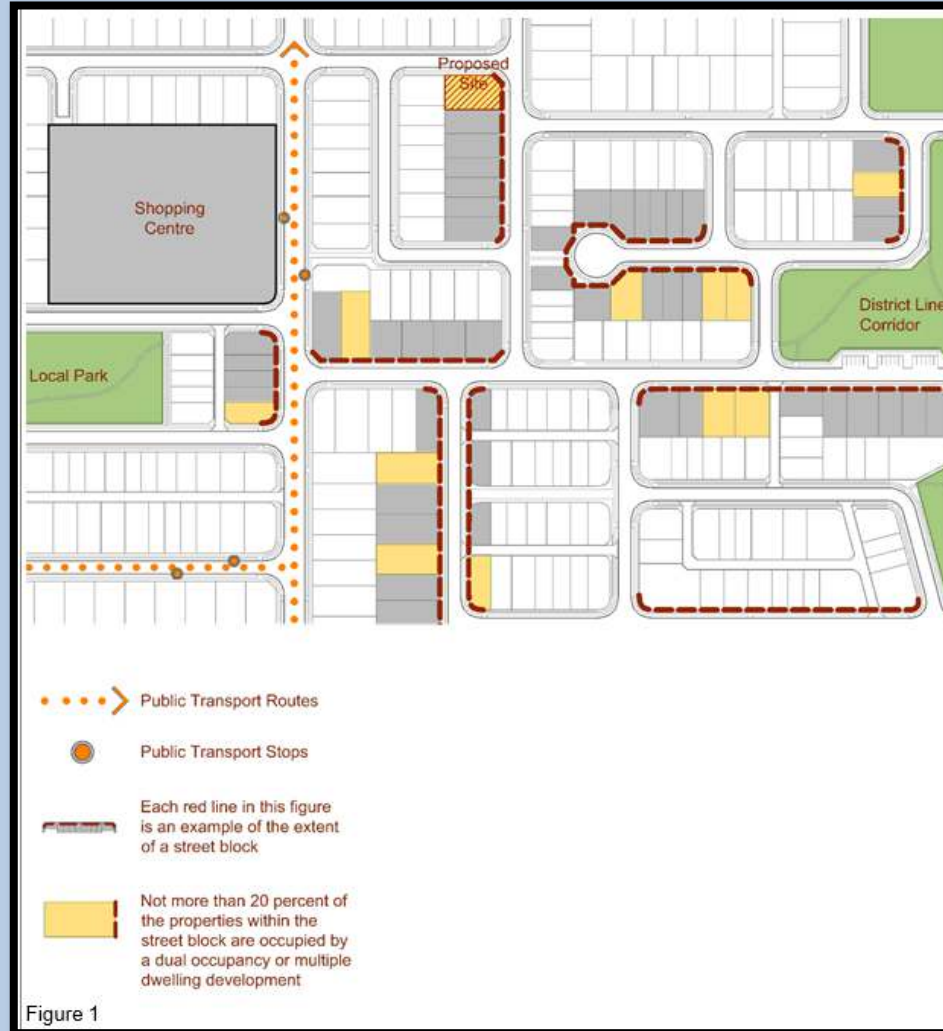
Table 9.3.7:2 – Medium Density Residential Code – Assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Building Design		
<p>PO1 The development is designed in a manner that responds to the sites opportunities and constraints and to the broader urban and streetscape contexts.</p> <p>Note: Development should be designed and documented by a suitably qualified professional (i.e. architect or building designer). Details of professional qualifications should be noted on drawings submitted with any development application</p>	<p>AO1.1 The design of the development considers and responds to:</p> <ul style="list-style-type: none"> (a) Site specific qualities including: <ul style="list-style-type: none"> i) site topography and slope (contours at a minimum of 1m intervals); ii) Views iii) solar aspect and access; iv) prevailing breezes v) existing buildings on the site; vi) site access vii) services viii) identification of buildings to be demolished; ix) existing vegetation (locations to be surveyed and the diameter of the trunk at 1m above ground level shown. On highly buttressed trees the extent of buttressed roots is to be shown); x) proposed position of new buildings overlaid (b) Nearby features including: <ul style="list-style-type: none"> i) opportunities for on street visitor car parking; ii) buildings on adjoining land iii) important views from neighbouring properties iv) features and character of adjoining land and buildings including doors & windows v) street fixtures; (c) Local qualities and amenities including: <ul style="list-style-type: none"> i) available public transport; and ii) nearby amenities such as parks, shops. <p>AO1.2 Site design retains all existing street trees. Note: See Figures 1 and 2.</p>	<p>Complies – refer to Section 5 of this Report and assessment of relevant criteria herein.</p>

Performance Outcomes

Acceptable Outcomes

Response



Performance Outcomes

Acceptable Outcomes

Response

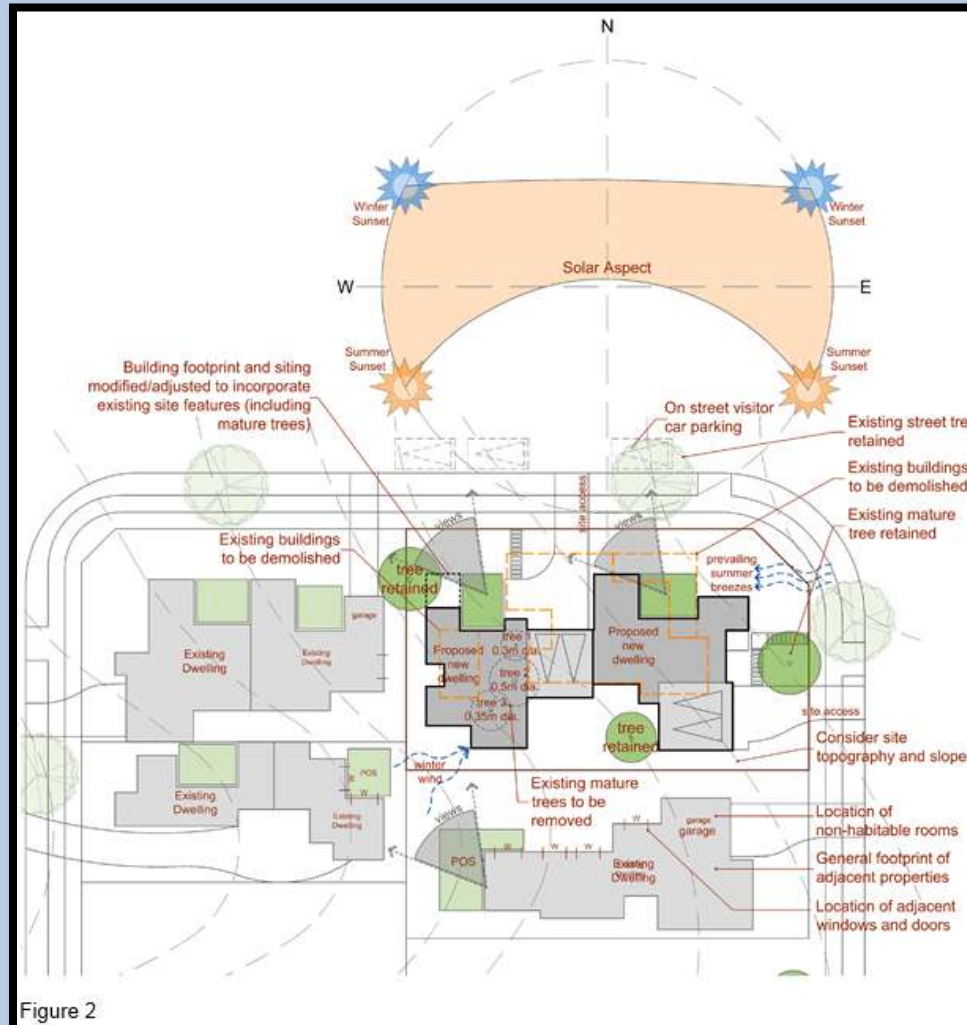
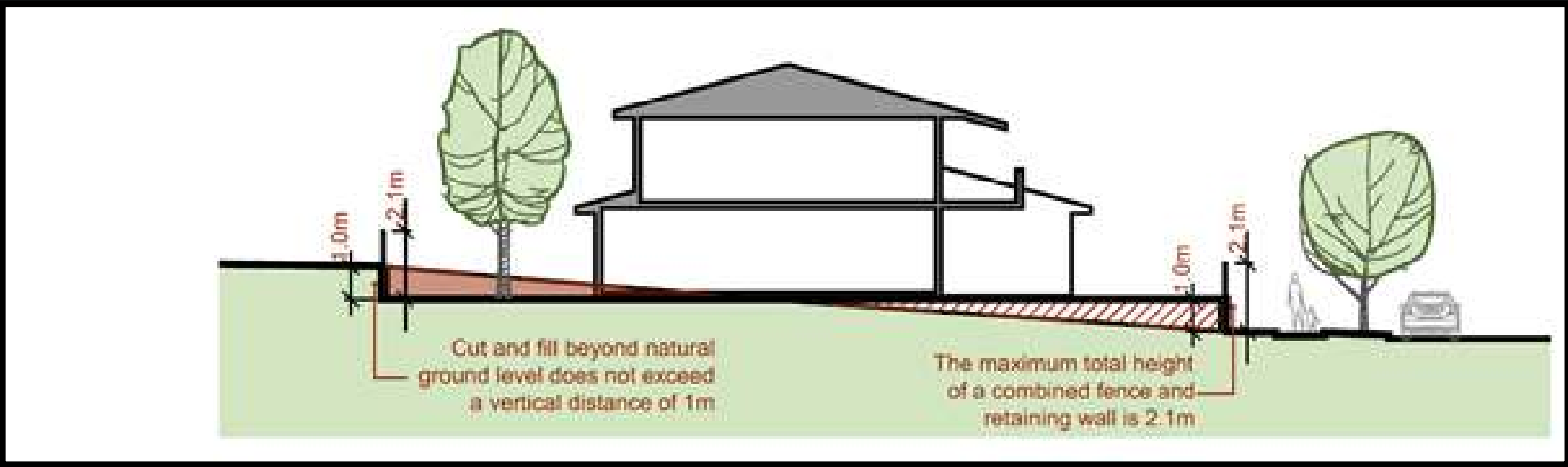


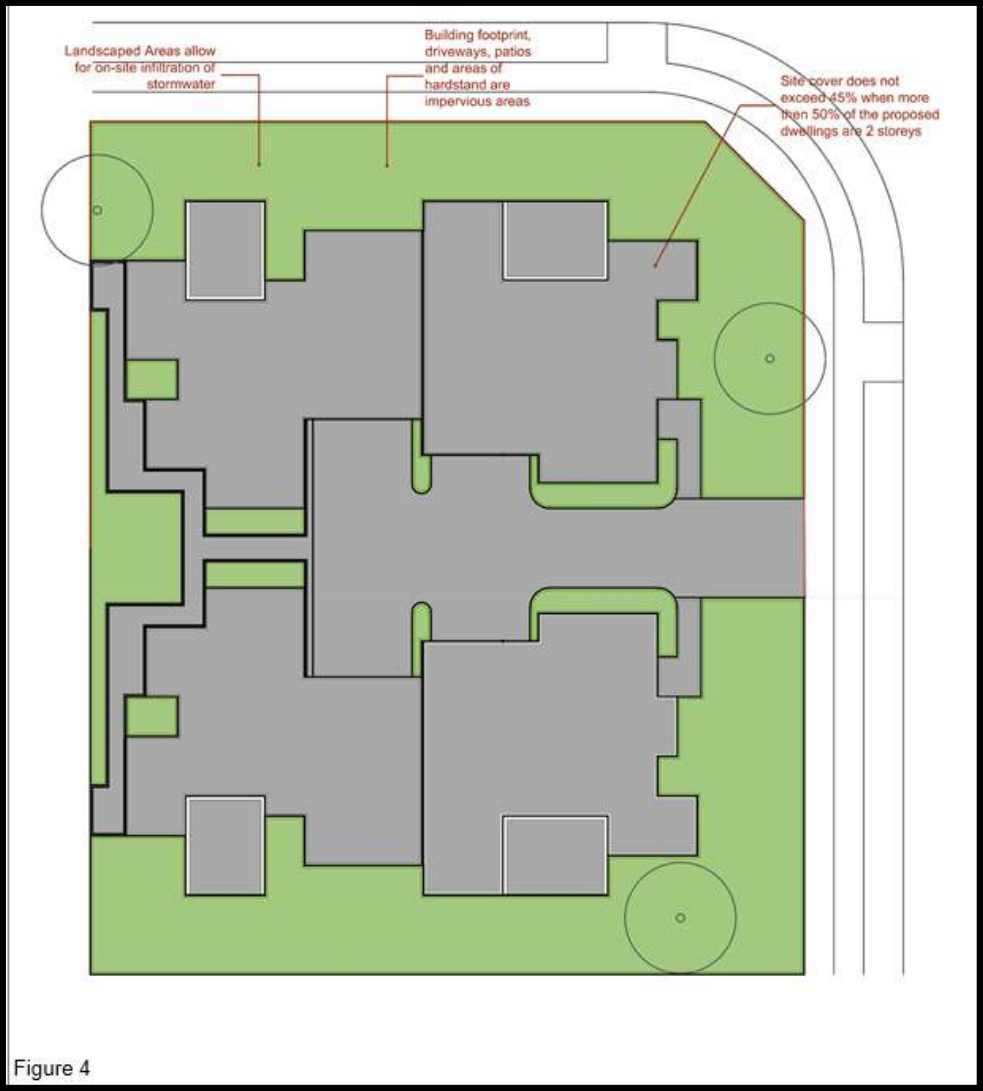
Figure 2

Performance Outcomes	Acceptable Outcomes	Response
<p>PO2 Development responds to the slope of the land in the siting, design and form of buildings and structures to minimise requirements for cut and fill.</p>	<p>AO2.1 Cut and fill beyond natural ground level does not exceed a vertical distance of 1m, unless contained within building walls and in accordance with the requirements outlined in SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure. The extent of cut and fill must be shown on the proposed site plan and elevations.</p> <p>AO2.2 Batters and earth-retaining structures are constructed in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p> <p>Note: See Figure 3.</p>	<p>Complies. Can be conditioned to ensure compliance.</p>



Performance Outcomes	Acceptable Outcomes	Response										
<p>PO3 Development is designed to facilitate the retention of any existing street tree adjacent to the site.</p>	<p>AO3.1 Development does not compromise or require the removal of any street tree.</p>	<p>Complies – the proposed development’s western driveway will be ‘clear’ of the existing Street Trees canopy – as surveyed by Reid Consulting Engineers; and this will not result in adverse impacts to the Street Tree.</p>										
<p>PO4 Development:</p> <p>(a) provides for the on-site infiltration of stormwater and minimises the additional burden on drainage infrastructure;</p> <p>(b) minimises the visual impact of hard surface areas; and</p> <p>(c) respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p>AO4.1 The impervious site cover does not exceed Table 1:</p> <table border="1" data-bbox="864 560 1413 995"> <thead> <tr> <th colspan="2" data-bbox="875 568 1402 616">Table 1</th> </tr> <tr> <th data-bbox="875 620 1227 703">Average building height</th> <th data-bbox="1227 620 1402 703">Maximum impervious site cover</th> </tr> </thead> <tbody> <tr> <td data-bbox="875 708 1227 799">If more than 50% of the proposed dwellings are 1 <u>storey</u>.</td> <td data-bbox="1227 708 1402 799">70%</td> </tr> <tr> <td data-bbox="875 804 1227 895">If more than 50% of the proposed dwellings are 2 <u>storeys</u>.</td> <td data-bbox="1227 804 1402 895">65%</td> </tr> <tr> <td data-bbox="875 900 1227 991">If more than 50% of the proposed dwellings are 3 or more <u>storeys</u>.</td> <td data-bbox="1227 900 1402 991">60%</td> </tr> </tbody> </table> <p>AO4.2 No more than 50% of the front setbacks area is impervious.</p> <p>AO4.3 Site cover does not exceed rates specified in Table 2.</p>	Table 1		Average building height	Maximum impervious site cover	If more than 50% of the proposed dwellings are 1 <u>storey</u> .	70%	If more than 50% of the proposed dwellings are 2 <u>storeys</u> .	65%	If more than 50% of the proposed dwellings are 3 or more <u>storeys</u> .	60%	<p>Alternate Outcome – 65.1% proposed. Noting that the proposed use proposes a site coverage that is significantly less than that required, provides landscaping well in excess of that required, especially within front setback areas, and will compliantly discharge stormwater to the street generally in accordance with current circumstances. It is considered that the proposed development complies with the Performance Outcome.</p> <p>AO4.2 – Complies – approximately 56.8% of the front setback area is landscaped/permeable areas.</p> <p>AO4.3 - Complies – the Two (2) storey development proposes less than the required 45% site coverage at only 41.5%.</p>
Table 1												
Average building height	Maximum impervious site cover											
If more than 50% of the proposed dwellings are 1 <u>storey</u> .	70%											
If more than 50% of the proposed dwellings are 2 <u>storeys</u> .	65%											
If more than 50% of the proposed dwellings are 3 or more <u>storeys</u> .	60%											

Performance Outcomes	Acceptable Outcomes	Response												
	<table border="1" data-bbox="860 272 1413 783"> <thead> <tr> <th colspan="2" data-bbox="866 277 1406 331">Table 2</th> </tr> <tr> <th data-bbox="866 336 1189 405">Dwelling Height</th> <th data-bbox="1196 336 1400 405">Maximum site cover</th> </tr> </thead> <tbody> <tr> <td data-bbox="866 410 1189 517">If more than 50% of proposed dwellings are 1 <u>storey</u></td> <td data-bbox="1196 410 1400 517">50%</td> </tr> <tr> <td data-bbox="866 521 1189 628">If more than 50% of proposed dwellings are 2 <u>storeys</u></td> <td data-bbox="1196 521 1400 628">45%</td> </tr> <tr> <td data-bbox="866 633 1189 740">If more than 50% of proposed dwellings are 3 <u>storeys</u></td> <td data-bbox="1196 633 1400 740">40%</td> </tr> <tr> <td data-bbox="866 745 1189 783">If more than 50% of</td> <td data-bbox="1196 745 1400 783"></td> </tr> </tbody> </table> <p data-bbox="822 820 1066 852">Note: See Figure 4.</p>	Table 2		Dwelling Height	Maximum site cover	If more than 50% of proposed dwellings are 1 <u>storey</u>	50%	If more than 50% of proposed dwellings are 2 <u>storeys</u>	45%	If more than 50% of proposed dwellings are 3 <u>storeys</u>	40%	If more than 50% of		
Table 2														
Dwelling Height	Maximum site cover													
If more than 50% of proposed dwellings are 1 <u>storey</u>	50%													
If more than 50% of proposed dwellings are 2 <u>storeys</u>	45%													
If more than 50% of proposed dwellings are 3 <u>storeys</u>	40%													
If more than 50% of														



Performance Outcomes	Acceptable Outcomes	Response
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PO5 Areas of hardstand required for parking and pathways:

- (a) are minimised,
- (b) Incorporate generous landscaping:
 - (i) to promote a garden streetscape character, and
 - (ii) to minimise visual impacts of views to hardstand areas for occupants and the public, particularly in the front garden.

AO_{5.1} Landscaped areas are provided in accordance with Table 3:

Table 3		
Building height	Minimum landscaped area	
	Where 80% or more of the front setback is landscaped area additional landscaping for the balance of the site must be a minimum of:	Where less than 80% of the front setback area is landscaped <u>additional landscaping</u> for the balance of the site must be a minimum of:
1-2 <u>storeys</u>	10% site area	15% site <u>area</u>
3 <u>storeys</u>	12.5% site area	17.5% site <u>area</u>
4+ <u>storeys</u>	15% site area	20% site <u>area</u>

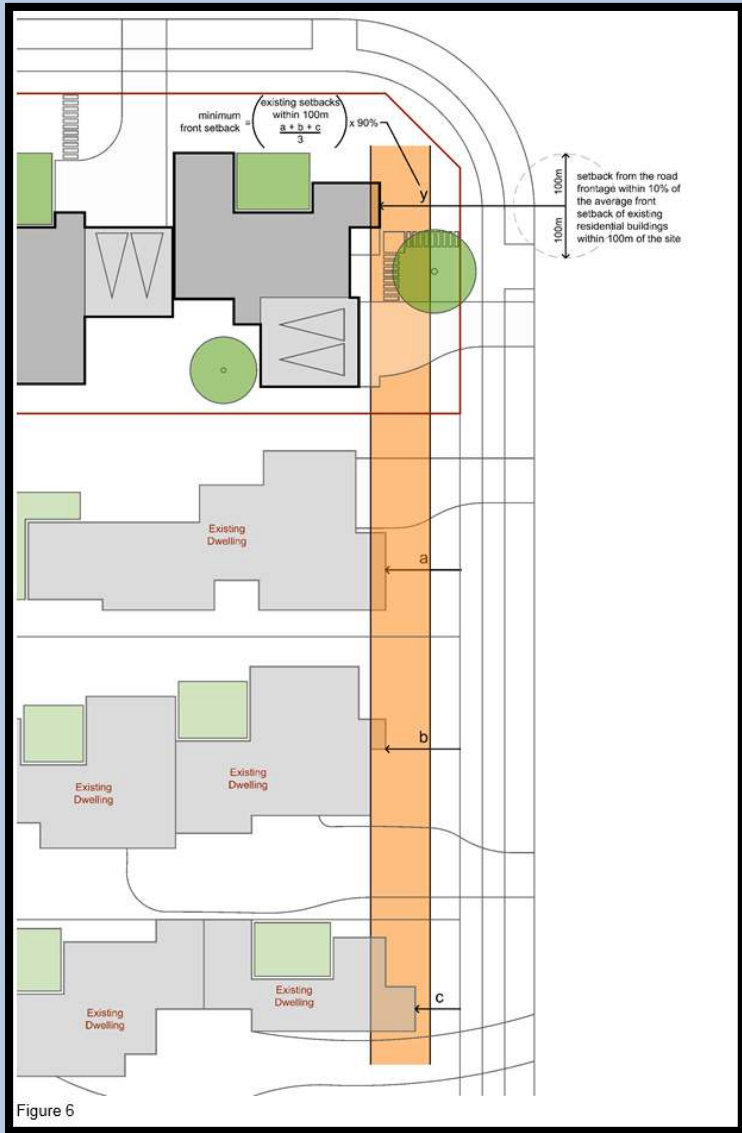
Note: Landscaped areas included in the calculations consist of garden beds and lawn areas throughout the site with a width of no less than 1.5m;

Complies – approximately 56.8% of front setbacks are landscaped/permeable areas and approx. 29.78% of the remainder of site (outside front setback area) is landscaped/impervious areas. Noting that the significant amount of landscaping that is proposed will easily achieve compliance with the AO's and the PO. Further supporting the slight exceedance of total impervious area coverage, as discussed above.

Performance Outcomes	Acceptable Outcomes	Response
	Excludes all paved and other impervious areas such as driveways, patios, terraces, car parking spaces and bin and other utility areas. See Figure 5.	



Performance Outcomes	Acceptable Outcomes	Response										
<p>PO6 The front building setback is consistent with the prevailing front setbacks of other residential buildings in the street.</p> <p>Note: The prevailing setback of the street is determined by the setbacks of the residential buildings on any lot along the road within 100m of the site.</p>	<p>AO_{6.1} Buildings are setback from the road frontage:</p> <p>(a) within 10% of the average front setback of existing residential buildings within 100m of the site; or</p> <p>(b) where there is no adjoining buildings the front setback is provided in accordance with Table 4.</p> <table border="1" data-bbox="853 480 1424 935"> <thead> <tr> <th colspan="2" data-bbox="860 485 1417 549">Table 4</th> </tr> <tr> <th data-bbox="860 553 1167 603">Building element</th> <th data-bbox="1173 553 1417 603">Minimum setback</th> </tr> </thead> <tbody> <tr> <td data-bbox="860 608 1167 687">Solid building wall (other than a garage)</td> <td data-bbox="1173 608 1417 687">4.0m</td> </tr> <tr> <td data-bbox="860 692 1167 783">Solid building wall (where for a garage)</td> <td data-bbox="1173 692 1417 783">5.5m</td> </tr> <tr> <td data-bbox="860 788 1167 930">Permeable or non-enclosed elements (e.g. porch, verandah, balcony or carport)</td> <td data-bbox="1173 788 1417 930">3.5m (or 3m where secondary road frontage)</td> </tr> </tbody> </table> <p>Note: See Figure 6.</p>	Table 4		Building element	Minimum setback	Solid building wall (other than a garage)	4.0m	Solid building wall (where for a garage)	5.5m	Permeable or non-enclosed elements (e.g. porch, verandah, balcony or carport)	3.5m (or 3m where secondary road frontage)	<p>Alternate Outcome – refer to the ‘Front Setback Analysis’ section within Section 5 of this Report – noting that the Low Density Residential Code prevails over this Code where there is a conflict/inconsistency.</p>
Table 4												
Building element	Minimum setback											
Solid building wall (other than a garage)	4.0m											
Solid building wall (where for a garage)	5.5m											
Permeable or non-enclosed elements (e.g. porch, verandah, balcony or carport)	3.5m (or 3m where secondary road frontage)											



<p>PO7 Side and rear building setbacks:</p> <p>(a) are appropriate to the scale of the development and the intended character of the zone and/or precinct or local plan in which the site is located;</p> <p>(b) provide for adequate daylight for habitable rooms and open space areas for buildings on and adjoining the site; and</p> <p>(c) are sufficient to minimise overshadowing and overlooking of adjoining premises.</p>	<p>In partial fulfilment of the performance outcome</p> <p>AO7.1 Any part of a building built to a side boundary:</p> <p>(a) must not exceed a maximum height of 3.5m</p> <p>(b) must not exceed a maximum length of 9m;</p> <p>(c) must be a minimum distance of 2.4m from any other wall built to the side boundary (whether on the site or an adjoining site) or joined to another built to boundary wall if on an adjoining site; and</p> <p>(d) must not exceed a maximum total length of 50% of the side boundary.</p> <p>OR</p> <p>AO7.2 Buildings are set back from side boundaries in accordance with the following:</p> <p>(a) For lots with frontages less than 20m:</p> <p>(i) 1.2m for any part of the building up to 3.5m high; and</p> <p>(ii) 2m for any part of the building above 3.5m high.</p> <p>(b) For lots with frontages greater than 20m:</p> <p>(i) 1.8m for any part of the building up to 3.5m high; and</p> <p>(ii) 2.4m for any part of the building above 3.5m high.</p>	<p>AO7.1 – N/A – no built to boundary walls proposed.</p> <p>AO7.2 – Alternate Outcome – Complies with PO –</p> <p>The development exceeds the minimum ground floor setback of 1.2m and meets the minimum first floor setback of 2m, with all units being setback atleast 2m from the northern and eastern side boundary lines at both the ground and first floor level. The only minor exception is the alfresco roof of Unit 1 which is 802mm from the northern side boundary. This encroachment is considered very minor considering the alfresco is an unenclosed space, located on the ground level, and will not cause overshadowing or overlooking to the neighbouring property.</p>
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	<p>AO7.3 Buildings are set back from the rear boundary a minimum of 2m.</p> <p>AO7.4 Development ensures that solar access to habitable rooms and private open space of adjoining premises: -</p> <p>(a) achieves a minimum of 3 hours of sunlight between 9am and 3pm on June 21; or</p> <p>(b) is not further reduced where existing solar access is less than that specified in (a).</p> <p>Note: See figure 7.</p>	<p>AO7.3 – Alternate Outcome – Complies with PO –</p> <p>The units adjoining the western and southern rear boundaries will be setback at varying distances of between approximately 1.5m and 2m. Units 1 and 2 meet the minimum 2m setback requirement to the western rear boundary, however Units 5 and 6 do not strictly comply with the 2m setback requirement to the southern rear boundary. Nonetheless, the proposal achieves PO10 for the following reasons:</p> <ul style="list-style-type: none"> • The built form presents as a series of well-articulated, detached building elements rather than a continuous bulk form. The separation of the six dwelling units across the site, combined with variations in building orientation and setbacks, reduces perceived scale and bulk and contributes positively to the streetscape. The development maintains a residential character consistent with low density outcomes, notwithstanding the reduced setbacks. • Adequate access to daylight is achieved for all habitable rooms and private open space areas through the orientation of dwellings, provision of internal spacing between units, and the absence of continuous boundary walls. • Existing dwellings located on the adjoining rear lots are significantly separated from the subject site and all contain sheds which will act as visual buffers to the proposed development.
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Performance Outcomes	Acceptable Outcomes	Response
		<ul style="list-style-type: none"> • Potential impacts of overlooking and overshadowing are minimised by the development's design including the separation of the dwelling units, orientation, and the size/positioning of window openings. • The development is wholly residential in nature and located within a residential area. As such, the reduced setbacks do not compromise the interface between incompatible land uses, and sufficient buffering is maintained to adjoining residential premises. • The development provides opportunities for landscaping throughout the site, including along side and rear boundaries within private open space areas. While setbacks are reduced in some locations, the overall site layout incorporates landscape areas that will soften the built form, contribute to visual amenity, and reinforce the low density residential character. <p>A07.4 – Complies – The orientation/location of proposed buildings and existing buildings on adjoining premises ensure no adverse impacts on adjoining uses' solar access.</p>

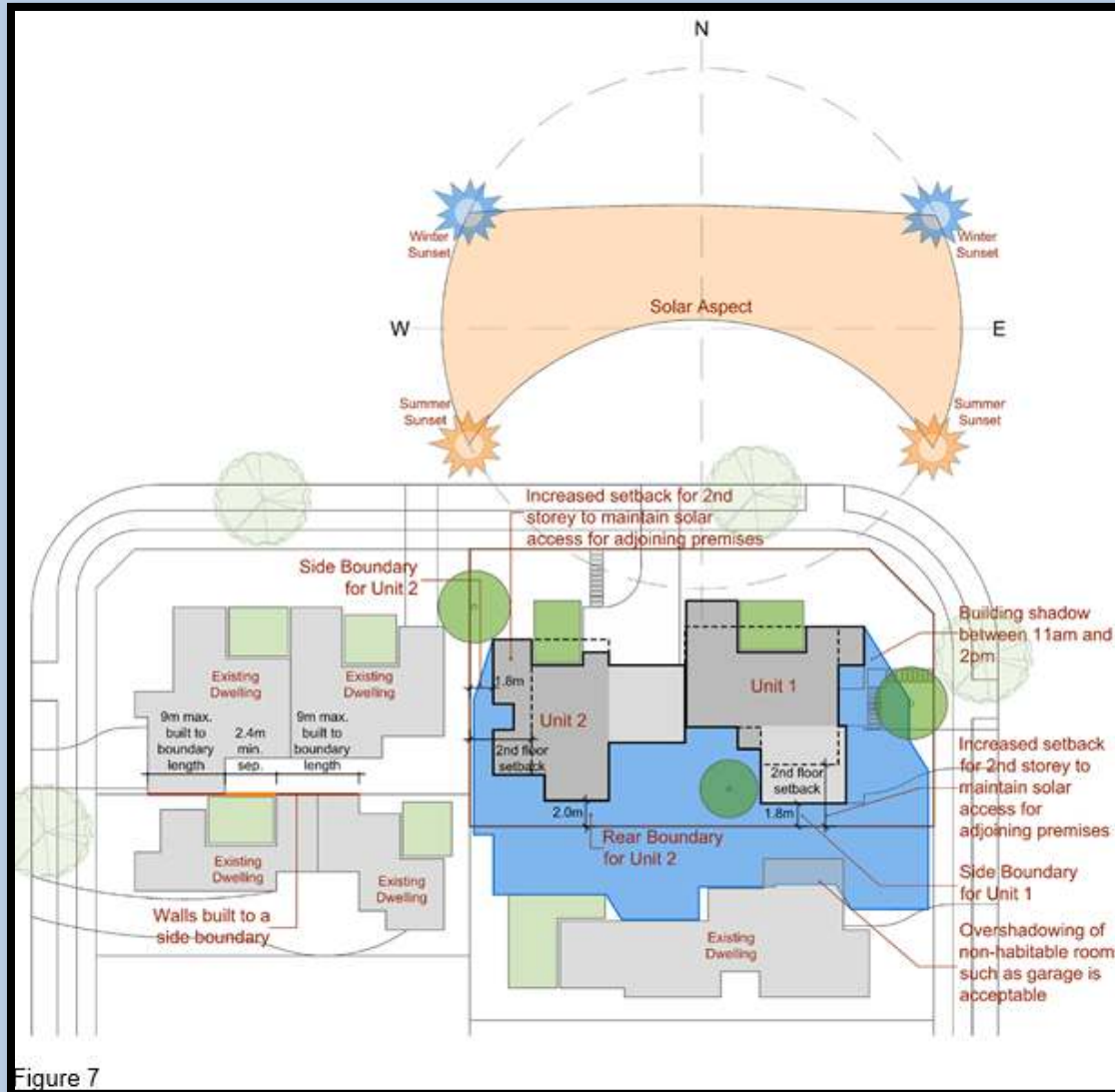


Figure 7

PO8 Development provides adequate and suitable communal and private open space to meet the needs of occupants for privacy, relaxation and entertainment and accommodate visitors.

AO8.1 Development provides communal and private open space in accordance with Table 5.

No. of Dwellings	Min. Communal Open Space per Dwelling	Min. Ground Floor Private Open Space per Dwelling	Min. Private Open Space above Ground Floor per Dwelling
1-10	0m ²	16m ²	8m ²
11-15	20m ²	16m ²	8m ²
16+	25m ²	16m ²	8m ²

AO8.1 – Complies – proposed development exceeds compliance.

AO8.2 Communal and private open space has a minimum dimension in accordance with Table 6.

Type	Area	Minimum Dimension
Private Open Space		
Ground Floor	16m ²	4m*
First Floor	8m ²	2.7m*
Communal Open Space		
All	<100m ²	5m
	100m ² +	Length to breadth ratio of 2.5:1

AO8.2 – N/A.

*Min length required for both length and width.

Performance Outcomes	Acceptable Outcomes	Response
	<p>AO_{8.3} Private open space is:</p> <ul style="list-style-type: none"> a) is oriented to receive at least three hours of sun between 9am and 3pm on 21 June. b) directly accessible from a living area or kitchen; c) fenced or landscaped to achieve privacy for occupants; d) clear of bins, clothes lines, hot water systems, air conditioning units, above ground water tanks and associated infrastructure and other forms of ancillary equipment; and e) not located within the front setback area. <p>Note: See Figure 8.</p>	<p>AO8.3 – Complies – large POS areas are all oriented to the north.</p>

Performance Outcomes

Acceptable Outcomes

Response

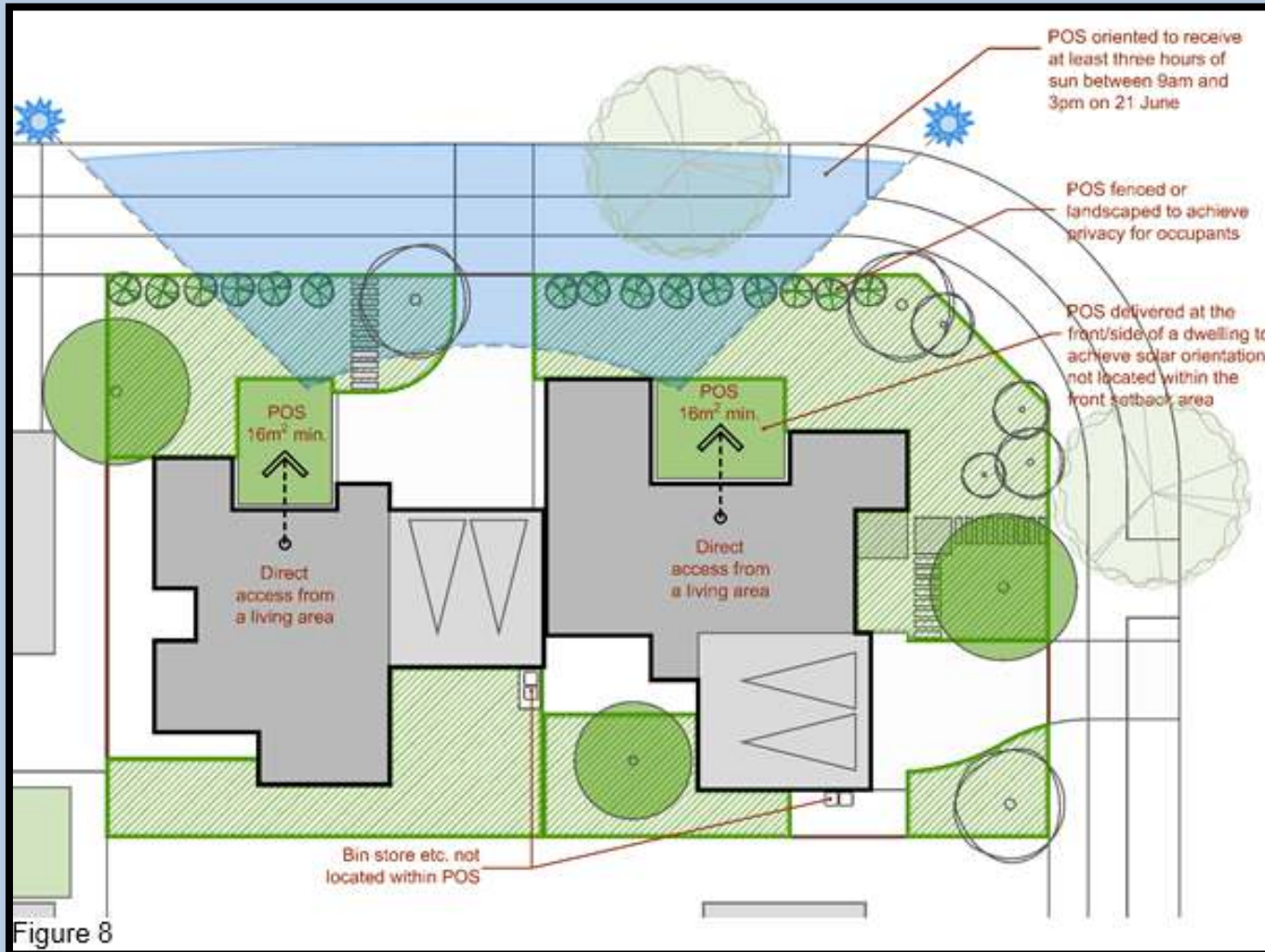
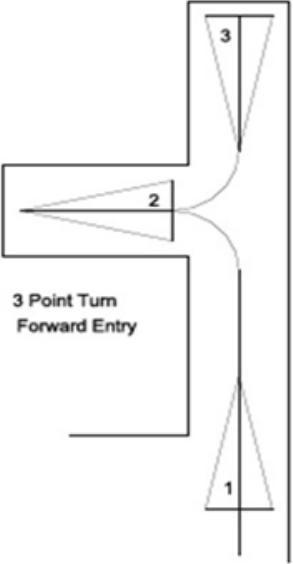


Figure 8

Performance Outcomes	Acceptable Outcomes	Response
<p>PO9 All car parking is designed to accommodate a standard car (B85 vehicle for occupant car parking and B99 vehicle for visitor car parking) and:</p> <p>(a) is clearly identifiable and of adequate dimensions;</p> <p>(b) incorporates adequate manoeuvring area to parking spaces (including carports and garages); and</p> <p>(c) incorporates a clear, safe and effective circulation system.</p> <div data-bbox="232 611 728 1321" style="border: 1px solid black; padding: 10px; margin: 10px 0;">  <p style="text-align: center;">3 Point Turn Forward Entry</p> <p style="text-align: center;">Figure 9</p> </div>	<p>AO_{9.1} Design of the site layout must ensure a B85 vehicle (as defined in AS 2890.1:2004 Parking facilities - Off-street car parking) is able to enter an enclosed garage or visitor car park in a single forward manoeuvre and exit in a single reverse manoeuvre prior to departing the site in a forward direction.</p> <p>AO_{9.2} Design of the site layout must ensure a B99 vehicle (as defined in AS 2890.1:2004 Parking facilities - Off-street car parking) is able to enter a visitor car park in a single forward manoeuvre and exit in a single reverse manoeuvre prior to departing the site in a forward direction.</p> <p>Note: See Figure 9.</p>	<p>Complies with PO – see attached Manoeuvring Diagrams</p>

Performance Outcomes

Acceptable Outcomes

Response

AO_{9.3} Each parking space has minimum dimensions as per Table 7:

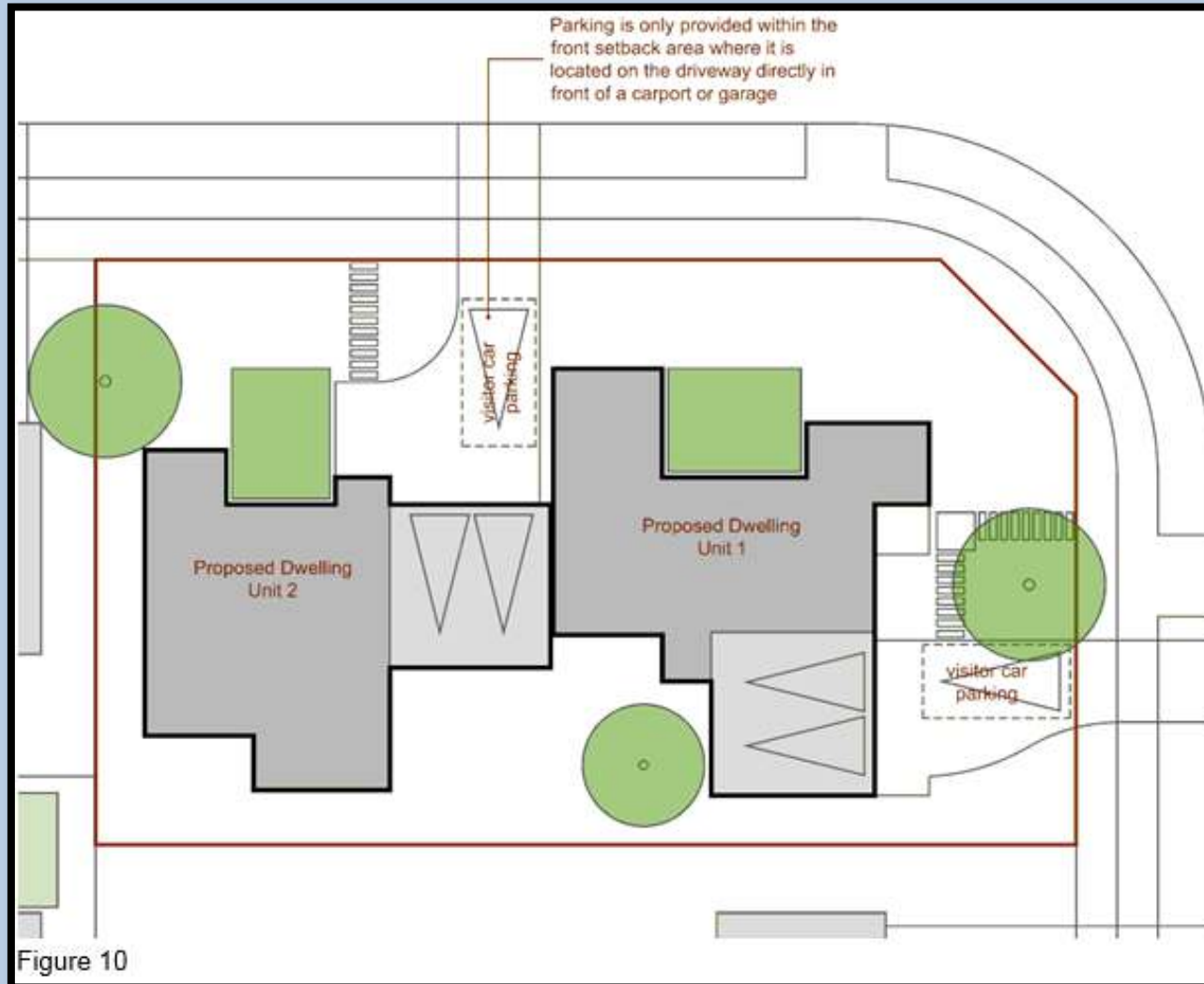
Table 7	
Parking Space	Minimum Dimensions
Single uncovered parking space (with at least 400mm clearance between either side of the parking space and the nearest wall.)	5.4 metres long by 2.6 metres wide
Single uncovered parking space (with less than 400mm clearance between either side of the parking space and the nearest wall.)	5.4 metres long by 3 metres wide
Single carport	5.4 metres long by 3 metres wide
Double carport	5.4 metres long by 5.8 metres wide
Single garage	6.4 metres long by 3 metres wide internally
Double garage	6.4 metres by 6.4 metres wide internally

Performance Outcomes	Acceptable Outcomes	Response
<p>PO10 Development provides resident and visitor car parking which is integrated into the site and building design and:</p> <p>(a) Does not negatively impact the amenity of the site, adjoining sites or streetscape;</p> <p>(b) Is not a prominent visual feature from the street or other public spaces; and</p> <p>(c) Contributes to the establishment of a garden setting by avoiding large areas of visible hardstand.</p>	<p>AO_{10.1} Parking is only provided within the front setback area where it is:</p> <ul style="list-style-type: none"> (a) uncovered and located on a driveway directly in front of a carport or garage; or (b) the front setback is a least 6m, and (c) the car park surface is permeable; (d) a minimum 2m wide densely planted landscape buffer is provided between the car park and the front boundary for the full length of the car park; (e) the location of the car park does not compromise the ability of the dwelling to provide casual surveillance of the public realm; and (f) at least 60% of the front setback area is landscaped area. <p>AO_{10.2} Where car parking is provided below ground:</p> <ul style="list-style-type: none"> (a) Access ramps are not located within 6m of the street boundary and do not exceed an opening width of 6m; and (b) Entry to the site for pedestrians is provided separate from vehicle entries by way of a safe, well lit and clearly identifiable pathway or gatehouse; <p>AO_{10.3} All car parking:</p> <ul style="list-style-type: none"> (a) is clearly signposted; and (b) is freely available for use by to the applicable occupants and visitors of the development. <p>Note: See Figures 10 and 11.</p>	<p>Complies – no parking proposed within front setback area.</p> <p>AO10.2 - N/A</p> <p>AO10.3 – Can be conditioned to comply</p>

Performance Outcomes

Acceptable Outcomes

Response



Performance Outcomes

Acceptable Outcomes

Response

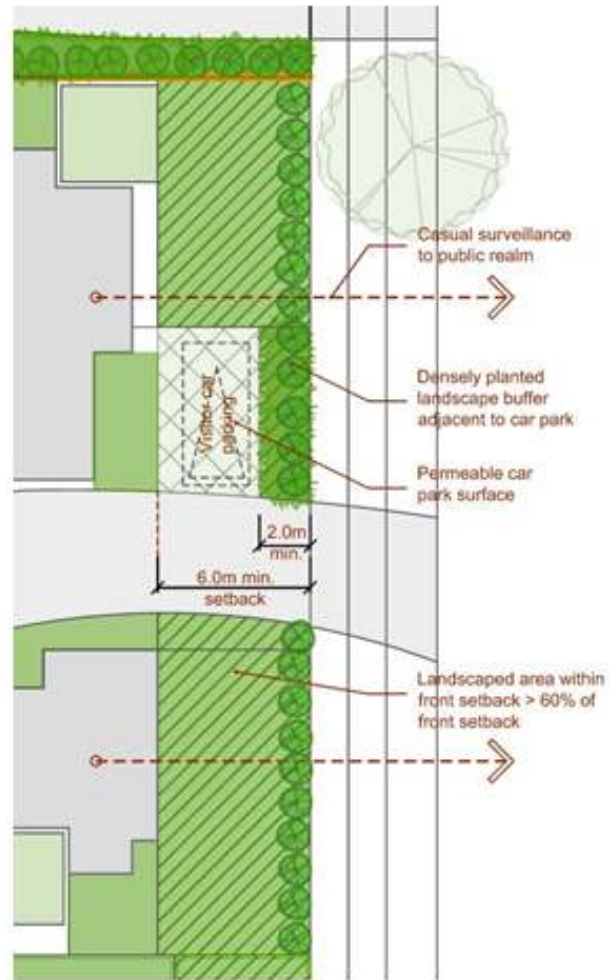


Figure 11

Performance Outcomes	Acceptable Outcomes	Response
<p>PO11 Safe and equitable access for both pedestrians and vehicles is provided, to and from buildings and the street whilst minimising the extent and number of driveways.</p>	<p>In partial fulfilment of the performance outcome:</p> <p>AO11.1 Vehicular access from the street is provided via a single shared driveway with a maximum crossover width of 5m.</p> <p>AO11.2 Where the site abuts a lane vehicle access is provided from the lane.</p> <p>Note: See Figure 12.</p>	<p>AO11.1 – Alternate Outcome – Complies with PO – The development proposes two shared driveways rather than one and involves a 5.5 metre wide sealed access (access/entry only) from Jenkins Street. Due to the overall 'L' shape of the site, the subject site has a large frontage capable of accommodating two driveways, noting that the existing lots already involve two crossovers to the existing dwelling houses (to be demolished) and the new sealed driveways will be in the same locations as the existing crossovers. Due to the shape of the subject site, two driveways are necessary to provide suitable access to the separate dwelling units.</p> <p>Council can condition the approval to reduce the proposed driveway width to 5m if deemed necessary.</p> <p>AO11.2 – N/A</p>

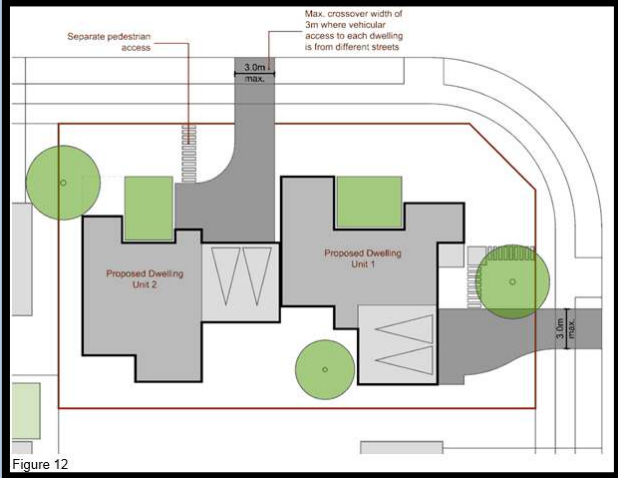


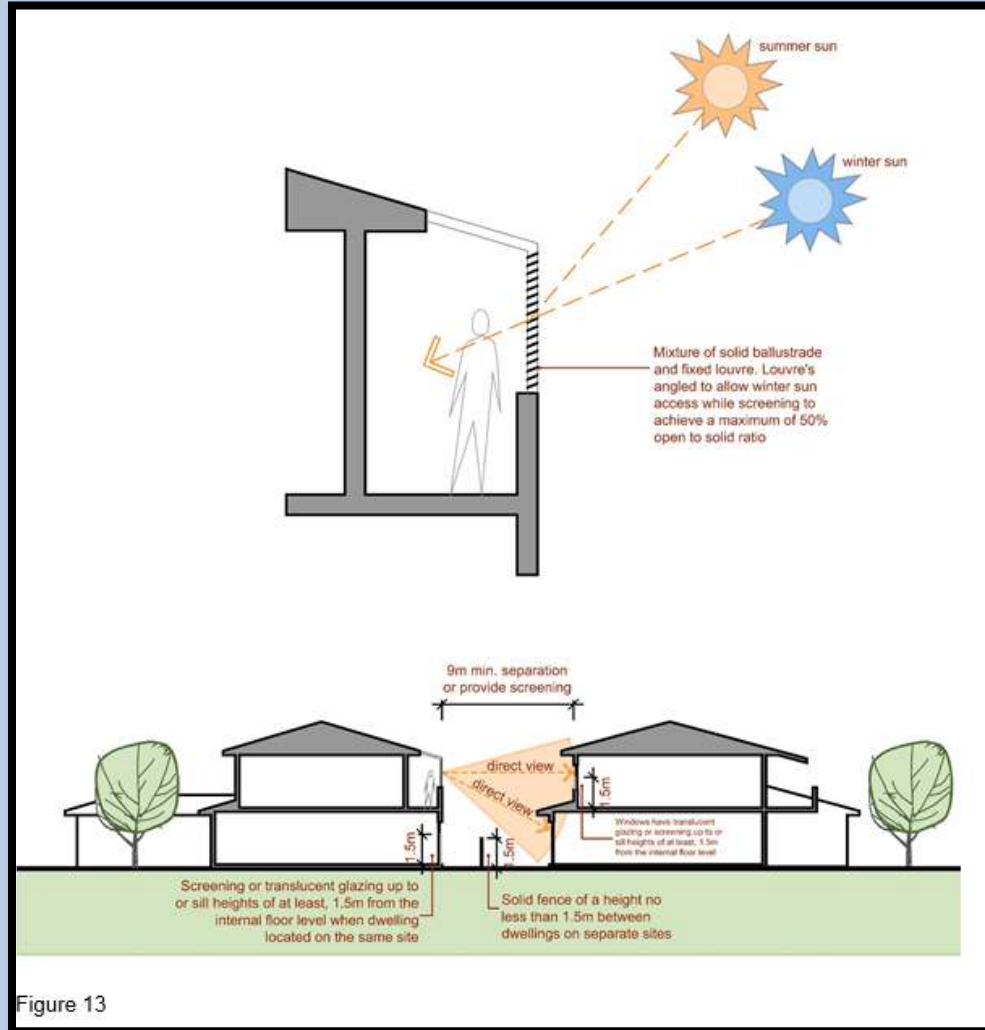
Figure 12

Performance Outcomes	Acceptable Outcomes	Response
<p>PO12 The privacy of residents of the development or adjoining premises is protected when they are inside a dwelling or in a private open space area.</p>	<p>AO_{12.1} Habitable room windows of a dwelling are separated a minimum of 9m from a habitable room window or private open space of another dwelling on the same or an adjoining site.</p> <p>OR</p> <p>AO_{12.2} Where there is a direct view within 9m into a habitable room or private open space of another dwelling on the same or an adjoining site:</p> <ul style="list-style-type: none"> (a) The elements with the view such as windows, balconies, or terraces of a dwelling must be screened in accordance with AO13.3; or (b) The Windows have translucent glazing up to or sill heights of at least, 1.5m from the internal floor level; or (c) A solid fence or masonry wall with a minimum height of 1.5m is positioned between the elements with the view. <p>AND</p> <p>AO_{12.3} Where screening is used, it:</p> <ul style="list-style-type: none"> (a) is a solid translucent screen or a louvre perforated panel, trellis or the like that has a maximum of 50% open to solid ratio; and (b) is a fixed, permanent element of a design that complements the style, detailing and materials of the development. <p>Note: See Figure 13.</p>	<p>Complies – can be conditioned to ensure compliance.</p>

Performance Outcomes

Acceptable Outcomes

Response

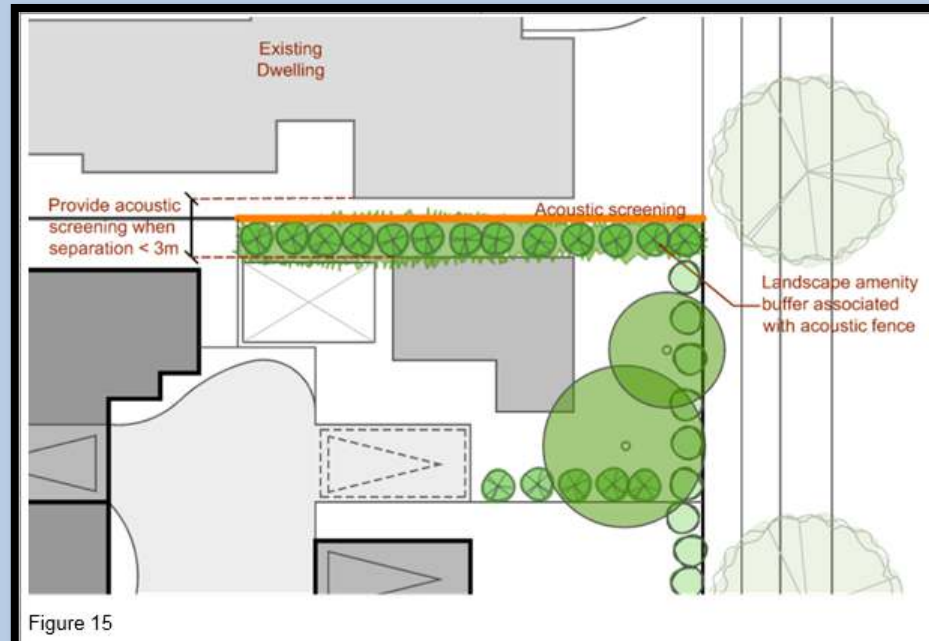
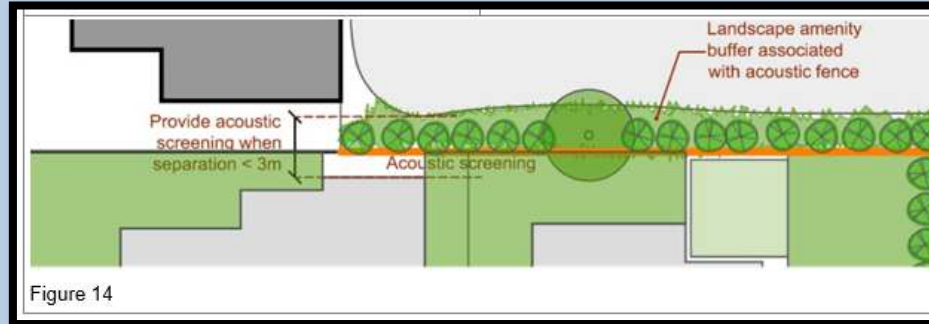


Performance Outcomes	Acceptable Outcomes	Response
<p>PO13 The development is designed so that occupants are not adversely affected by adjoining non-residential uses.</p>	<p>In partial fulfilment of the performance outcome</p> <p>AO_{13.1} A 1.8m high solid screen fence and 2m wide vegetated buffer is provided along any section of the site boundary that is common with vehicle movement and/or parking areas associated with a non-residential use on an adjoining site.</p>	<p>N/A</p>
<p>PO14 Noise from the development does not unreasonably impact on existing or likely future dwellings on nearby land.</p>	<p>AO_{14.1} For developments of six (6) dwellings or more, vehicle movement areas are located a minimum of 3m from any adjoining dwellings.</p> <p>AO_{14.2} Swimming pools, BBQs, dining areas and other recreational facilities located within communal open areas are located a minimum of 3m from adjoining dwellings.</p> <p>OR</p> <p>AO_{14.3} Provide acoustic screening in accordance with an acoustic engineer's design where vehicle movement or recreational areas are located closer than 3m to any adjoining dwellings.</p> <p>Note: A minimum 1.5m vegetation buffer will be required with any acoustic fence to provide amenity. (See Figures 14 and 15.)</p>	<p>Complies</p>

Performance Outcomes

Acceptable Outcomes

Response



Performance Outcomes	Acceptable Outcomes	Response
<p>PO15 Where communal open space is provided, it:</p> <p>(a) is positioned on site to enjoy a good solar orientation;</p> <p>(b) includes landscaping and screening for privacy to provide amenity;</p> <p>(c) is easily accessible and conveniently located for the use of all occupants; (d) is useable and safe;</p> <p>(e) is designed and located to minimise internal and external impacts on the amenity of residents and neighbouring premises; and</p> <p>(f) contributes positively to the streetscape where located in a frontage area.</p>	<p>AO_{15.1} Communal open space is oriented to receive at least three hours of sun between 9am and 5pm on 21 June.</p> <p>AO_{15.2} Communal open space provided at the ground level, includes a balance of soft and hard landscape features with:</p> <p>a) a minimum 50% open to the sky, and</p> <p>b) a minimum 25% shaded by trees within 5 years.</p> <p>AO_{15.3} The location and design of communal open space ensures that it is:</p> <p>a) able to be accessed by all residents from a common area within the site;</p> <p>b) subject to casual surveillance; and</p> <p>c) separated from private areas of the site.</p> <p>AO_{15.4} Communal open spaces may include indoor recreation facilities.</p> <p>Note: Communal open spaces do not contain:</p> <p>(a) vehicle driveways, parking, manoeuvring or other associated hardstand areas; or</p> <p>(b) structures such as rainwater tanks, bin storage areas, air conditioning plant, clothes hoists, etc.</p> <p>(See Figure 16.)</p>	<p>N/A</p>

Performance Outcomes

Acceptable Outcomes

Response

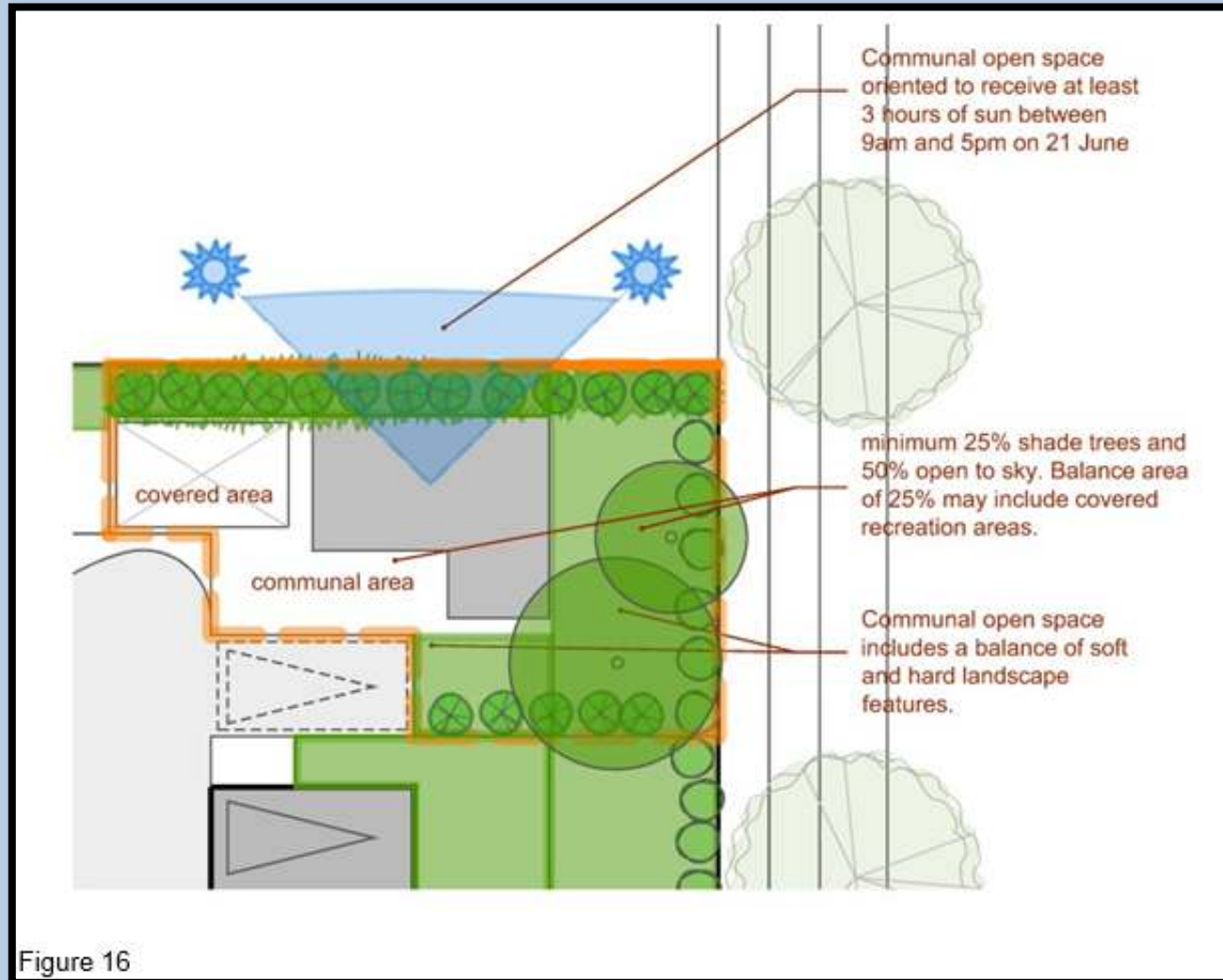


Figure 16

Performance Outcomes	Acceptable Outcomes	Response
<p>PO16 Bin storage and access to the collection point is provided in a manner which is convenient, hygienic and will not result in an amenity impact on any use onsite or adjoining the premises.</p>	<p>AO_{16.1} Bin storage is:</p> <ul style="list-style-type: none"> (a) not located within the minimum private open space area required for the development; (b) not located within 2m of any fresh air intake of any dwelling on the premises or adjoining premises; and (c) if in an area which is accessible by more than one dwelling, is clearly identified as the storage area for the relevant unit/dwelling. <p>AO_{16.2} A path of access is provided between any bin storage area and the collection point which:</p> <ul style="list-style-type: none"> (a) is a minimum of 1.2m wide; (b) is clear of any obstruction (i.e. retaining wall, landscaping, hot water tank); (c) does not traverse through any habitable room (other than a garage); (d) provides an at grade path of access (i.e. no steps); and (e) is no longer than 30m. <p>Note: See Figure 17.</p>	<p>Complies – can be conditioned to comply – areas are available for compliant bin storage areas - as shown on the proposal plans.</p>

Performance Outcomes

Acceptable Outcomes

Response

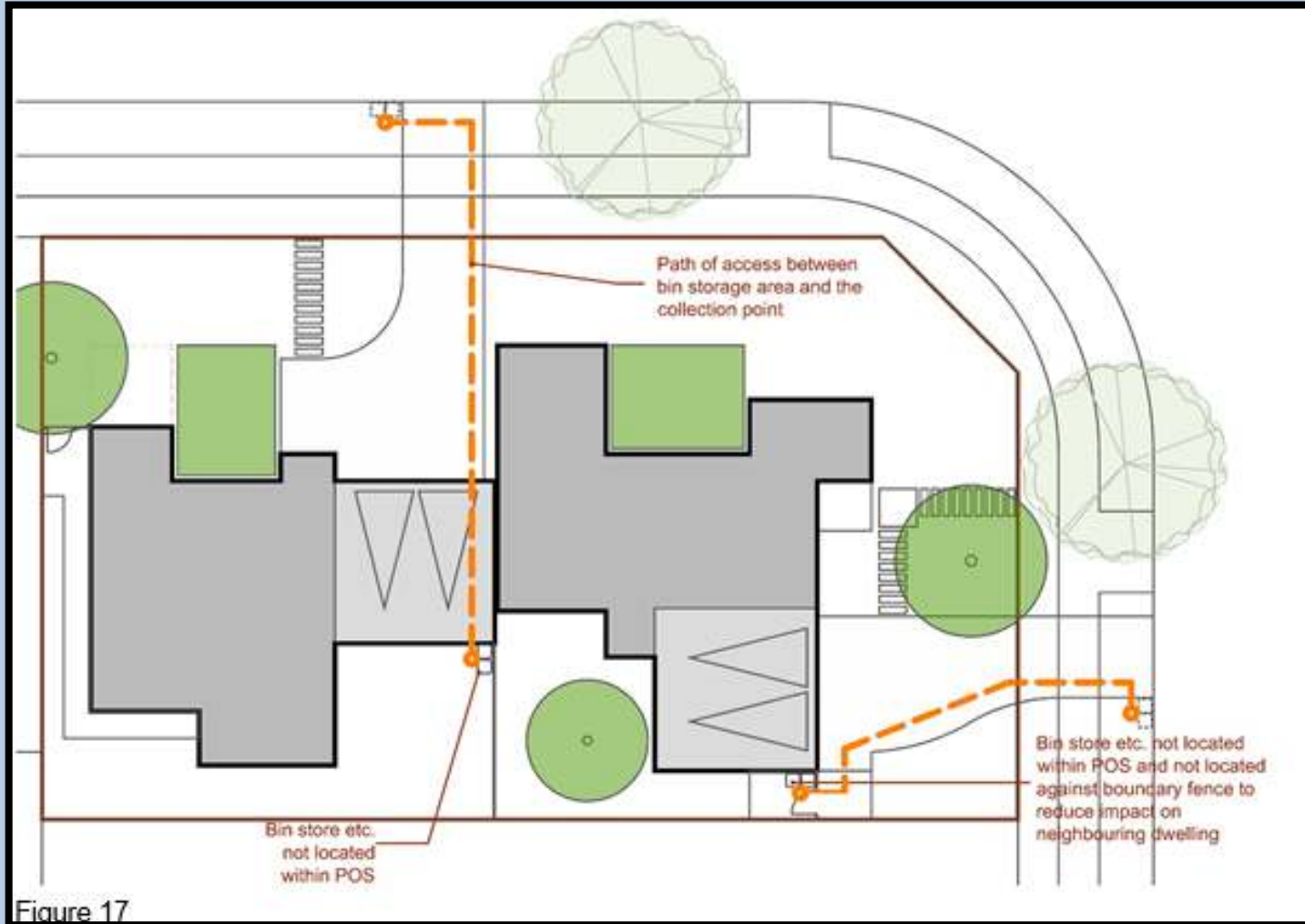


Figure 17

Performance Outcomes	Acceptable Outcomes	Response
<p>PO17 Long, unvaried driveways to property boundaries are avoided and do not detract from the local streetscape.</p>	<p>AO17.1 Driveways are setback from side boundaries a minimum of 1.5m for the first 6m and 750mm thereafter incorporating a continuous densely planted landscape strip between the edge of the driveway and side boundary.</p> <p>AO17.2 Driveways that exceed 40 metres in length must incorporate a change of alignment of a minimum of 1m.</p> <p>Note: See Figure 18.</p>	<p>AO17.1 – Complies.</p> <p>AO17.2 – Complies. The driveway incorporates varied changes in alignment and directions as shown on the proposal plans.</p>

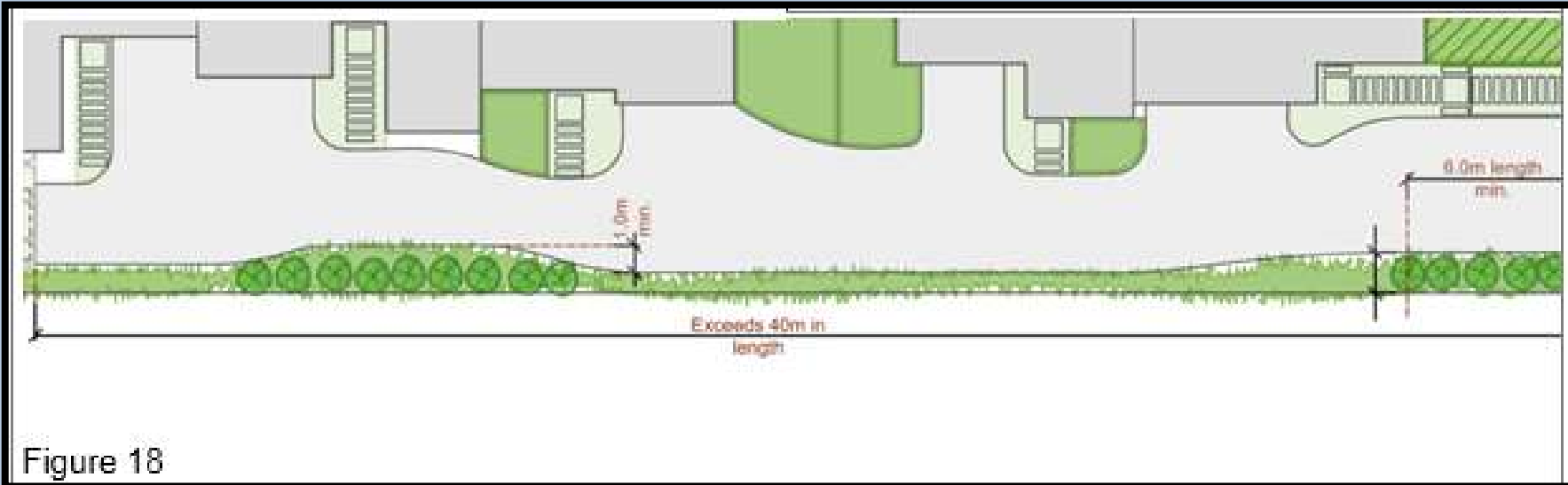


Figure 18

Performance Outcomes	Acceptable Outcomes	Response
<p>PO18 Buildings are designed to a high aesthetic standard providing:</p> <ul style="list-style-type: none"> (a) prominent features towards the street frontage; (b) detailing and finishes appropriate to the scale, quality and character of the street and to help differentiate between dwellings; (c) opportunities for informal surveillance of the street and other public spaces; (d) clear and visible entries; and (e) elements that complement or enhance the character of the local neighbourhood. 	<p>In partial fulfilment of the performance outcome:</p> <p>AO_{18.1} Buildings:</p> <ul style="list-style-type: none"> (a) where at the front of the site, are oriented to and address the street; (b) have front entries that provide full weather protection and where within 10m of any street, have clearly defined front entries that are visible from the street; (c) where within 10m of any street; have one or more habitable rooms facing the street boundary that have windows or doors with a minimum area of clear glazing of 0.25m² for each linear metre of street frontage; and (d) are designed to deliver depth in the façade facing the street or public space with a variation not less than 2m deep for a minimum 50% of the building width at ground level. <p>Note: See Figure 19.</p>	<p>Complies – refer to Section 5 ('Built Form and Design' section) of this Report.</p>

Performance Outcomes

Acceptable Outcomes

Response

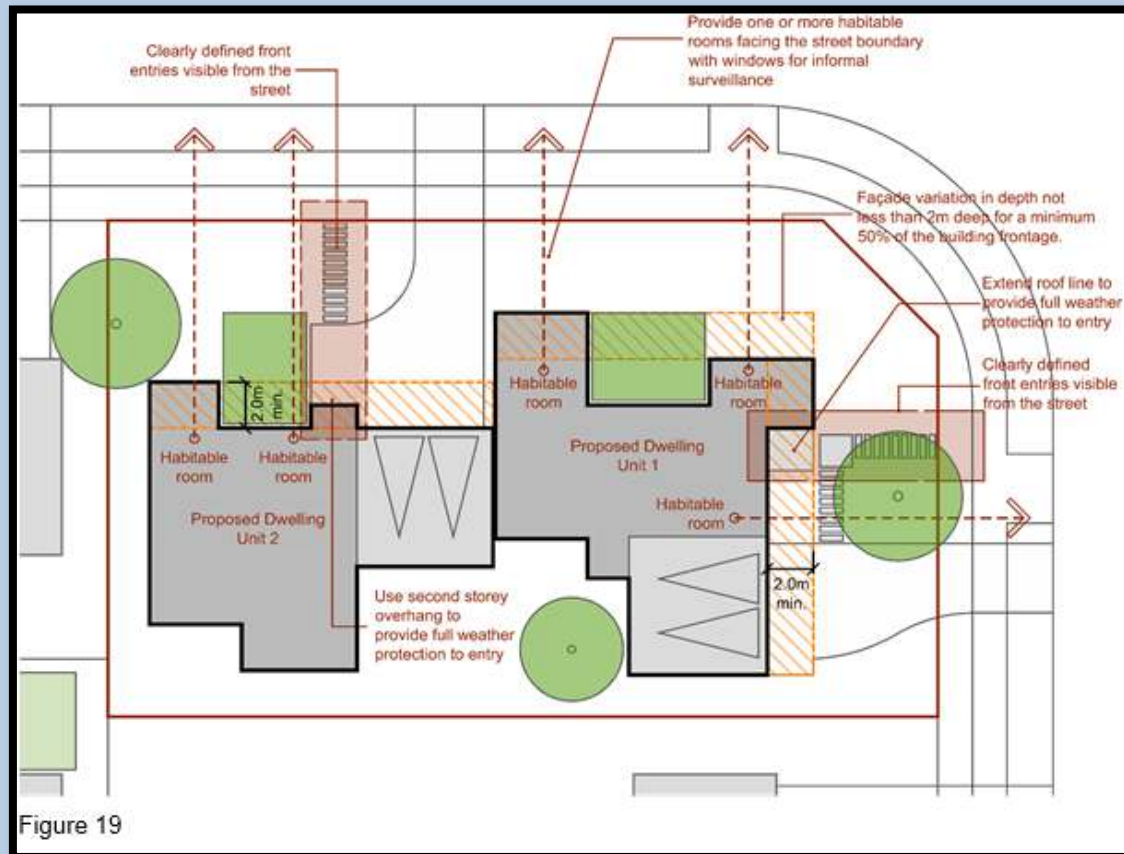


Figure 19

PO19 Development incorporates typical domestic detailing to achieve a residential scale living environment with aesthetic standards and amenity for occupants similar to those of single dwellings in the neighbourhood.

In partial fulfilment of the performance outcome
AO_{19.1} The maximum single wall length of a building is 32m with offsets of 600mm minimum provided every 7.5m;

AO19.1 – Complies with PO – The maximum wall length across all units is 11.6m. The development has compliant wall articulation, with exception of the Unit 1 rear western façade, Units 2-4 side eastern and western facades, and Units 5-6 rear southern façades. These facades do not have

Performance Outcomes	Acceptable Outcomes	Response
	<p>Note: Building walls separated by a distance of less than 10% of their combined length are considered as one wall. (See Figure 20.)</p> <p>AO_{19.2} Building bulk is minimised through articulation and other measures, including the provision of at least one (1) element from at least three (3) of the following element groups:</p> <ul style="list-style-type: none"> (a) verandahs, porches, pergolas or balconies; (b) roof overhangs; (c) window hoods/screens; (d) awning and shade structures; or (e) 600mm vertical gutter offset to create roof articulation. <p>AO_{19.3} Townhouses or attached dwellings have:</p> <ul style="list-style-type: none"> (a) no more than three (3) dwellings contained within a single building; (b) a minimum of 4.5m separation between buildings. 	<p>offsets every 7.5m, however, are of relatively minimal overall length and provide other design elements which achieve a high aesthetic standard and articulation.</p> <p>AO_{19.2} – complies – contains three (3) of the five (5) ‘required element groups’.</p> <p>AO_{19.3} – Complies.</p>

Performance Outcomes

Acceptable Outcomes

Response

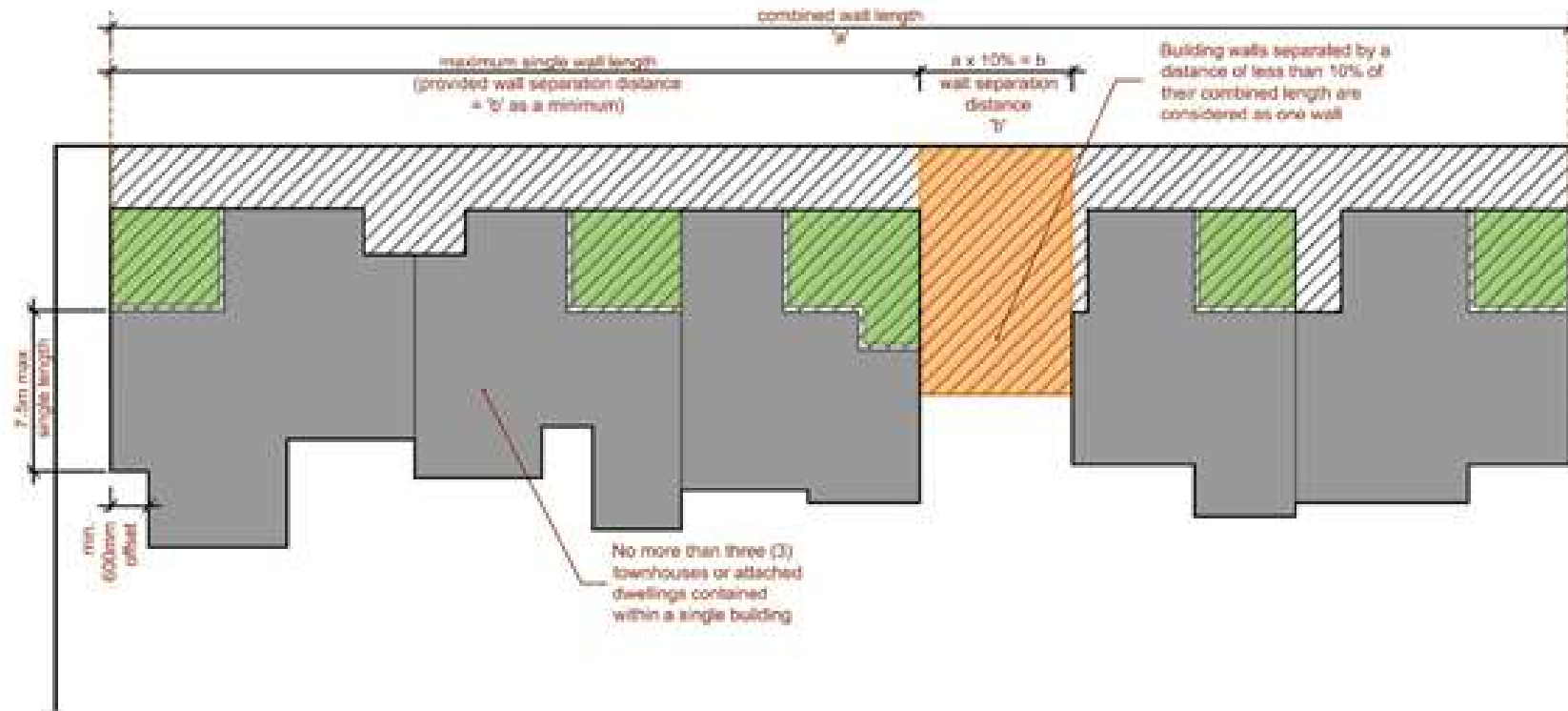


Figure 20

PO20 Facades include a variety of colours, finishes and textures based on those found in houses within the surrounding streetscape and appropriate to the desired character of the area.

In partial fulfilment of the performance outcome:

- AO_{20.1}** Building facades incorporate:
 (a) external elements and treatments that are of a high quality finish, durable and need minimal maintenance;

Complies:

- a) complies – see attached plans;
- b) complies – see attached plans; and
- c) complies – see attached plans.

Performance Outcomes	Acceptable Outcomes	Response
	<p>(b) at least three (3) distinct textures to finishes or surfaces not including roof, rainwater goods, glazing, joinery, doors, garage doors or soffits; and</p> <p>(c) colours and textures that are similar with the colours and textures of adjoining buildings.</p>	<p>Refer also to Section 5 ('Built Form and Design' section) of this Report and assessment of relevant criteria herein.</p>
<p>PO21 Development provides landscaping that contributes to the landscape character, shade and the micro-climate of the neighbourhood and site through the retention of existing significant trees on the site.</p>	<p>In partial fulfilment of the performance outcome:</p> <p>AO_{21.1} Landscape design plans for the subject site are prepared by a Registered Landscape Architect and lodged with the application for development approval.</p> <p>AO_{21.2} Existing mature trees:</p> <p>(a) are retained where assessed by a qualified arborist as healthy and sound and not a potential risk to people and property, and having a life expectancy greater than 10 years; and</p> <p>(b) are integrated into the site design and protected from disturbance.</p> <p>Note: An arborist report will be required to demonstrate assessment of mature trees and include advice for their protection from disturbance during construction.</p> <p>Note: Retained mature trees are eligible to contribute to minimum tree provision requirements within AO22.3.</p> <p>OR</p> <p>AO_{21.3} New canopy trees capable of achieving a height of at least five (5) metres and canopy</p>	<p>Complies – provides significant and compliant areas for the provision of compliant landscaping – can be appropriately conditioned to comply.</p> <p>Refer also to Section 5 of this Report and assessment of relevant criteria herein.</p>

Performance Outcomes	Acceptable Outcomes	Response
	<p>spread of at least six (6) metres at maturity are provided at the following rate:</p> <p>(a) one (1) per site with a frontage of less than 25 metres; and</p> <p>(b) two (2) per site with a frontage of 25m or more.</p> <p>AO_{21.4} Plant species selection complements the local landscape character, is long lived, has non-invasive roots and suited to the site drainage, soil and climatic conditions.</p> <p>Note: New street trees should be provided in accordance with Toowoomba Regional Council Street Tree Master Plan</p>	
<p>PO22 The treatment of fencing and retaining walls in all situations reinforces the high quality, amenity and safety of the development.</p> <p>Note: Details demonstrating compliance with the performance outcome should be included in the landscape design drawings submitted with any development application.</p>	<p>AO_{22.1} The maximum total height of a combined fence and retaining wall is 2.1m, as measured from the finished surface level.</p> <p>AO_{22.2} Where a combined fence and retaining wall is located on the front boundary, the fence has a minimum transparency of 30% when viewed from in front of the fence (at 90 degree angle to the fence).</p> <p>AO_{22.3} Retaining walls and fences are constructed of high quality materials and contribute to residential amenity.</p> <p>AO_{22.4} Any fence on the front boundary has a minimum 30% transparency when viewed from in front of the fence (at 90 degree angle to the fence).</p> <p>Note: Where retaining walls are set off the property boundary by a minimum of 600mm, they are not</p>	<p>AO22.1 – Complies.</p> <p>AO22.2 – Complies – can be conditioned to comply.</p> <p>AO22.3 – Complies – can be conditioned to comply.</p> <p>AO22.4 – Complies – can be conditioned to comply.</p>

Performance Outcomes	Acceptable Outcomes	Response
	considered to be combined with the fencing. (See Figure 21.)	
<div data-bbox="394 376 1877 1002" style="text-align: center;"> <p data-bbox="779 767 1066 847">Cut and fill beyond natural ground level does not exceed a vertical distance of 1m</p> <p data-bbox="1272 783 1559 863">The maximum total height of a combined fence and retaining wall is 2.1m</p> </div> <p data-bbox="394 951 539 991">Figure 21</p>		
<p data-bbox="159 1062 808 1190">PO23 Front fencing contributes to privacy, screening, security, and street character while maintaining a visual relationship between dwellings and public spaces.</p> <p data-bbox="159 1222 808 1350">Note: Details demonstrating compliance with the performance outcome should be included in the landscape design drawings submitted with any development application.</p>	<p data-bbox="808 1062 1469 1158">AO_{23.1} Fences located on a front property boundary or a common boundary with an adjacent park or within the front setback area:</p> <ul style="list-style-type: none"> <li data-bbox="909 1158 1469 1222">(a) have a maximum height of 1.2 metres; or <li data-bbox="909 1222 1469 1350">(b) have a maximum height of 1.5 metres and a minimum transparency of 30% when viewed from in front of the fence (at 90 degree angle to the fence). 	<p data-bbox="1469 1062 2119 1094">Complies – can be conditioned to comply.</p>

Performance Outcomes	Acceptable Outcomes	Response
	Note: In instances where the fence is located in conjunction with a retaining wall refer PO23.	
<p>PO24 Stormwater discharge from the site is 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.</p> <p>Note: Land over which Council has tenure or control does not include Council's open space network.</p>	<p>AO_{24.1} The site:</p> <ul style="list-style-type: none"> (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 stormwater drainage network in the abutting road via subsurface pipes; or (c) has lawful access to an inter allotment drainage network with available capacity to meet the requirements of the development. 	<p>Complies – refer to attached Stormwater Management Plan.</p>
<p>PO25 Where a Relocatable Home Park or Tourist Park the development site has an appropriate area and configuration to accommodate home or van sites, as well as adequate landscape and recreation areas, ancillary amenities and facilities, car parking and service areas.</p>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>

Environmental Standards Code

Table 9.3.4:3 – Environmental Standards Code – Assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Outdoor Lighting		
<p>PO₁ Development does not unacceptably reduce the amenity and environmental quality of environs, especially of any nearby residential premises or public spaces as a result of light spill.</p>	<p>AO_{1.1} No outdoor lighting is proposed as part of the development.</p> <p>OR</p> <p>AO_{1.2} Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian Standard 'AS4282-1997 control of the obtrusive effects of outdoor lighting'.</p> <p>AO_{1.3} For sporting fields and sporting courts the technical parameters, design, installation, operation and maintenance comply with the requirements of Australian Standard AS4282-1997 – Control of the obtrusive Effects of Outdoor Lighting and a compliance statement by a lighting designer has been provided in accordance with the Australian Standard (Section 4).</p> <p>AO_{1.4} Where light spillage outside of the property boundary is likely to result in levels above those mentioned in AO_{1.3} the applicant has provided a lighting proposal and impact assessment (environmental and amenity) as part of the application which has demonstrated that the lighting will not create nuisance issues for surrounding sensitive receptors.</p> <p>AO_{1.5} For private sporting courts the lighting system:</p> <ul style="list-style-type: none"> (a) is baffled or shielded to ensure that a light source is not directly visible from a Habitable Room window of an adjoining Dwelling; and (b) the luminaire does not exceed a height of 8m above the court surface. <p>AO_{1.6} The alignment of streets, driveways and servicing areas avoid vehicle headlight impacts on adjacent residential dwellings.</p>	<p>Complies – refer to Section 5 of this Report.</p>
<p>PO₂ Outdoor lighting (excluding street lighting, normal residential lighting and low level security lighting) situated in excess of 4m above</p>	<p>AO_{2.1} Outdoor lighting is provided in accordance with Australian Standard AS1158.1.1:2005 – Road Lighting – Vehicular Traffic (Category V) Lighting – Performance and Installation Design Requirements.</p>	<p>N/A – the development is for a residential use and no outdoor lighting is proposed.</p>

<p>ground level does not jeopardise the safety or well-being of any pedestrian, cyclist or motorist. Light emissions do not reduce the ability of transport system users to see essential details of the route ahead, including signalling systems and signage.</p>		
<p>PO₃ Outdoor Lighting does not cause unreasonable disturbance or cause detrimental impacts to any significant natural environment.</p>	<p>AO_{3.1} The vertical illumination emanating from the outdoor lighting does not exceed one (1) lx on land within the Environmental Significance Overlay.</p>	<p>N/A – the development is for a residential use and no outdoor lighting is proposed.</p>
<p>PO₄ Proposed sensitive land uses adjoining existing lawful non-residential uses with significant lighting for community purposes, security or safety reasons are designed to proactively address possible obtrusive light nuisance.</p>	<p>AO_{4.1} Proposed sensitive land uses adjoining existing lawful non-residential uses with significant lighting for community purposes, security or safety reasons are designed in a manner to mitigate any light nuisance impacts from the existing lawful use by establishing:</p> <ul style="list-style-type: none"> (a) shielding or louvers on windows facing the light source; (b) orientating buildings and bedrooms so that external lighting does not impact on residents during night time hours; and (c) utilising earth embankments, landscaping or other physical measures to shield existing light sources. 	<p>Not Applicable</p>
<p>Odour</p>		
<p>PO₅ Development does not unreasonably effect the amenity and environmental quality of environs, especially of any nearby residential premises or public spaces due to odour impacts.</p>	<p>AO_{5.1} The development does not involve activities that create odorous air emissions.</p> <p>OR</p> <p>AO_{5.2} The development does not result in air emissions that exceed any of the acceptable levels specified within the <i>Environmental Protection (Air) Policy 2008</i>.</p>	<p>Complies – refer to Section 5 of this Report.</p>

	<p>AO_{5.3} The development will not result in the release of noxious or offensive odours beyond the boundary of the site that cause environmental nuisance at any odour sensitive place, i.e. sufficient buffering is available within the development site itself to dissipate odour issues.</p> <p><i>Note: An Odour Assessment Report provided with the application may be necessary to demonstrate compliance with AO5.3.</i></p>						
<p>PO₆ Lot reconfigurations for residential or other environmentally sensitive land uses do not encroach upon existing or approved uses that may detrimentally impact upon the amenity of those proposed uses in terms of odour nuisance.</p>	<p>AO_{6.1} Lots for residential or other environmentally sensitive land uses are not located within the distances from specific uses outlined in table 9.3.3:4 at the end of this code.</p> <p>AO_{6.2} Where lots for residential or other environmentally sensitive land uses are located within the distances from specific existing uses outlined in table 9.3.3:4, an Odour Assessment Report has been provided to demonstrate that the development will achieve the following thresholds therefore minimising odour nuisance.</p> <table border="1" data-bbox="891 738 1438 1026"> <thead> <tr> <th>Existing Use/Activity</th> <th>Odour Level at Sensitive Receiving Environment.</th> </tr> </thead> <tbody> <tr> <td rowspan="2">All Activities</td> <td>2OU/m³ 3 minute average, 99.5th percentile.</td> </tr> <tr> <td>4OU/m³ 3 minute average, 99.9th percentile.</td> </tr> </tbody> </table>	Existing Use/Activity	Odour Level at Sensitive Receiving Environment.	All Activities	2OU/m ³ 3 minute average, 99.5th percentile.	4OU/m ³ 3 minute average, 99.9th percentile.	<p>Not Applicable</p>
Existing Use/Activity	Odour Level at Sensitive Receiving Environment.						
All Activities	2OU/m ³ 3 minute average, 99.5th percentile.						
	4OU/m ³ 3 minute average, 99.9th percentile.						
<p>PO₇ Putrescibles waste generated as a result of the development does not cause odour nuisance issues for adjoining land uses.</p>	<p>AO_{7.1} The development ensures that all putrescibles waste will be stored in a manner that prevents odour nuisance and fly breeding and will be disposed of at intervals not exceeding seven (7) days</p>	<p>Complies</p>					

Noise

PO₈ The generation of noise from the premises does not cause Environmental Harm or Nuisance to adjoining properties or other noise sensitive land uses.

(a) **Development:**

- (i) is located in an appropriate zone;
- (ii) proposes best practice design and construction materials (in relation to noise attenuation); and
- (iii) proposes operational practices that will minimise noise nuisance for adjoining sensitive land uses.

AO_{8.1} The development will achieve the following noise levels (when measured at the nearest sensitive receiver):

- (a) Background (L₉₀) + 5dB(A) for variable noise between the hours of 7:00 am to 10:00 pm (measured at the facade of the sensitive land use);
- (b) Background (L₉₀) + 3dB(A) for variable noise between the hours of 10:00 pm and 7:00 am (measured within bedrooms assuming open windows);
- (c) Background (L₉₀) for continuous noise sources (measured at the facade of the sensitive land use between 7:00 am and 10:00 pm and within bedrooms assuming open windows from 10:00 pm – 7:00 am); and
- (d) maximum limit L_{Amax} 45dB(A) inside dwellings; and

The development will achieve the Acoustic Quality Objectives listed within the *Environmental Protection (Noise) Policy 2008*.

HOWEVER

AO_{8.2} Where a development is unable to meet noise levels specified in AO_{8.1} an acoustic assessment has been undertaken by a suitably qualified and skilled person which demonstrates that the development will not result in environmental nuisance at any existing or likely future residential premises (within a 10 year planning horizon).

Complies – development is a low intensity residential use and will not generate any significant noise.

PO₉ Development (other than licensed premises operating under a Liquor Licensing Approval) proposing the use of amplified sound equipment is designed, constructed and operated in a manner that is sensitive to the impacts of high and low frequency noise on adjoining sensitive land uses.

AO_{9.1} Existing background octave band centre frequencies have been assessed and the development proposes the following maximum sound pressure criterion:

Background Level SPL dB(A)	Frequency – Hx – “A” - Weighted							
	31	63	125	250	500	1K	2K	4K
	L ₉₀	L ₉₀	L ₉₀	L ₉₀	L ₉₀	L ₉₀	L ₉₀	L ₉₀
	+	+	+	+	+	+	+	+
	5dB	5dB	5dB	5dB	5dB	5dB	5dB	5dB
	(A)	(A)	(A)	(A)	(A)	(A)	(A)	(A)

Not Applicable.

<p>PO₁₀ Proposed sensitive land uses in close proximity to existing lawful land uses such as entertainment venues, child care centres, industrial zones or other commercial premises are designed and constructed in a manner that achieves acoustic amenity for the users of the development.</p>	<p>AO_{10.1} The development is designed to achieve the internal noise criterion (Acoustic Quality Objectives) for the particular use as specified within <i>the Environmental Protection (Noise) Policy 2008</i>.</p> <p>AO_{10.2} Where the proposed sensitive land use is not listed in the Environmental Protection (Noise) Policy 2008, the development is designed and constructed to meet the internal sound level design criterion contained in Australian Standard <i>AS2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors</i>.</p> <p>AO_{10.3} Where the sensitive land use is within or adjoining entertainment venues utilising amplified music the applicant has undertaken an acoustic assessment of existing background octave levels and designed the sensitive land use component to mitigate the impacts of low frequency noise (particularly between 31.5Hz and 125Hz).</p>	<p>Not Applicable.</p>
<p>PO₁₁ Proposed sensitive land uses adjoining Council controlled arterial roads (other than designated ‘Transport Noise Corridors’) are designed and constructed in a manner that provides acoustic amenity for users/residents of the development.</p>	<p>Where development involves a sensitive land use adjoining a Council controlled arterial road (other than designated ‘Transport Noise Corridors’):</p> <p>AO_{11.1} The development is designed and constructed in a manner that achieves the internal noise Acoustic Quality Objectives listed within the <i>Environmental Protection (Noise) Policy 2008</i>.</p> <p>AO_{11.2} The siting of buildings and selection of construction materials complies with the specifications of Australian Standard <i>AS3671-1989 Acoustics – Road traffic noise intrusion – Building siting and construction</i>.</p>	<p>Not Applicable.</p>
<p>PO₁₂ Proposed sensitive land uses adjoining ‘Transport Noise Corridors’ as designated by State or Local Government are designed and constructed in a manner that provides acoustic amenity for users/residents of the development.</p>	<p>AO_{12.1} Proposed sensitive land uses adjoining ‘Transport Noise Corridors’ as designated by State or Local Government comply with the <i>Queensland Development Code Mandatory Part (MP) 4.4 ‘Buildings in a Transport Noise Corridor’</i> for all habitable rooms adjoining the corridor.</p>	<p>Not Applicable.</p>

<p>PO₁₃ Air conditioning units, refrigeration units and any other form of mechanical ventilation or extraction systems do not adversely impact on the acoustic amenity of surrounding sensitive land uses.</p>	<p>AO_{13.1} Plant of this nature is not elevated, is acoustically shielded (if necessary) and will not be audible at adjoining sensitive receivers.</p> <p>AO_{13.2} Roof-top mounted plant and equipment is located away from surrounding sensitive land uses and is acoustically shielded to achieve a nil increase in background noise levels (L₉₀) at the nearest sensitive receiver.</p>	<p>Complies – can be conditioned to comply.</p>
<p>PO₁₄ The construction phase of the development does not cause adverse acoustic impacts on surrounding sensitive receivers.</p>	<p>AO_{14.1} Building work (including excavation and filling) is only conducted between the hours of 6:30 am and 6:30 pm Monday to Saturday (excluding public holidays).</p> <p>AO_{14.2} Where building work is proposed outside of the acceptable timeframe of 6:30 am to 6:30 pm (Monday – Saturday) the applicant has supplied a ‘construction management plan’ which adequately addresses noise mitigation measures.</p>	<p>Complies – can be conditioned to comply.</p>
<p>PO₁₅ Private sporting courts do not create acoustic amenity issues for surrounding sensitive receivers.</p>	<p>AO_{15.1} Private sporting courts are not used between 10:00 pm and 7:00 am.</p> <p>AO_{15.2} Mechanical equipment such as ball throwing machines which create audible noise at the nearest sensitive receiver is not used between 7:00 pm and 7:00 am.</p>	<p>Not Applicable.</p>
<p>PO₁₆ Vibration from the development does not affect the amenity of surrounding sensitive land uses ²or cause environmental harm or nuisance..</p>	<p>AO_{16.1} The development does not result in vibration impacts outside of the development site.</p> <p>AO_{16.2} Where vibration may impact on surrounding sensitive land uses, the proponent has provided a vibration impact assessment or alternatively included vibration within an environmental impact report for the site which demonstrates that the level of vibration will not cause adverse amenity impacts or cause environmental harm or nuisance at any sensitive land use surrounding the development.</p>	<p>Complies – can be conditioned to comply.</p>

² ‘Sensitive land uses’ are defined in the Planning Regulation 2017.

Dust		
<p>PO₁₇ The construction phase of the development prevents or mitigates (to an acceptable level) the release of dust particles which have potential to cause environmental nuisance to adjoining sensitive receivers (including sensitive receivers along haulage routes during excavation and filling operations).</p>	<p>AO_{17.1} Off-site release of dust particles will be strictly managed to ensure that dust emissions do not travel beyond the property boundary and environmental nuisance does not occur.</p> <p>AO_{17.2} Areas of exposed fill, excavation and unsealed accesses on the site are watered regularly (particularly during periods of high or constant wind) to reduce dust generation.</p> <p>AO_{17.3} Areas of fill and excavation are graded, compacted and planted and/or mulched immediately after the dumping operation is complete.</p> <p>AO_{17.4} Stockpiles of aggregate, sand or other materials brought onto the site are sprayed with water (or treated with an alternative method) to minimise dust nuisance. The frequency of water spraying is increased during hot, dry periods or where wind conditions are such that a dust nuisance is likely to occur. Stockpiles are located away from adjoining sensitive land uses.</p> <p><i>Note: Where excavation and filling exceeds 1,000 cubic metres the development has submitted a 'construction management plan' which adequately addresses dust mitigation measures. Measures must include strategies such as progressive rehabilitation and complaints processes.</i></p>	<p>Complies – Can be appropriately conditioned to ensure compliance.</p>
<p>PO₁₈ Haulage activities associated with excavation and filling are managed to prevent environmental nuisance issues.</p>	<p>AO_{18.1} Haulage routes are selected on the basis of using the most suitable road surface to prevent dust generation and minimising the number of dwellings or other sensitive land uses affected by potential dust nuisance.</p>	<p>Complies</p>
<p>PO₁₉ Water used for dust suppression activities does not itself create environmental harm.</p>	<p>AO_{19.1} Water approved as a method for controlling dust emissions must not be used in a manner that enables contaminated water to enter any stormwater system or natural drainage corridor outside of the site boundaries.</p>	<p>Complies</p>

<p>PO₂₀ The ongoing operation of the development site does not create dust nuisance for adjoining landholders.</p>	<p>AO_{20.1} Areas within the site that are frequently used for vehicular purposes are imperviously sealed.</p> <p>AO_{20.2} Industry-specific activities undertaken on site that create dust are performed in an enclosed shed or other structure with suitable dust extraction and filtration systems.</p> <p>AO_{20.3} Grain facilities are equipped with semi enclosed grain receival hoppers fitted with dust extraction and filtration systems. All conveyor belts and bulk grain processing equipment are enclosed to prevent dust emission. Bunker storage without dust extraction is only permitted whereby the release of dust will not impact on surrounding sensitive receivers.</p> <p>AO_{20.4} All development likely to generate any significant amount of dust must have an adequate water supply available at all times in order to undertake proactive dust reduction measures e.g. watering of access roads.</p> <p>AO_{20.5} Development that is likely to create ongoing significant dust issues has submitted a 'site based management plan' which adequately addresses dust mitigation measures.</p>	<p>AO_{20.1} – Complies – can be conditioned to comply</p> <p>AO_{20.2-20.5} – N/A</p>
<p>PO₂₁ Proposed sensitive land uses are adequately separated from existing lawful land uses such as landfill sites, quarries, cropping land, motor sport facilities and other dust generating activities.</p>	<p>AO_{21.1} Sensitive land uses achieve the separation distances from the nominated uses specified in Table 9.4.2:2.</p>	<p>Not Applicable</p>
<p>PO₂₂ Development does not result in dustfall quantities that are likely to impact on the health of surrounding sensitive receivers.</p>	<p>AO_{22.1} Dustfall averaged over an annual period of time does not exceed 133mg/m²/day when measured at the nearest sensitive receiver.</p>	<p>Complies – can be conditioned to comply</p>

General Emissions		
<p>PO₂₃ Air emissions resulting from development do not cause environmental harm (including environmental nuisance).</p>	<p>AO_{23.1} The development does not result in air emissions that exceed any of the acceptable levels specified within the <i>Environmental Protection (Air) Policy 2008</i>.</p> <p>AO_{23.2} Where a type of air emission is not listed within the Environmental Protection (Air) Policy 2008 the proponent can demonstrate that the level of emission is in compliance with Australian ambient air quality standards; or If Australian standards do not exist, an ambient air quality standard from another country or organisation may be used with appropriate justification.</p> <p>AO_{23.3} Where a development is proposing to generate and release air emissions in excess of current air quality emission standards the proponent will provide an 'air quality impact assessment' which adequately addresses the impact of the release and provides justification as to why the industry cannot mitigate the levels further.</p>	<p>AO23.1 – Complies</p> <p>AO23.2-23.3 – N/A</p>
<p>PO₂₄ Child Care Centres are well located to avoid any harmful impacts of air pollution.</p>	<p>AO_{24.1} Maximum concentrations of air pollutants do not exceed those recommended by the National Health and Medical Research Council.</p>	<p>Not Applicable.</p>
<p>PO₂₅ Proposed sensitive land uses are adequately separated from existing lawful land uses that produce air emissions.</p>	<p>AO_{25.1} Sensitive land uses in relation to air emissions are not located within the separation distances specified in Table 9.4.2:2.</p>	<p>Not Applicable</p>
<p>PO₂₆ Electromagnetic radiation levels from telecommunications and other facilities do not pose health risks to the community.</p>	<p>AO_{26.1} Emission levels from equipment and infrastructure comply with the relevant industry standards as demonstrated through an approved written statement or certification provided by the carrier to council i.e. Electromagnetic Energy report.</p>	<p>Not Applicable</p>

<p>PO₂₇ Air emission vents or stacks are sited appropriately to ensure that surrounding land uses are not exposed to concentrated levels of air contaminants.</p>	<p>AO_{27.1} Car park exhaust stacks are located away from adjoining sensitive receivers.</p> <p>AO_{27.2} Emissions are discharged vertically and have an exit velocity of at least 10m/second.</p> <p>AO_{27.3} Spray booth exhaust stacks are at least 8m in height or 4m higher than the adjoining ridgeline of a neighbouring building (if the building is within 40m of the emission point), whichever is the greater.</p> <p>AO_{27.4} Tank venting for hydrocarbon fuel storage and LP Gas is located in accordance with <i>AS1940-2004 The Storage and handling of flammable and combustible liquids (for hydrocarbons) and AS1596:2008 The Storage and Handling of LP Gas.</i></p>	<p>Not Applicable</p>
<p>Waste Management</p>		
<p>PO₂₈ The development (excluding high rise buildings in excess of three (3) stories) is designed to ensure that waste storage and collection can be undertaken in a manner that complies with Council's <i>Technical Guidelines for New Developments Waste Storage and Collection Requirements.</i>³</p>	<p>AO_{28.1} For commercial premises and industrial activities (other than those premises utilising Council's wheelie bin waste collection program):</p> <ul style="list-style-type: none"> (a) general waste and recycling containers are located within the curtilage of the property in an area that enables the waste collection truck to pick up the containers while entering and leaving the premises in a forward gear; (b) a container storage area is dedicated that is large enough to cater for the expected volume of general waste and recycling; (c) storage areas are screened either behind a building or using screening materials or landscaping to a minimum height of 1.5m; (d) where bulk bins (or alternative combined waste and recycling containers exceeding 2 cubic metres) are proposed the bin storage area is roofed and bunded, contains an impervious surface, is in close proximity to a 	<p>Complies – Can be appropriately conditioned to ensure compliance.</p>

³ Amended 27 April 2018

	<p>hose cock and is graded and drained to either a wastewater system connection (requiring a trade waste approval) where sewer is available or in sewer areas, storage areas are drained to an area of significant landscaping, waste water treatment device or water quality improvement system e.g. Bioretention;</p> <ul style="list-style-type: none">(e) where bulk bins (or alternative combined waste and recycling containers exceeding 2 cubic metres) are proposed the bin storage area is designed to enable bins to be washed out within the storage area and drained to a sewer system (requiring trade waste approval) within sewer areas or area of significant landscaping, water treatment device or water quality improvement system e.g. Bioretention in non-sewered areas; and(f) bin storage areas do not pose amenity issues for surrounding sensitive receivers, including odour during storage periods or noise issues resulting from collection programs. <p>AO_{28.2} For multiple unit complexes of three (3) – six (6) units the development satisfies one of the following criteria:</p> <ul style="list-style-type: none">(a) a minimum road frontage is available within the immediate road reserve adjoining the development in order to place the required number of waste and recycling containers out for collection (2 x 240L wheelie bins per tenement) when calculated at 1m/bin e.g. a development requiring eight (8) bins must have at least 8m of useable road reserve (in terms of bin collection, excluding a 1m clearance around power poles and any area below a street trees canopy where bins cannot be collected); <p>OR</p> <ul style="list-style-type: none">(b) the complex includes a communal bin storage area, whereby the body corporate will implement internal procedures requiring residents to progressively fill bins and only place full bins out for collection; and(c) each tenement has an approved bin storage area that will not create amenity issues for surrounding sensitive land uses; and	
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- (d) bin storage areas are screened behind buildings for amenity purposes; and
- (e) storage areas are not within dwellings (including garages) and it is not necessary to take the bins through dwellings (including garages) for collection purposes; and
- (f) a hose cock is located in close proximity to the storage location to enable bins to be cleaned; and
- (g) where a rear storage area is not possible bins are stored in a minimum 1.5m high screened area in the front of the dwelling(s);

OR

- (h) screened communal storage areas (to a minimum height of 1.5m) are proposed which contain an impervious floor, hose cock and grading/drainage towards a grassed area or other porous surface.

AO_{28.3}

For multiple unit complexes above six (6) units the development satisfies one of the following criteria:

- (a) The development incorporates 'internal collection' of either bulk bins or wheelie bins (in accordance with the waste management guideline that accompanies the environmental standard);

OR

- (b) Communal bin storage areas contain a roof, bunding and bin 'washing' provisions in the form of either a sewer connection (requiring trade waste approval) or where no sewer is available a connection to a waste water treatment device, drain to an area of significant landscaping or drain to a water quality improvement device e.g. Bioretention system is acceptable;

OR

- (c) Where 'internal collection' is proposed the internal design complies with the waste management guideline that accompanies this environmental standard and a certification from a registered RPEQ has been provided to demonstrate that manoeuvrability is acceptable for an appropriately sized refuse vehicle.

	<p>AO_{28.4} Commercial premises utilising Council's wheelie bin waste collection service to dispose of commercial waste:</p> <ul style="list-style-type: none"> (a) utilise a maximum of four (4) wheelie bins i.e. less than 1 cubic metre; (b) store bins within the curtilage of the property in a designated area in close proximity to a hose cock, whereby any adjoining sensitive land uses will not experience amenity issues i.e. odour; (c) store bins on an impervious surface; (d) place bins on the road reserve for a maximum period of 24 hours during collection programs; and (e) store bins in an area that is screened from public view either in a building, behind a building or within a purpose built screened storage area within a 1.5m minimum height. 	
<p>PO₂₉ Development for a Community Residence, Residential Care Facility or Retirement Facility utilising communal bin storage areas ensure that residents have reasonable access to waste containers, where the development is for aged care purposes.</p>	<p>AO_{29.1} For development involving a Community Residence, Residential Care Facility or Retirement Facility, bin storage areas are located within reasonable proximity to all units, in accordance with Council's Environmental Guideline.</p>	<p>Not Applicable</p>
<p>PO₃₀ High rise (in excess of three (3) storeys) residential developments and joint commercial and residential developments are designed to enable best practice waste management principles to be applied.</p>	<p>AO_{30.1} The applicant has provided a waste management plan that as a minimum has addressed the following issues:</p> <ul style="list-style-type: none"> (a) likely waste quantity and waste type to be generated on site on a weekly basis; (b) likely recycling quantities to be generated on a weekly basis; (c) waste container and recycling container (type and volume) requirements for the residential component (based on 240L of general waste and 240L of recycling per unit) and the commercial component (if applicable); (d) waste storage area locations; (e) dual waste chutes for general waste and recycling; 	<p>Not Applicable</p>

	<ul style="list-style-type: none"> (f) bin room specifications and hygiene practices for waste handling areas, chutes, waste containers and other applicable equipment; (g) collection arrangements and manoeuvring diagrams (including overhead clearances); (h) waste minimisation practices; (i) use of compactors; (j) an impact assessment of waste management practices on any surrounding sensitive land uses; (k) air extraction fans, refrigeration or associated devices for refuse storage areas to prevent odour, particularly where putrescibles are stored; and (l) clinical and related waste storage and collection issues (if applicable). 	
<p>PO₃₁ Demolition and building activities actively involve waste minimisation and waste avoidance principles including the promotion of recycling and re-use.</p>	<p>AO_{31.1} The development will be carried out in accordance with the waste management hierarchy outlined in the <i>Technical Guideline for New Developments Waste Storage and Collection Requirements</i>⁴ and the applicant has nominated the quantity and type of materials that will be disposed of to landfill.</p>	<p>Complies – can be conditioned to comply.</p>
<p>PO₃₂ Development that involves the generation of ‘clinical and related waste’ as per the definition of the <i>Technical Guideline for New Developments Waste Storage and Collection Requirements</i>⁵ is designed to adequately cater for legislative storage and collection requirements.</p>	<p>Where involving development that involves the generation of ‘clinical and related waste’ as per the definition of the <i>Technical Guideline for New Developments Waste Storage and Collection Requirements</i>⁶:</p> <p>AO_{32.1} The storage of ‘clinical and related waste’ is in accordance with the <i>Technical Guideline for New Developments Waste Storage and Collection Requirements</i>⁷ with storage locations being demonstrated on submitted site/floor plans.</p> <p>AO_{32.2} The development has proposed a method of disposing of ‘clinical and related waste’ and has demonstrated that an applicable waste collection vehicle is able to manoeuvre on site, while entering and leaving the premises in a forward gear.</p>	<p>Not Applicable</p>

⁴ Amended on 27 April 2018

⁵ Amended on 27 April 2018

⁶ Amended on 27 April 2018

⁷ Amended on 27 April 2018

<p>PO₃₃ Residential development involving 'internal collection' of either bulk bins or wheelie bins is designed to a standard that enables heavy vehicle access and manoeuvring whilst providing safety to residents and the protection of infrastructure.</p>	<p>AO_{33.1} The development is designed and certified by a RPEQ and complies with the requirements outlined in Council's <i>Technical Guidelines for Waste Storage and Collection Requirements for New Developments</i>, including:</p> <ul style="list-style-type: none"> (a) appropriate manoeuvring is adequate with vehicles being able to enter and exit the property in a forward gear; (b) overhead clearance is adequate for the applicable refuse vehicle; (c) road surface is appropriate for a HRV; (d) side clearance is appropriate for wheelie bin collection; (e) collection areas are appropriate for either bulk bins or wheelie bins; (f) minimum road width of 5.5m; and (g) internal road networks enable the refuse vehicle to traverse the site without resident safety being jeopardised. 	<p>Not Applicable</p>
<p>PO₃₄ Development involving refuse storage and collection external to Council's waste contract utilise waste containers and hygiene practices that prevent odour issues and remove harbourage opportunities for vermin and mosquitoes.</p>	<p>AO_{34.1} The applicant will utilise the following control measures:</p> <ul style="list-style-type: none"> (a) putrescibles waste will be removed from the property at intervals not exceeding seven (7) days (putrescibles will be refrigerated where possible and appropriate); (b) tight fitting lid assemblies will be utilised on all waste containers to prevent the pooling of rainwater, thus minimising mosquito breeding opportunities; and (c) bins will be secured to ensure that vermin and pest animals do not have access to a potential food source; and (d) bins will be cleaned on an 'as needed' basis if odour is identified as an issue. 	<p>Complies – can be conditioned to comply.</p>

Table 9.4.2:2 Separation Distances to Residential and Environmentally Sensitive Land Uses

Existing Use/Activity	Separation Distance
Cropping Land	Minimum 40m vegetated buffer requirement taken from cropping land property boundary.
Landfill	Minimum 1.5km taken from the property boundary of the landfill site.
Transfer Station	Minimum 300m taken from the property boundary of the transfer station site.
Sewerage Works	Minimum 1km taken from the property boundary of the sewerage works.
Poultry Farms	Minimum 1km taken from the closest outside boundary of the shed/conglomeration of sheds (at a 10 year planning horizon).
Extractive Industry	Minimum 1km taken from the outside extremity of the resource boundary (at a 20 year planning horizon).
Piggery	Minimum 1.5km taken from the closest outside boundary of the shed/conglomeration of sheds (at a 10 year planning horizon).
Feedlots	Minimum 1.5km taken from the outside extremity of the closest animal holding yard (at a 10 year planning horizon).
Cattle Dips and Yards	Minimum 200m from the outside extremity of the closest part of the yard or dip (at a 10 year planning horizon).
Kennels	Minimum 1.5km from the nearest outside boundary of the animal holding facility (at a 10 year planning horizon).
Abattoirs	Minimum 500m from the nearest part of the built facility or effluent disposal area.
Dairy Bails and Yards	Minimum 300m from nearest part of the facility (at a 10 year planning horizon).
Motor Sport Facilities	Minimum 1km taken from the nearest part of the facility where vehicles will be utilised for sporting purposes.
Stock Saleyards	Minimum 500m from the nearest part of the facility used for holding animals.
Forestry	Minimum 200m from the nearest part of the plantation designated for commercial harvesting purposes (at a 10 year planning horizon).

NOTE: Buffer may extend beyond Toowoomba Regional Council Local Government boundaries.

Integrated Water Cycle Management Code

Table 9.4.3:1 - Integrated Water Cycle Management Code – Assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Stormwater Management		
<p>PO₁ Development does not adversely impact on the quality of receiving waters by avoiding or minimising pollutants entering and being transported with stormwater.</p>	<p>AO_{1.1} Stormwater quality treatment measures are implemented in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</p> <p>AO_{1.2} Pollutant load reductions are achieved in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.⁸</p>	<p>Complies – can be conditioned to comply.</p>
<p>PO₂ Adverse impacts of construction activities on stormwater quality are avoided where feasible. If not feasibly avoided, impacts are minimised using best practice environmental management for erosion and sediment control.</p>	<p>AO_{2.1} Sediment and erosion control measures are implemented in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</p>	<p>Complies – can be conditioned to comply.</p>
<p>PO₃ Stormwater management incorporates water sensitive urban design techniques and avoids adverse impacts from water quantity, flow rates and duration and frequency in receiving waters, having regard to:</p> <ul style="list-style-type: none"> (a) channel, bed and bank stability; (b) aquatic and riparian ecosystems; and (c) hydrological functions. 	<p>AO_{3.1} Stormwater flow control measures are implemented in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</p>	<p>Complies – can be conditioned to comply.</p>

⁸ State Planning Policy (July 2017) Appendix 2 – Stormwater management design objectives (Amended on 29 November 2019 as part of Amendment No.16) – amended on 29 November 2019

Waste Water Management

<p>PO₄ Development does not discharge waste water to a waterway or external to the site unless demonstrated to be best practice environmental management for that site and has appropriate regard for:</p> <ul style="list-style-type: none"> (a) cumulative effects; (b) the applicable water quality objectives for the receiving waters; (c) adverse impact on ecosystem health of receiving waters; and (d) in waters mapped as being of high ecological value, the adverse impacts of such releases and their offset. 	<p>AO_{4.1} Waste water management measures are implemented in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</p>	<p>Complies – can be conditioned to comply.</p>
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Artificial Waterways and Water Bodies

<p>PO₅ The waterway or water body is designed to integrate multiple functions, including:</p> <ul style="list-style-type: none"> (a) aesthetics, landscaping, and recreation; (b) flood management; (c) stormwater management; (d) water conservation and reuse; (e) community health; and (f) pest management. 	<p>AO_{5.1} Artificial waterways or water bodies are designed in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</p>	<p>Not Applicable</p>
<p>PO₆ The waterway is located and designed to be responsive to natural drainage features.</p>	<p>AO_{6.1} Artificial waterways or water bodies are designed in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</p>	<p>Not Applicable</p>
<p>PO₇ The waterway or body is designed to minimise whole of life cycle costs.</p>	<p>AO_{7.1} Artificial waterways or water bodies are designed in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</p>	<p>Not Applicable</p>

Flooding and Drainage		
PO₈ Flooding and drainage characteristics upstream or downstream of the site are not worsened.	AO_{8.1} Development is undertaken in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i> . ⁹	Complies Please refer to attached Stormwater Management Plan and Section 5 of this Report.
PO₉ The drainage network has sufficient capacity to safely convey stormwater run-off from the site.	AO_{9.1} Development is undertaken in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i> .	Complies Please refer to attached Stormwater Management Plan and Section 5 of this Report.
PO₁₀ 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.	AO_{10.1} Roof water is collected and discharged in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i> .	Complies Please refer to attached Stormwater Management Plan and Section 5 of this Report.
Water Cycle Management		
PO₁₁ The design and management of the development integrates water cycle elements so that:	AO_{11.1} Integrated water management practices and infrastructure are implemented in accordance with <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i> .	Complies – can be conditioned to comply.

⁹ Amended on 18 March 2016

- (a) water is used efficiently and potable water demand is reduced;
- (b) wastewater production is minimised;
- (c) stormwater peak discharges and runoff volumes are not worsened;
- (d) natural drainage lines and hydrological regimes are maintained as far as possible;
- (e) large, uninterrupted impervious surfaces are minimised;
- (f) reuse of stormwater and grey-water is encouraged where public health and safety will not be compromised; and
- (g) water is used efficiently.



Landscaping Code

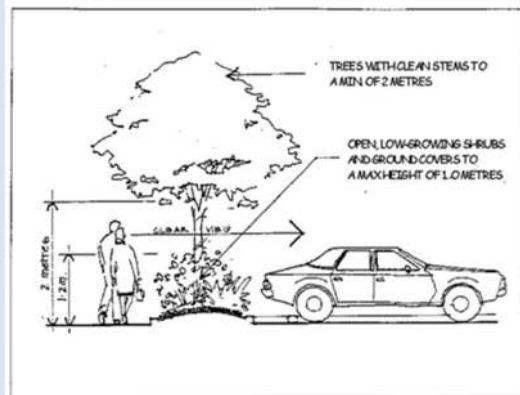
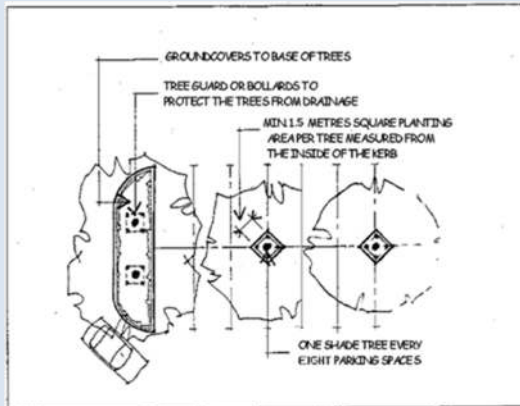
Table 9.4.4:1 - Landscaping Code – Assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
<p>PO₁ Landscape design is developed by a suitably qualified landscape professional and demonstrates an integrated approach to planning/development issues and documents both hard and soft works proposed for the development.</p>	<p>AO_{1.1} Landscape documentation is prepared by the landscape professional identified in Table 9.4.4:2.</p>	<p>Complies – Can be appropriately conditioned to ensure compliance.</p>
<p>PO₂ Landscape construction is undertaken by a suitably qualified landscape professional.</p>	<p>AO_{2.1} Landscape construction is carried out by a member of the Queensland Association of Landscape Industries.</p>	<p>Complies – Can be appropriately conditioned to ensure compliance.</p>
<p>PO₃ Landscape design reflects the local context and incorporates cohesive and desirable aspects of the prevailing landscape character. (Desirable aspects are those considered necessary to maintain and enhance the character, setting and/or ambience, and ecological values of the location.)</p>	<p>AO_{3.1} Where a street or locality has an identifiable character derived from existing vegetation, similar or identical plant species are used.</p> <p>AO_{3.2} Existing desirable landscape elements and treatments are incorporated into landscaping to integrate the development into the existing character of the area.</p> <p>AO_{3.3} Existing site trees are integrated into the development.</p> <p>AO_{3.4} Species selection is reflective of cool temperate species.</p>	<p>Complies – Can be appropriately conditioned to ensure compliance.</p>
<p>PO₄ Where the development involves the creation of a new road street tree planting is undertaken having consideration of:</p>	<p>AO_{4.1} Street planting is carried out in accordance with the requirements of PSP No. 2 Engineering Services Infrastructure Roads and Drainage.</p> <p>AO_{4.2} Species and materials are used that minimise the use of potable water.</p>	<p>Not Applicable</p>

<ul style="list-style-type: none"> (a) the hierarchy and function of the street; (b) selection of appropriate species; (c) avoidance of conflict between the street tree and utilities and services within the road reserve; (d) soil conditions; (e) existing street trees; (f) solar access; and (g) driveway access. 	<p>AO_{4.3} Street tree planting is in accordance with Planning Scheme Policy No.8 – Street Trees.</p>	
<p>PO₅ Fencing design and acoustic barriers:</p> <ul style="list-style-type: none"> (a) are compatible with the existing streetscape and proposed development type; and (b) provide visual interest and address the street. 	<p>AO_{5.1} Front fences longer than 15m and greater than 1,400mm in height are visually fragmented with recesses at least 1.2m deep and 1.2m wide at 15m intervals, planted with at least one tree and groundcovers.</p> <p>AO_{5.2} All planting and recesses along a fence are located within the property boundary and planting recesses are accessible from within the site.</p> <p>AO_{5.3} Where acoustic fencing is required by the planning scheme it is designed by an acoustic engineer and incorporates a minimum 3m vegetated buffer on either side of the fence with vegetation having a mature height equal to or above the height of the acoustic fencing.</p>	<p>Complies – Can be appropriately conditioned to ensure compliance.</p>
<p>PO₆ Location, design and provision of planting in carparks and internal roadways achieve a high degree of shade, amenity and safety.</p>	<p>AO_{6.1} Landscaping visually fragments and shades carparking areas with regular tree planting in individual planting bays evenly distributed throughout the car parking area at the rate of one planting bay per eight (8) carparking spaces.</p> <p>AO_{6.2} Individual planting bays have a minimum dimension of 1,500 x 1,500mm with permeable surface treatments and are flush with the finished surface levels of the car park.</p>	<p>Complies – refer to ‘Landscaping’ section within Section 5 of this Report.</p>

AO_{6.3} No raised kerbing is provided around planting bays. Wheelstops or bollards are used to delineate planting bays where necessary and finished carpark surface levels fall toward planting areas.

AO_{6.4} Planting bays incorporate ground covers less than 1,000mm height that allow unobstructed surveillance



PO₇ Location and habit of tree planting must not interfere with the function and

AO_{7.1} Species mature height and siting must not interfere with or compromise overhead and underground utility assets including stormwater inlet pits.

Complies

<p>accessibility of any adjacent utility services.</p>	<p>AO_{7.2} Tree planting must be a minimum of 2m from any mains water easements and offset 4m from any sewer main or inspection chamber.</p>	
<p>PO₈ Maintenance access points must be considered and accommodated for in the site planning and design process.</p>	<p>AO_{8.1} Access by appropriate maintenance or utility vehicles must be demonstrated with ground surface treatments that are stable and usable in all weather.</p> <p>AO_{8.2} Functional maintenance vehicle circulation and access gates to be provided.</p>	<p>Complies</p>
<p>PO₉ On-site stormwater harvesting is to be maximised for irrigating landscaping in development with reuse measures and amelioration of stormwater impacts provided.</p>	<p>AO_{9.1} Landscape design takes advantage of the flow of water along overland flow paths.</p> <p>AO_{9.2} Landscaping is used to help maximise opportunities for on-site stormwater infiltration by:</p> <ul style="list-style-type: none"> (a) minimising impervious surfaces and incorporating semi-permeable paving products; (b) falling hard surfaces towards pervious surfaces such as turf or mulched areas; (c) maximise opportunities for turf and planting areas; (d) align planting areas parallel to contours to slow the flow of surface water; and (e) ensure planting palette comprises canopy tree species. <p>AO_{9.3} Provision for drainage is incorporated through treatments such as subsurface drains, swales, ponds and infiltration cells.</p> <p>AO_{9.4} Sediment and erosion control measures are provided.</p> <p>AO_{9.5} Planter boxes on podiums and building forecourts are plumbed to stormwater.</p>	<p>Complies</p> <p>Refer also to Section 5 of this Report.</p>
<p>PO₁₀ Landscape design is integrated with any existing urban design theme within the</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies</p>

<p>surrounding area and coordinates paving, planting, street furniture, lighting, signage and other elements to reflect that theme and assist in the creation of a sense of place.</p>		
<p>PO₁₁ Design of pedestrian paths and places reinforces the desired character of the area and/or place and includes features to enhance their use that are of universal design to ensure non-discriminatory access and use.</p>	<p>AO_{11.1} Design complies with <i>AS1428 parts 1, 2, 3, and 4 – Design for Access and Mobility</i></p>	<p>Complies</p>
<p>PO₁₂ Risks to personal safety and the potential for crime, vandalism and fear are reduced through design that has been informed by <i>Crime Prevention Through Environmental Design (CPTED)</i> principles in relation to:</p> <ul style="list-style-type: none"> (a) Surveillance. (b) Access control. (c) Territorial reinforcement. (d) Space management. 	<p>Landscape design incorporates the following design measures:</p> <p>AO_{12.1} The attractiveness of crime targets is minimised by providing opportunities for effective surveillance through: clear sight lines from private to public space, reducing concealment or entrapment opportunities, public facilities (toilets, shelters etc) located to promote use, dual access points, avoiding blind corners, and lighting where appropriate.</p> <p>AO_{12.2} Barriers are used to attract, channel or restrict the movement of people by: clear spatial definition and legibility, optimising opportunity for public interaction, visually permeable screens and fencing, appropriate use of mechanical measures that correspond to actual risk.</p> <p>AO_{12.3} Reinforcing definition of territory and ownership of private, semi-public and public spaces through: clear design cues for use and activities, transitions and boundaries between public and private, design that encourages public interaction and ownership, legible universal signage.</p>	<p>Complies – Can be appropriately conditioned to ensure compliance.</p>

AO_{12.4} Space Management: ensuring that public spaces are appropriately utilised and maintained by the use of vandal- and graffiti-resistant materials, easily accessed and maintained fixtures.

Table 9.4.4:2 – Landscape Design Professionals

Development Type	Category of Landscape Professional Required to Submit Landscape Documentation	
	<5 lots	5 lots and >5 lots
Reconfiguring a lot (RAL) (Subdivision code)	Landscape designer	Landscape architect
Material Change of Use (MCU) Landscape documentation must accompany any built form/architectural and/or civil engineering documentation.	<\$500K construction value	>\$500K construction value
	Landscape designer	Landscape architect
Operational Works Applications	<\$50K construction value	>\$50K construction value
	Landscape designer	Landscape architect

Transport Access and Parking Code

Table 9.4.6:1 – Transport, Access and Parking Code – Requirements for accepted development and assessment benchmarks for assessable development

Performance outcomes	Acceptable outcomes	Response
Driveway Crossovers		
<p>PO₁ Vehicular access arrangements:</p> <p>(a) are appropriate for:</p> <p>(i) the capacity of the parking area;</p> <p>(ii) the volume, frequency and type of vehicle useage; and</p> <p>(iii) the function and configuration of the access road;</p> <p>(b) minimise any potentially adverse impact on:</p> <p>(i) the safety and efficiency of the road;</p> <p>(ii) the integrity of any infrastructure within the road reserve; and</p> <p>(iii) the safety of access to adjacent properties; and</p> <p>(c) protect the amenity of premises in the vicinity.</p> <p><i>Note: Access to State-controlled Roads requires the approval of the Department of Transport and Main Roads.</i></p>	<p>AO_{1.1} Other than for a Dwelling House, Dual Occupancy, Home-based Business, vehicular access to a Council-controlled road is provided in accordance with Australian Standard AS 2890.1 – <i>Off Street Car Parking</i> (and Australian Standard AS 2890.2 where relevant).</p> <p>AO_{1.2} Where the vehicular access is for a Dwelling House, Dual Occupancy or Home-based Business, the driveway crossover:</p> <p>(a) is not:</p> <p>(i) a second property access;</p> <p>(ii) located on a bend in the road of more than 45°; or</p> <p>(iii) to a State-controlled Road or a road with bluestone kerbing;</p> <p>(b) is not within:</p> <p>(i) 25m of a signalised road intersection;</p> <p>(ii) 20m of an unsignalised road intersection in an industrial or Centre’s zone or 10m otherwise;</p>	<p>Complies – can be conditioned to comply.</p>

Performance outcomes	Acceptable outcomes	Response
	<ul style="list-style-type: none"> (iii) 2m of any adjoining property access, including shared property accesses, at the property line; (iv) 1m of any street signage, power poles, street lights, manholes, stormwater gully pits, or other Council asset; or (v) the outer canopy of any street tree. <p>(c) does not:</p> <ul style="list-style-type: none"> (i) require the modification, relocation, or removal of any existing infrastructure (e.g. street trees, fire hydrants, water meters, manholes or stormwater gully pits); (ii) front a traffic island, speed control device, car parking bay, bus stop, or other structure within the roadway; (iii) require removal or modification of any existing bluestone kerbing; (iv) require any change to existing footpath/verge profiles; (v) have access restricted by an access restriction strip or link reserve; or (vi) access an unformed or unkerbed road; <p>(d) is constructed of gravel (but only in a non-urban zone), reinforced concrete, bitumen or pavers; and</p> <p>(e) is provided in accordance with the relevant diagram in <i>SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</p>	

Performance outcomes	Acceptable outcomes	Response
Car Parking Provision		
<p>PO₂ 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.</p> <p><i>Note: Where the development does not meet the acceptable outcomes, or where no acceptable outcome is specified, a parking demand analysis report prepared by a suitably qualified person may assist in demonstrating compliance with the performance outcome.</i></p>	<p>AO_{2.1} Where in the Principal Centre Zone or Mixed Use Zone Car parking is provided at the rate of:</p> <ul style="list-style-type: none"> (a) Non-Residential Use one (1) parking space per 50m² of GFA; and (b) Residential Use - one (1) parking space per dwelling. <p>AO_{2.2} Where not in the Principal Centre Zone or Mixed Use Zone Car parking is provided at the rates set out in Table 9.4.6:3 to this Code.</p> <p><i>Note: Where a parking rate for a use is unspecified in Table 9.4.6:3 – no acceptable outcome is provided.</i></p> <p><i>Note: If the number of car parking spaces calculated in accordance with AO_{2.1} and AO_{2.2} is not a whole number, the number of parking spaces to be provided is rounded-up to next highest whole number.</i></p> <p><i>Note: Where application is made for establishment of two or more uses on the same premises, the parking demand is calculated by totalling the requirements for each use.</i></p>	<p>Complies – on-site car parking spaces comply with Planning Scheme’s requirements. See ‘Access and Car Parking’ section of Section 5 of this Report. Can be conditioned to ensure compliance.</p>

Table 9.4.6:2 – Transport, Access and Parking Code – assessment benchmarks for assessable development^{10, 11}

Performance Outcomes	Acceptable Outcomes	Response
Transport Network ^[38]		
<p>PO₁ The development is located on roads that are appropriate for the nature of traffic generated, having regard to the safety and efficiency of the transport network, and the functions and characteristics identified in the transport network hierarchy contained in <i>SC 6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies – See ‘Roads and Traffic’ section of Section 5 of this Report. Can be conditioned to ensure compliance.</p>
<p>PO₂ Development does not compromise the orderly provision or upgrading of the transport network.¹²</p>	<p>No acceptable outcome is nominated^[39].</p>	<p>Complies – See ‘Roads and Traffic’ section of Section 5 of this Report. Can be conditioned to ensure compliance.</p>
<p>PO₃ Onsite transport network infrastructure (including roads, parking, access and public transport, pedestrian and cyclist facilities) appropriately integrates with surrounding networks and facilitates the orderly development of adjoining land.¹³</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies – See ‘Roads and Traffic’ and ‘Access and Parking’ sections of Section 5 of this Report. Can be conditioned to ensure compliance.</p>
<p>PO₄ Development is designed to encourage travel by public transport, walking and cycling. This may include integrated access between adjoining sites and/or</p>	<p>No acceptable</p>	<p>Complies</p>

¹⁰ Amended on 3 November 2014

¹¹ Amended on 9 August 2019

¹² Applicants should note that the Department of Transport and Main Roads may have additional requirements.

¹³ Amended on 27 April 2018

<p>the provision of mid-block connections which are safe, functional and legible for potential users.</p>		
<p>PO₅ Car parking areas, pathways and other elements of transport network infrastructure are designed to enhance public safety by discouraging crime and anti-social behaviour, having regard to:¹⁴</p> <p>(a) provision of opportunities for casual surveillance;</p> <p>(b) provision of lighting;</p> <p>(c) the use of fencing to define public and private spaces, whilst allowing for appropriate sightlines;</p> <p>(d) minimising potential concealment points and assault locations;</p> <p>(e) minimising opportunities for graffiti and other vandalism; and</p> <p>(f) restricting unlawful access to buildings and between buildings.</p>	<p>AO_{5.1} Car parking areas, pathways and other elements of transport network infrastructure are designed in accordance with <i>Crime Prevention Through Environmental Design (CPTED) Guidelines</i>.</p>	<p>Complies</p>
<p>PO₆ Directional signage is provided within a development site to assist legibility and way-finding, including for pedestrians and cyclists.</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies – can be conditioned to comply.</p>
<p>Access</p>		
<p>PO₇ Vehicle access arrangements and queuing areas are appropriate for:</p> <p>(a) the capacity of the parking area;</p> <p>(b) the volume, frequency and type of vehicle usage; and</p>	<p>AO_{7.1} Access driveways and queuing areas are located and designed in accordance with the provisions of Australian Standard <i>AS 2890.1 Part 1: Off Street Carparking</i>.</p>	<p>Complies – See ‘Access and Parking’ sections of Section 5 of this Report. Can be conditioned to ensure compliance.</p>

¹⁴ Crime Prevention Through Environmental Design Guidelines for Queensland prepared by the State Government may provide applicants with guidance on these matters.

<p>(c) the function and characteristics of the access road and adjoining road network.</p>		
<p>PO₈ Access arrangements minimise any adverse impact on:</p> <p>(a) the integrity of any infrastructure within the road reserve;</p> <p>(b) the safety and convenience of pedestrians and cyclists;</p> <p>(c) the safety and convenience of access to adjacent properties;</p> <p>(d) the amenity of premises in the vicinity; and</p> <p>(e) street trees in the road reserve.</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies</p>
<p>PO₉ Where the nature of the proposed development creates a demand due to the frequency and volume of vehicle movements for the set-down and pick-up of passengers, provision is made for set-down and pick-up facilities by bus, taxis or private vehicle.</p>	<p>AO_{9.1} No acceptable outcome is nominated.</p>	<p>Not Applicable</p>
<p>PO₁₀ Where set-down and pick-up facilities for bus, taxis or private vehicles are provided as part of development they are:</p> <p>(a) safe for pedestrians, cyclists and vehicles;</p> <p>(b) conveniently connected to the main component of the development by pedestrian pathway; and</p> <p>(c) designed to provide for pedestrian priority and clear sightlines.</p>	<p>AO_{10.1} Bus pick-up/set-down areas:</p> <p>(a) allow a bus, based on the Long Rigid Bus (12m) in Austroads/Standards Australia HB72 – Design Vehicles and Turning Path Templates, to turn and manoeuvre in and out of the area in an easy and safe manner;</p> <p>(b) afford maximum safety for passengers boarding or alighting buses;</p> <p>(c) avoid standing or queuing buses from obstructing access to car parking spaces or circulation within the Site; and</p>	<p>Not Applicable</p>

	<p>(d) avoid on-street queuing or boarding/alighting of buses that would reduce traffic flow or safety on the road network. One clear traffic lane in each direction should be maintained.</p> <p>AO_{10.2} Car and taxi pick-up/set-down areas:</p> <p>(a) allow a car to maneuver in and out of the area in an easy and safe manner;</p> <p>(b) afford maximum safety for passengers boarding or alighting cars;</p> <p>(c) avoid standing or queuing cars from obstructing access to car parking spaces or circulation within the site; and</p> <p>(d) avoid on-street queuing or boarding/alighting of cars that would reduce traffic flow or safety on the road network. One clear traffic lane in each direction should be maintained.</p>	
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Pedestrian and Cycle Facilities

<p>PO₁₁ Provision is made for the safe and convenient movement of pedestrians on site and external to the site, having regard to desire lines, legibility, weather protection and the needs of people with disabilities.</p>	<p>AO_{11.1} Pedestrian pathways and crossings are provided in accordance with <i>SC6.2 PSP No.2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</p> <p>AO_{11.2} Access for cyclists and pedestrians is clearly distinguished from vehicle access.</p> <p>AO_{11.3} Pedestrian paths of a minimum width of 1.5m are provided through each car parking row and connect to the main entrance(s) to the building(s).</p>	<p>Complies</p>
<p>PO₁₂ Provision is made for safe and convenient cycle movement to the site and within the site having regard to desire lines, users’ needs and legibility.</p>	<p>AO_{12.1} Shared paths and on-road cycle lane facilities are provided in accordance with <i>SC6.2 PSP No.2 – Engineering Standards Roads and Drainage Infrastructure</i>.</p>	<p>Not Applicable</p>

Parking and Circulation

PO₁₃ Car parking areas are designed to be:
(a) clearly defined, marked and signed;
(b) convenient, safe and accessible; and
(c) safe for vehicles, pedestrians and cyclists and minimise vehicle/pedestrian conflicts by providing clear access lines for pedestrians movement within car park areas.

AO_{13.1} The entry to the car park is clearly signposted.

AO_{13.2} Parking spaces are freely available for use by the development's occupants and visitors during the business hours of the use.

AO_{13.3} Visitor or customer parking spaces are located in the most accessible position to the main entrance of the building and signed as such.

AO_{13.4} Unless otherwise specified in another code relevant to the development, 60% of the parking spaces for non-residential development are clearly visible from the street.

AO_{13.5} Public Safety:

(a) The car park is located where it can be monitored by passers-by or the occupiers of the development.

(b) Where the car park is open to the public at night, lighting is provided throughout the car park and along pedestrian access paths in compliance with Australian Standard *AS 1158.3.1 – Road Lighting – Pedestrian Area (Category P) Lighting – Performance and Installation Design Requirements*.

(c) Except in the case of residential development:

(i) where the car park is not required at night, entry to the car park is physically restricted; and

(ii) where the car park is enclosed, the walls are finished in a light coloured material that reflects light.

(d) Landscaping throughout the car park is provided in a manner, as indicated in the Landscaping Code that allows surveillance and minimises the risk of crime.

Complies – can be conditioned to comply. See 'Roads and Traffic' and 'Access and Parking' sections of Section 5 of this Report.

<p>PO₁₄ Car parking areas are designed to provide spaces which meet the needs of people with disabilities.</p>	<p>AO_{14.1} Parking spaces for people with disabilities are provided at the rates specified in Appendix C of Australian Standard <i>AS2890.1 Part 1: Off Street Carparking</i>.</p> <p>AO_{14.2} Car parking spaces for people with disabilities are located as near as possible to the entrance or entrances of the facility or use they serve.</p> <p>AO_{14.3} Parking spaces for people with disabilities are designed in accordance with the provisions of Australian Standard <i>AS2890.1 Part 1: Off Street Carparking</i>.</p> <p>AO_{14.4} Pathways and ramps between parking areas and the entrances to buildings are designed in accordance with the provisions of Australian Standard <i>AS1428.1: Design for Access and Mobility</i>.</p> <p>AO_{14.5} Parking spaces for people with disabilities are identified by a sign incorporating the International Symbol specified in Australian Standard <i>AS1428.1: Design for Access and Mobility</i>.</p> <p>AO_{14.6} The sign is readily visible from a vehicle at the entrance to the carpark, or guide signs are provided to indicate the direction of the disabled parking spaces.</p>	<p>Complies – can be conditioned to comply</p>
<p>PO₁₅ Car parking areas for non-residential development on a site in, or adjoining, a residential zone, are designed to minimise any adverse impact on the amenity of premises in the vicinity.</p>	<p>For non-residential development on a site in, or adjoining, a residential zone:</p> <p>AO_{15.1} Car parking and driveway areas are setback a minimum distance of 3m from a side boundary that is common with a residential use in a residential zone.</p> <p>AO_{15.2} Landscape planting is used between the car park and driveway areas and the side boundary to soften</p>	<p>N/A</p>

	<p>the visual impacts of car park areas and to provide shade.</p> <p>AO_{15.3} An acoustic fence of 1.8m height is provided along the property boundary that is common with a residential use in a residential zone.</p>	
PO₁₆ Car parking and associated access arrangements are located and designed to avoid dominating the road frontage of the site or otherwise detracting from streetscape character.	AO_{16.1} Car parking is provided either at the rear of the development or beneath buildings.	Complies
PO₁₇ Above ground or multi-level car parking areas are designed, articulated and finished to make a positive contribution to the local streetscape character.	AO_{17.1} Above ground or multi-level parking areas are designed, articulated and finished to a quality equal to or better than adjoining buildings.	Not Applicable
PO₁₈ Landscaping is provided to soften the visual impact of car parking areas and to provide shading and protection from glare.	<p>AO_{18.1} Aesthetics, glare, heat absorption and re-radiation.</p> <p>(a) Landscaping is provided throughout the car park in the manner and at the rate indicated in the Landscaping Code; and</p> <p>(b) Unless otherwise specified in a zone, precinct or use code, where the car park adjoins a street frontage, or a boundary with a Residential or other sensitive land use, a landscaped strip of minimum 3 m width is provided along the frontage/boundary.</p>	<p>Complies</p> <p>Refer also to Section 5 of this Report.</p>
PO₁₉ Any parking, access and any other vehicle access/manoeuvring areas incorporate design measures to avoid dust nuisance to surrounding properties.	AO_{19.1} Car parking, access and any other vehicle access/manoeuvring areas vehicle manoeuvring areas are imperviously sealed.	<p>Complies</p> <p>Carparking areas are concrete sealed. Refer also to Section 5 of this Report.</p>
PO₂₀ Noise impacts from vehicle movement areas on any adjoining residential or other sensitive land use are mitigated.	AO_{20.1} A solid, good quality brick, timber or masonry fence of a minimum 1.8m height is constructed between	<p>Complies</p> <p>Refer also to Section 5 of this Report.</p>

	any vehicle movement areas and a boundary to an adjoining residential or other sensitive land use.	
<p>PO₂₁ Any part of the parking area designated as a vehicle cleaning or repair area is designed and constructed to avoid adverse impact on water quality or Council's wastewater or stormwater infrastructure.</p>	<p>AO_{21.1} The development is capable of meeting the requirements of Council's <i>Trade Waste Policy</i> and the Trade Waste Environmental Management Plan.</p>	<p>Not Applicable</p>
<p>Servicing</p>		
<p>PO₂₂ Provision is made for the on-site loading, unloading, manoeuvring and access by service vehicles that:</p> <p>(a) is adequate to meet the demands generated by the development;</p> <p>(b) is able to accommodate the design service vehicle requirements; and</p> <p>(c) does not unduly impede vehicular, cyclist and pedestrian safety and convenience within the site.</p>	<p>AO_{22.1} The service bays provided and access to them, can accommodate, at any one time, the types and numbers of service vehicles detailed in Table 9.4.6:3.</p> <p>AO_{22.2} Service bays provided wholly or partly within a building are physically separated from the rest of the buildings floor space in manner that makes it impractical to use them as storage or work areas.</p> <p>AO_{22.3} The design and provision of access driveways, manoeuvring areas and loading and unloading facilities for service vehicles complies with Australian Standard <i>AS 2890.2 – 1989 – Off Street Parking – Commercial Vehicle Facilities</i>.</p> <p>AO_{22.4} Vehicles being loaded or unloaded with goods stand completely on-site and do not impede access to more than 6 parking spaces or 50% of the on-site parking spaces (whichever is the lesser) while doing so.</p> <p>AO_{22.5} Service vehicles can enter and leave the site in a forward gear.</p>	<p>N/A</p>

<p>PO₂₃ Refuse collection vehicles are able to access on-site refuse collection facilities.</p>	<p>AO_{23.1} Where an on-site refuse area is provided, access and manoeuvring areas are designed and provided to enable access by refuse collection vehicle based on the Design Service Vehicle in Austroads/Standards Australia HB72 – Design Vehicles and Turning Path Templates.</p>	<p>N/A</p>
<p>PO₂₄ Servicing arrangements minimise any adverse impact the amenity of premises in the vicinity.</p>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>
<p>PO₂₅ Servicing arrangements are located and designed to avoid dominating the road frontage of the site or otherwise detracting from streetscape character.</p>	<p>AO_{25.1} Areas used for servicing are not located at the front of developments, or are otherwise screened to minimise visual intrusion in the streetscape.</p>	<p>N/A</p>
<p style="background-color: #1a3d54; color: white; text-align: center;"> </p>		

Works and Services Code

Works and Services Code – Requirements for accepted development and assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Utilities		
<p>PO₁ A water supply is provided that is adequate for the current and future needs of the intended use.</p>	<p>AO_{1.1} Where within a water supply area, the development is connected to Council’s reticulated water supply system in accordance with SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure.</p> <p>OR</p> <p>AO_{1.2} Where not in a water supply area, the development is provided with an on site water supply in accordance with SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure.</p> <p>AO_{1.3} Water supply systems and connections are designed and constructed in accordance with SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure.</p>	<p>Complies – can be conditioned to comply. Refer also to Section 5 of this Report.</p>
<p>PO₂ Wastewater treatment and disposal is provided that is appropriate for the level of demand generated, protects public health and avoids environmental harm.</p>	<p>AO_{2.1} 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.</p> <p>OR</p> <p>AO_{2.2} Where not within a wastewater area, on-site waste water treatment and disposal is provided which complies with SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure.</p>	<p>Complies – can be conditioned to comply. Refer also to Section 5 of this Report.</p>

	AO_{2.3} Waste water systems and connections are designed and constructed in accordance with SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure.	
PO₃ The development is equipped with an adequate energy supply approved by and installed in accordance with the standards of the relevant energy regulatory authority.	AO_{3.1} Premises are connected to an electricity supply approved by the relevant energy regulatory authority.	Complies – can be conditioned to comply. Refer also to Section 5 of this Report.
PO₄ Premises are connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	AO_{4.1} The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	Complies – can be conditioned to comply. Refer also to Section 5 of this Report.
PO₅ Provision is made for future telecommunications services (e.g. fibre optic cable).	AO_{5.1} Conduits are provided in accordance with SC6.2 PSP No.2 Engineering Standards – Roads and Drainage Infrastructure. ¹⁵	Complies – can be conditioned to comply. Refer also to Section 5 of this Report.
PO₆ Development near utility services does not: (a) adversely affect the function of the service; or (b) place an additional load on the service; and (c) protects the infrastructure from physical damage; and (d) allows ongoing necessary access for maintenance purposes.	AO_{6.1} Setbacks and loadings comply with <i>the Queensland Development Code QDC MP1.4</i> . ¹⁶	Complies – can be conditioned to comply.
PO₇ Infrastructure is integrated with and efficiently extends existing networks.	No acceptable outcome is nominated.	Complies

¹⁵ Amended on 27 April 2018

¹⁶ Amended on 27 April 2018

<p>PO₈ Water meter/s are installed and located for easy access by the relevant authority.</p>	<p>AO_{8.1} Water meter/s are installed in accordance with SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure.¹⁷</p>	<p>Complies – can be conditioned to comply</p>
<p>Movement Networks</p>		
<p>PO₉ Premises are provided with the following works along the full extent of the road frontage and to a standard that is appropriate to the function of the road and the character of the locality:</p> <ul style="list-style-type: none"> (a) appropriate roadway treatment; (b) appropriate pavement edging (including kerb and channel); (c) safe vehicular access; (d) safe footpaths and bikeways; (e) street scaping or street tree planting; (f) stormwater drainage; and (g) street lighting systems. 	<p>AO_{9.1} Design and construction of external road works are undertaken in accordance with SC6.2 PSP No. 2 Engineering Standards – Roads and Drainage Infrastructure.</p> <p>AO_{9.2} Footpaths and bikeways are provided in accordance with the Austroads Guide to Road Design – Part 6A: Pedestrian and Cyclist Paths (Austroads 2009m).</p>	<p>N/A.</p>
<p>PO₁₀ Provision is made in the road reserve for street scaping, pedestrians and cyclists in a manner consistent with:</p> <ul style="list-style-type: none"> (a) the current and projected level of usage; (b) the desired streetscape character; and (c) activities which are anticipated to occur within the verge. 	<p>AO_{10.1} Street scaping works, footpaths and cycle paths are provided in accordance with Planning Scheme Policy No. 2 Engineering Standards – Roads and Drainage Infrastructure.</p> <p>AO_{10.2} Footpaths and bikeways are provided in accordance with the Austroads Guide to Road Design – Part 6A: Pedestrian and Cyclist Paths (Austroads 2009m).</p>	<p>N/A.</p>
<p>PO₁₁ Parking areas are constructed in a manner that is sufficiently durable for the intended function, maintains all-weather access and</p>	<p>AO_{11.1} Parking area design and construction is undertaken in accordance with the Transport, Access and Parking Code.</p>	<p>Complies</p>

¹⁷ Applicants should also have regard to the metering requirements of other relevant authorities.

ensures the safe passage of vehicles, pedestrians and cyclists.		
PO₁₂ Movement networks can be easily and efficiently maintained.	AO_{12.1} Infrastructure is provided in accordance with SC6.2 PSP No. 2 Engineering Standards – Roads and Drainage Infrastructure.	N/A.
Vehicular Access – Non-residential¹⁰⁸		
<p>PO₁₃ Non-residential vehicular access arrangements to a public roadway, including driveway crossovers:</p> <p>(a) are safe and do not compromise the efficiency, function, convenience of use or capacity of the road network;</p> <p>(b) are located and designed to:</p> <p>(i) avoid damage to utility services, pathways, kerbs, road pavement and seal and other council/public infrastructure;</p> <p>(ii) prevent conflict between vehicles and cyclists and pedestrians; and</p> <p>(iii) avoid damage to existing street trees and retain space for the future planting of street trees within the verge.</p> <p>(c) minimise the number of vehicular access per site to avoid the loss of on-street carparking spaces, and are appropriately separated from other vehicular accesses and side</p>	<p>AO_{13.1} Non-residential vehicular access and driveway crossovers to a public road are not:</p> <p>(a) an additional site/property access;</p> <p>(b) to a State-controlled Road or a road with bluestone kerbing;</p> <p>(c) within 25m of a signalised road intersection;</p> <p>(d) within 20m of an unsignalised road intersection in a Commercial or Industrial Area;</p> <p>(e) within 10m of an unsignalised road intersection in a Community, Residential, Rural or Other Area;</p> <p>(f) for a lot with a frontage of 10m or less;</p> <p>(g) within 1m of any infrastructure, including street signage, power poles, street lights, manholes, stormwater gully pits, or other Council/public utility asset; and</p> <p>(h) within the Tree Protection Zone, as defined by Australian Standard 4970-2009.</p> <p>Note: An additional site access is considered to be more than one site access.</p> <p>AO_{13.2} Non-residential vehicular access and driveway crossovers:</p>	N/A

<p>property boundaries to prevent interference with:</p> <ul style="list-style-type: none"> (i) the safety, capacity and operations of the existing or planned road network; (ii) any existing vehicular accesses; (iii) adjoining properties; and (iv) cycleways or pedestrian footpaths and their users. <p>(d) protect the amenity of premises in the vicinity and surrounding streetscape by:</p> <ul style="list-style-type: none"> (i) use of materials which integrate with the streetscape (e.g. existing crossovers and driveways, etc); (ii) minimising the width and grade of the access; and (iii) minimising impacts on the appearance of the streetscape by retaining existing vegetation, including approved landscaping. 	<ul style="list-style-type: none"> (a) do not require the modification, relocation, or removal of any existing infrastructure (e.g. street trees, fire hydrants, water meters, manholes or stormwater gully pits); (b) do not affect or are not adjacent to a traffic island, speed control device, car parking bay, bus stop, or other structure within the road reserve; (c) do not require removal or modification of any existing kerbing, traffic island, speed control device, car parking bay, loading bay, bus stop, or other structure within the road reserve; (d) do not require any change to existing footpath/verge profiles, including table drains (where relevant); (e) do not have access restricted by an access restriction strip or link reserve; (f) do not access an unformed or unkerbed road; (g) are constructed from reinforced concrete; (h) are perpendicular to the road edge; (i) retain space for the planting of street trees at a minimum rate of one (1) per lot frontage; and (j) are provided in accordance with the Australian Standard AS 2890.1 – Off Street Car Parking and Australian Standard AS 2890.2 (where relevant), the relevant standard drawing in SC6.2 PSP No. 2 Engineering Standards – Roads and Drainage Infrastructure and Australian Standard AS 4970-2009 – Protection of Trees on Development Sites. 	
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Vehicular Access – Residential¹⁰⁹

PO₁₄ Residential vehicular access arrangements, including driveway crossovers:

(a) are appropriate for:

- (i) the capacity of the parking area;**
- (ii) the volume, frequency and type of vehicle useage; and**
- (iii) the function and configuration of the access road.**

(b) minimise any potentially adverse impact on:

- (i) the safety and efficiency of the road and pedestrian/cycle paths;**
- (ii) the safety and efficiency of the road and footpath users;**
- (iii) the integrity of any infrastructure within the road reserve; and**
- (iv) the safety of access to adjacent properties.**

(c) protect the amenity of premises in the vicinity by:

- (i) maintaining the predominant vehicular access pattern in the street, including consistent width, grade and location;**
- (ii) preserving the residential amenity of the streetscape, including noise and visual impact, and consideration**

AO_{14.1} Residential vehicular access and driveway including driveway crossovers:

- (a) an additional site/property access;**
- (b) to a State-controlled Road or a road with bluestone kerbing;**
- (c) within 25 m of a signalised road intersection;**
- (d) within 20m of an unsignalised road intersection in a Commercial or Industrial Area;**
- (e) within 10m of an unsignalised road intersection in a Community, Residential, Rural or Other Area;**
- (f) within 1m of any infrastructure, including street signage, power poles, street lights, manholes, stormwater gully pits, or other Council/public utility asset;**
- (g) within the Tree Protection Zone, as defined by Australian Standard 4970-2009;**
- (h) for a lot with a frontage of 10m or less;**
- (i) greater than 4m in width when for a lot with a frontage/width of more than 10m but less than 20m; and**
- (j) greater than 6m in width when for a lot with a frontage/width of greater than 20m.**

Note: An additional site access is considered to be more than one site access.

AO_{14.2} Except where in a Rural Zone, residential vehicular access and driveway crossovers:

- (a) do not require the modification, relocation, or removal of any existing infrastructure (e.g. street trees, fire**

Complies – can be conditioned to comply.

<p>of existing landscaping by considering:</p> <p>(A) use of materials which integrate with the streetscape (e.g. existing crossovers and driveways, etc);</p> <p>(B) minimising the width and grade of the access;</p> <p>(C) minimising impacts on the appearance of the streetscape by retaining existing vegetation, including approved landscaping; and</p> <p>(D) locating the access to minimise the impact of vehicle noise on neighbouring/adjointing properties.</p>	<p>hydrants, water meters, manholes or stormwater gully pits);</p> <p>(b) do not affect or are not adjacent to a traffic island, speed control device, car parking bay, bus stop, or other structure within the roadway;</p> <p>(c) do not require removal or modification of any existing kerbing, traffic island, speed control device, car parking bay, bus stop, or other structure within the road reserve;</p> <p>(d) do not require any change to existing footpath/verge profiles, including table drains (where relevant);</p> <p>(e) do not have access restricted by an access restriction strip or link reserve; or</p> <p>(f) do not access an unformed or unkerbed road;</p> <p>(g) are constructed from reinforced concrete;</p> <p>(h) are perpendicular to the road edge; and</p> <p>(i) are provided in accordance with the Australian Standard AS 2890.1 – Off Street Car Parking and Australian Standard AS 2890.2 (where relevant), the relevant standard drawing in SC6.2 PSP No. 2 Engineering Standards – Roads and Drainage Infrastructure and Australian Standard AS 4970-2009 – Protection of Trees on Development Sites.</p> <p>AO_{14.3} Where in a Rural Zone, residential vehicular access and driveway crossovers:</p> <p>(a) do not require the modification, relocation, or removal of any existing infrastructure (e.g. street trees, fire</p>	
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	<p>hydrants, water meters, manholes or stormwater gully pits);</p> <ul style="list-style-type: none"> (b) do not affect or are not adjacent to a traffic island, speed control device, car parking bay, bus stop, or other structure within the roadway; (c) do not require removal or modification of any existing kerbing, traffic island, speed control device, car parking bay, loading bay, bus stop, or other structure within the road reserve; (d) do not require any change to existing footpath/verge profiles, including table drains (where relevant); (e) do not have access restricted by an access restriction strip or link reserve; (f) are sealed where accessing a sealed formed road; (g) are perpendicular to the road edge; and (h) are provided in accordance with the relevant standard drawing in SC6.2 PSP No. 2 Engineering Standards – Roads and Drainage Infrastructure. 	
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Earthworks and Retaining Walls¹¹⁰

<p>PO₁₅ Earthworks result in stable landforms and structures.</p>	<p>AO_{15.1} Earthworks and the construction of retaining walls and batters are undertaken in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p>	<p>Complies – can be conditioned to comply. Refer also to Section 5 of this Report.</p>
<p>PO₁₆ Earthworks do not result in the contamination of land or water and avoid risk to people and property.</p>	<p>AO_{16.1} Earthworks are undertaken in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p>	<p>Complies – can be conditioned to comply</p>

<p>PO₁₇ Earthworks are undertaken in a manner that:</p> <ul style="list-style-type: none"> (a) maintains natural landforms; (b) minimises height of retaining walls and batter faces; (c) does not unduly impact on the amenity or privacy for occupants of the site or on adjoining land; and (d) does not unduly impact on the amenity of the streetscape. 	<p>AO_{17.1} Earthworks and the construction of retaining walls and batters are undertaken in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p>	<p>Complies – can be conditioned to comply</p>
<p>PO₁₈ Earthworks do not create or worsen any flooding or drainage problems on the site or on neighbouring properties.</p>	<p>AO_{18.1} Earthworks and the construction of retaining walls and batters are undertaken in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p>	<p>Complies – can be conditioned to comply</p>
<p>PO₁₉ Earthworks do not prevent access or create difficult access to the property.</p>	<p>AO_{19.1} Earthworks and the construction of retaining walls and batters ensure driveways can be provided in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p>	<p>Complies – can be conditioned to comply</p>
<p>PO₂₀ Earthworks do not cause a significant impact on the amenity of the locality or along routes taken to transport material as a result of truck volumes, dust or noise.</p>	<p>AO_{20.1} Earthworks are undertaken in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p>	<p>Complies – can be conditioned to comply</p>
<p>PO₂₁ The transportation of material minimises adverse impact on the road system.</p>	<p>AO_{21.1} Material is transported in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p>	<p>Complies – can be conditioned to comply</p>

Waste Management

PO₂₂ Where relevant, the development is capable of providing for the storage, collection, treatment and disposal of trade waste¹¹¹ such that:

- (a) off-site releases of contaminants do not occur;
- (b) the health and safety of people and the environment are protected; and
- (c) the performance of the wastewater system is not put at risk.

No acceptable outcome is nominated.

N/A

PO₂₃ Appropriate refuse container storage areas are provided which are:

- (a) in a building or enclosing structure or screened from public view;
- (b) of adequate size to accommodate the expected amount of refuse to be generated by the use;
- (c) in a position that is conveniently accessible for collection; and
- (d) able to be kept in a clean state at all times.

AO_{23.1} Container storage areas are provided which:

- (a) are in a building, outbuilding or other enclosed structure, or otherwise screened from public view, by a minimum 1.5 m high solid fence or wall or dense vegetation;
- (b) are provided with an imperviously sealed pad, on which to stand the bin(s), that is drained to an approved waste disposal system;
- (c) are within normal hose length of a hose cock;
- (d) are large enough to accommodate at least one (1) standard sized container per dwelling and, in commercial and industrial premises, one (1) or more industrial bins of a size appropriate to the nature and scale of use; and
- (e) are situated not closer than 6m to a road or 2m to any site boundary.

AO_{23.2} On sites greater than 2,000m² in area, provision is made for refuse collection vehicles to access the collection area and to enter and leave the site in a forward direction

Complies – can be conditioned to comply

	<p>without having to make more than a 3-point turn.¹¹²</p> <p>AO_{23.3} For multiple dwelling and retirement facility, container storage areas are located not more than 50m from any dwelling.</p>	
<p>PO₂₄ Where the use is non-residential and generates recyclable waste, provision is made for conveniently located recycling bins on the premises, including in the container storage area.</p>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>
<p>Construction Management</p>		
<p>PO₂₅ Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.</p>	<p>AO_{25.1} Works include, at a minimum:</p> <ul style="list-style-type: none"> (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; and (d) removal from the site of all declared noxious weeds and environmental weeds. 	<p>Complies – can be conditioned to comply</p>
<p>PO₂₆ Work is undertaken in a manner which does not cause unacceptable impacts on surrounding areas as a result of dust, odour, noise or lighting.</p>	<p>AO_{26.1} Construction is undertaken in accordance with the Environmental Standards Code.</p>	<p>Complies – can be conditioned to comply</p>

<p>PO₂₇ While undertaking development works, the site and adjoining road are maintained in a tidy, safe and hygienic manner.</p>	<p>AO_{27.1} Construction is undertaken in accordance with the Environmental Standards Code.</p>	<p>Complies – can be conditioned to comply</p>
<p>PO₂₈ Traffic, parking and delivery of construction materials generated during construction are managed to minimise impact on the amenity of the surrounding area and to manage the safety of pedestrians, cyclists and motorists.</p>	<p>AO_{28.1} Construction is undertaken in accordance with the Environmental Standards Code.</p>	<p>Complies – can be conditioned to comply</p>
<p>PO₂₉ Council and state infrastructure is not damaged by construction activities.</p>	<p>AO_{29.1} Construction, alterations and any repairs to infrastructure is undertaken in accordance with the SC4.4 PSP No. 4 – Development Near Utility Services.</p> <p>AO_{29.2} Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the <i>Transport Infrastructure Act 1994</i>.</p>	<p>Complies – can be conditioned to comply</p>
<p style="background-color: #2c4e64; color: white; text-align: center;"> </p>		

Airport Environs Overlay Code

Table 8.2.1:1 Airport Environs Overlay Code – assessment benchmarks for assessable development

Performance Outcomes	Acceptable Outcomes	Response
Height of Buildings and Other Structures		
<p>PO₁ The height of buildings or other structures does not affect the operational efficiency of the Toowoomba Airport or Oakey Army Aviation Centre or create a hazard to the safe navigation of aircraft using the airport.</p>	<p>AO_{1.1} Buildings and other structures in areas adjacent to the Toowoomba Airport do not penetrate the Airport Obstacle Limitation Surfaces shown on the Airport environs overlay maps.</p> <p>AO_{1.2} Buildings or other structures (including private forestry plantations) in areas adjacent to the Oakey Army Aviation Centre shown on the Airport environs overlay maps do not exceed the following heights: (a) Area A – 0m; (b) Area B – 7.5m; (c) Area C – 15m; (d) Area D – 45m; and (e) Area F – 90m.</p> <p>AO_{1.3} Any cranes or other equipment used during the construction do not exceed the heights set out in AO_{1.1} or AO_{1.2}.</p>	<p>N/A</p>
Acoustic Amenity³		
<p>PO₂ Development is appropriately located and designed to prevent adverse impacts from aircraft noise in accordance with Australian Standards AS2021- Acoustics - Aircraft Noise Intrusion - Building Siting and Construction.</p>	<p>AO_{2.1} Premises are not developed for: (a) dwelling house, multiple dwelling, dual occupancy, retirement facility, tourist park, hospital, health care services, relocatable home park, community residence, child care centre, educational establishment, residential care facility, resort complex, rooming</p>	<p>Complies</p>

Performance Outcomes	Acceptable Outcomes	Response
	<p>accommodation or rural worker's accommodation on land within the 25 or higher ANEF contour;</p> <p>(b) short term accommodation, community use, hotel, place of worship, rooming accommodation or theatre, on land within the 30 or higher ANEF contour;</p> <p>(c) business activities or commercial uses on land within the 35 or higher ANEF contour.</p>	
<p>PO₃ Development for:</p> <p>(a) caretaker's accommodation, community residence, dwelling house, dwelling unit, multiple dwelling, dual occupancy, child care centre, retirement facility, tourist park, educational establishment, hospital, health care services, rooming accommodation, relocatable home park, residential care facility, resort complex or rural worker's accommodation on land situated between the 20 and 25 ANEF contours;</p> <p>(b) short term accommodation, club, community uses, hotel, place of worship or theatre, on land situated between the 20 and 30 ANEF contours; or</p> <p>(c) business activities or commercial uses on land situated between the 20 and 35 ANEF contours; incorporates effective noise attenuation measures which meet Australian Standard AS2021 - Acoustics - Aircraft Noise Intrusion – Building Siting and Construction and Australian Standard AS2107 – Acoustics – Recommended</p>	<p>No acceptable outcome is nominated.</p>	<p>N/A</p>

Performance Outcomes	Acceptable Outcomes	Response
design sound levels and reverberation times for building interiors.		
Lighting and Emissions Hazards		
<p>PO₄ The development of premises does not cause an obstruction or other potential hazard to aircraft movement associated with the airports by way of:</p> <p>(a) introducing reflective surfaces, very bright lighting, or lighting similar to aerodrome lighting, which can distract or confuse aircraft pilots;</p> <p>(b) interfering with navigation or communication facilities; or</p> <p>(c) emissions that may effect pilot visibility or aircraft operations.</p>	<p>AO_{4.1} Street lighting and outdoor lighting within the airport dangerous light area shown on the Airport Environs Overlay maps does not involve:</p> <p>(a) lighting that shines light above the horizontal;</p> <p>(b) coloured or flashing lights;</p> <p>(c) sodium lights; or</p> <p>(d) flare plumes.</p> <p>AO_{4.2} Street lighting and outdoor lighting within the airport dangerous light area shown on the Airport Environs Overlay maps does not involve configurations of lights in straight parallel lines 500m to 1,000m long.</p> <p>AO_{4.3} Roofs of buildings within the airport dangerous light area shown on Airport Environs Overlay maps are of a non-reflective colour or material.</p>	N/A
<p>PO₅ Development and operational activities do not generate emissions within the airport obstacle limitation surface shown on the Airport environs overlay maps that may affect pilot visibility or aircraft operation by way of:</p>	<p>In partial fulfilment of the performance outcome:</p> <p>AO_{5.1} Any cleared vegetation is mulched or removed from the site and not burnt on-site.</p> <p>AO_{5.2} Any gas plumes do not have peak vertical velocities of more than 4.3m/sec and/or oxygen content of less than 50% of ambient levels.</p>	Complies – can be conditioned to comply

Performance Outcomes	Acceptable Outcomes	Response
<ul style="list-style-type: none"> (a) gas plumes; (b) particulate emissions (e.g. dust or smoke); or (c) electromagnetic field radiations. 		
Development within the Public Safety Area		
<p>PO₆ Development does not introduce or intensify uses within the public safety area shown on the Airport environs overlay maps which are likely to increase risks to public safety.</p>	<p>AO_{6.1} Premises are not developed for:</p> <ul style="list-style-type: none"> (a) accommodation activities; (b) uses that attract large numbers of people (e.g. business, community or industrial activities involving large numbers of workers or customers such as shopping centres, child care centres, health care services, major sport, recreation and entertainment facility, place of worship or club); (c) institutional uses (e.g. educational establishment, hospital or correctional facility); (d) uses involving the manufacture or depot storage of hazardous materials (e.g. fuel, lubricants and other flammable materials, chemical, explosives, and poisonous or noxious gases); and (e) utility installations being transport terminals. 	<p>N/A</p>

Performance Outcomes	Acceptable Outcomes	Response
Potential Wildlife Hazards⁵		
<p>PO₇ The development of premises does not cause an obstruction or other potential hazard to aircraft movement associated with the airport by way of attracting wildlife to the area which could cause or contribute to bird-strike hazard.</p>	<p>AO_{7.1} The following uses are not located within the 3km Wildlife Hazard Buffer Zone shown on the Airport Environs Overlay maps:</p> <ul style="list-style-type: none"> (a) animal keeping (being a bird sanctuary or fauna reserve); (b) aquaculture; (c) cropping (being fruit cropping or turf farming); (d) intensive animal industries (being a piggery or feedlot); (e) special industries (being an abattoir or food processing plant); and (f) commercial fish processing. <p>AO_{7.2} The following uses are located within the 3km bird and bat strike zone shown on the Airport environs overlay maps only where all food/waste holding areas and receptacles are contained and covered:</p> <ul style="list-style-type: none"> (a) animal keeping (being a riding school, the keeping, handling and racing of horses or stables); (b) community use (being show grounds); (c) outdoor sport and recreation (being a drive in theatre); and (d) food and drink outlet (being a drive-through facility). <p>AO_{7.3} The following uses are located between the 3km and 8km Wildlife Hazard Buffer Zones shown on the Airport Environs Overlay maps only where all food/waste holding areas and receptacles are contained and covered:</p>	<p>Complies</p>

Performance Outcomes	Acceptable Outcomes	Response
	<ul style="list-style-type: none"> (a) animal keeping (being a bird sanctuary or fauna reserve); (b) aquaculture; (c) cropping (being fruit cropping or turf farming); (d) intensive animal industries (being a piggery or feedlot); (e) special industries (being an abattoir or food processing plant); and (f) commercial fish processing. <p>AO_{7.4} Utility installations (being waste facilities that involve the disposal of putrescible waste) only establish within the 13km Wildlife Hazard Buffer Zone shown on the Airport Environs Overlay Maps.</p> <p>AO_{7.5} Landscaping does not include species that at maturity would intersect the Airport Obstacle Limitation Surfaces shown on the Airport Environs Overlay maps.</p>	
Transient Aviation Activities		
<p>PO₈ Development does not adversely impact on the operational airspace of the Toowoomba Airport or Oakey Army Aviation Centre.</p>	<p>AO_{8.1} Development that includes activities involving transient intrusions such as parachuting, hot-air ballooning or hang gliding are not located within the operational airspace shown on the Airport environs overlay maps.</p>	<p>N/A</p>