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Town Planning Report

12 CHAMBERLAIN STREET, NORTH TOOWOOMBA QLD 4350

Town Planning Report

12 CHAMBERLAIN STREET, NORTH TOOWOOMBA QLD 4350

- Development Permit for Material Change of Use for Short-Term Accommodation

Assessable Development (Impact Assessment)

Prepared by Oliver O'Callaghan (Graduate Town Planner) and Toby Fiorillo (Graduate Town Planner)

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Prepared for WR Baron Pty Ltd A.C.N. 673 011 704

30 March 2026

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1. EXECUTIVE SUMMARY

Table 1 – Site Details

Applicant:	WR Baron Pty Ltd A.C.N. 673 011 704 C/- Property Projects Australia
Address of Site:	12 Chamberlain Street, North Toowoomba QLD 4350 (“the subject site”) Refer to Figure 1
Property Description:	Lot 13 on RP16519 & Lot 14 on RP16519
Area of Site:	810m ² (0.081 ha)
Land Owner:	WR Baron Pty Ltd A.C.N. 673 011 704 Refer to Appendix A
Regional Plan:	The site is located within the urban footprint of the <i>Southeast Queensland Regional Plan 2023</i> (ShapingSEQ) and Priority Living Area of the <i>Darling Downs Regional Plan</i> . Refer to Appendix A
Planning Scheme:	Toowoomba Regional Planning Scheme 2012 v28 (“the planning scheme”)
Zone and Precinct:	Low Density Residential Zone – General Precinct Refer to Figure 2
Overlays:	<ul style="list-style-type: none"> ■ Airport Environs Overlay <ul style="list-style-type: none"> ○ 8km Wildlife Hazard Buffer Zone ○ Lighting Area Buffer (6km)
Proposal Overview:	This development application seeks a development approval for material change of use for a short-term accommodation use. The applicant intends to let out the entire existing house as an Airbnb (rather than a room-by-room basis). No building or site works are proposed.
Aspects of Development:	<ul style="list-style-type: none"> ■ Development Permit for Material Change of Use for Short-Term Accommodation
Category of Assessment:	<input checked="" type="checkbox"/> Impact Assessment
Public Notification:	The development application is required to be publicly notified for a minimum of fifteen (15) business days
Assessment Manager:	Toowoomba Regional Council

Figure 1 - Context Plan - Aerial



LEGEND: — SUBJECT SITE - 12 CHAMBERLAIN STREET, NORTH TOOWOOMBA (LOT 13 AND 14 ON RP16519)

SCALE: NTS SOURCE: NEARMAP, QLD GLOBE

THE CONTENT OF THIS DOCUMENT INCLUDES THIRD PARTY DATA. PROPERTY PROJECTS AUSTRALIA PTY LTD DOES NOT GUARANTEE THE ACCURACY OF SUCH DATA.



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Figure 2 - Context Plan - Planning Scheme



<p>LEGEND:</p> <ul style="list-style-type: none"> — SUBJECT SITE - 12 CHAMBERLAIN STREET, NORTH TOOWOOMBA (LOT 13 AND 14 ON RP16519) LOCAL ROAD LOW DENSITY RESIDENTIAL ZONE LOW-MEDIUM DENSITY RESIDENTIAL ZONE 	<p>LOW-MEDIUM DENSITY RESIDENTIAL ZONE</p>
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SCALE: NTS SOURCE: NEARMAP, QLD GLOBE, TOOWOOMBA REGIONAL COUNCIL
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2. DEVELOPMENT PROPOSAL

2.1. Overview

The subject site is located at 12 Chamberlain Street, North Toowoomba, formally described as Lot 13 on RP16519 & Lot 14 on RP16519. The site (810m²) has a frontage of approximately 20.60m to Chamberlain Street (a local road on Council's road hierarchy) on the northern boundary.

The subject site currently contains a dwelling house which is oriented north towards Chamberlain Street and has recently undergone renovations for an extension. The remainder of the site includes a detached garage, outdoor domestic amenities and mature landscaping areas.

The proposed development seeks the establishment of a Short-Term Accommodation use that will be let via short-term rental platforms, such as "Airbnb". The premises is intended to be rented on a "whole house" basis (as opposed to individual rooms) for short periods of time. The existing house is suitable as is for the proposed use and will not require building or associated site works.

The following information should be read in conjunction with the Proposal Plans provided at **Appendix B**

2.2. Land Use & Operation

An overview of the proposed development and its intended operation is provided at **Table 2** below.

Table 2 – Land Use & Operation Summary

Aspect	Response
Defined Use:	short-term accommodation– (a) means the use of premises for (i) providing accommodation of less than 3 consecutive months to tourists or travellers; or (ii) a manager's residence, office, or recreation facilities for the exclusive use of guests, if the use is ancillary to the use in subparagraph (b) but does not include a hotel, nature-based tourism, resort complex or tourist park.
Proposed Use:	The proposed development involves the reuse of the existing detached dwelling house as Short-Term Accommodation, to be let on short-term rental platforms, such as "Airbnb".

Aspect	Response
Max. Occupancy:	The proposed development will be rented on a 'whole house' basis. The building comprises of 4 (four) bedrooms which will allow for a maximum of 8 (eight) occupants.
Vehicle Access:	The proposed development retains the existing vehicle access arrangement, being one (1) driveway crossover to Chamberlain Street.
Bike & Car Parking:	The proposed development retains the existing one (1) car park garage, plus parking for at least two (2) vehicles in the driveway.
Waste Storage / Collection:	The proposed development retains the existing refuse collection arrangement which is via Councils' standard kerbside refuse collection service.

3. ASSESSMENT BENCHMARKS

3.1. Compliance with Assessment Benchmarks

The development application involves assessable development subject to impact assessment and, therefore, in accordance with Section 45 of the *Planning Act 2016*, the assessment of the development application must be carried out against:-

- the assessment benchmarks included in a categorising instrument;
- the matters prescribed at Part 4, Division 4 of the *Planning Regulation 2017*;
- as required, any other relevant matter.

3.1.1. State Planning Framework

A response to the State Government legislative framework is provided at **Appendix D** The response demonstrates that the development application complies with all of the applicable assessment benchmarks.

3.1.2. Local Planning Framework

A response to the Local Government planning scheme is provided at **Appendix E** The response demonstrates that the development application complies with all of the applicable assessment benchmarks.

4. KEY PLANNING MATTERS

The following section provides further discussion regarding key aspects of the proposed development and clearly demonstrates that the proposed development is, on balance, an appropriate development outcome.

4.1. Suitability of the Proposed Land Use

The development involves establishing a Short-Term Accommodation use on the subject site which is located within the Low-Density Residential Zone. The suitability of the proposed Land use is demonstrated through the consideration of the characteristics of the site, the proposed development, the locality, the planning scheme provisions and other relevant matters.

Whilst the proposed land use (Short-Term Accommodation) is not specifically contemplated for land within the zone, the proposal is of a nature which is compatible with existing surrounding uses and will be managed to ensure that no adverse impacts are caused. Key assessment considerations, having regard to the suitability of the proposed use in the proposed location, are outlined below.

4.1.1. Occupancy rate

The house will be rented out as a whole house only, to one booking at a time, and no increase to the existing number of bedrooms is proposed. Therefore, the proposal is not likely to increase the occupancy rate of the house.

The only change will be the frequency with which occupancy of the property changes. This arrangement ensures that the occupancy rate aligns with that of a standard dwelling house, which is consistent with the neighbourhood character and the designation within the Low-Density Residential Zone.

4.1.2. Acoustic Amenity

Where the proposal involves the use of the existing house for short-term rentals, there is a possibility of increased noise generation from occupants. The proposal is, however, unlikely to result in inappropriate noise impacts.

An Acoustic Complaints Plan (refer to **Appendix C**) has been proposed, as a strategy to ensure that appropriate actions are undertaken, in the unlikely event that adverse acoustic impacts are caused.

4.2. Consistency With Current Planning Practice

It is noted that there is a precedent of the establishment of short-term rental within existing dwelling houses within the Low Density Residential Zone, with more recent associated approvals including the requirement for an acoustic complaints management plan. The following examples, which are highly similar in nature to the proposed development from a town planning perspective, are noted:

- MCUI/2024/5470 – 3 Sinclair Street, East Toowoomba
 - Site located within the Low Density Residential Zone
 - Condition of approval requires letting to only one (1) group/entity at a time
 - Occupancy by up to six (6) adults (Note: Three (3) bedrooms in dwelling)
 - Inclusion of acoustic complaints management procedure in approval

- MCUI/2024/499 – 95 Mackenzie Street, East Toowoomba
 - Site located within the Low Density Residential Zone
 - Condition of approval requires letting to only one (1) group/entity at a time
 - Occupancy by up to eight (8) adults (Note: four (4) bedrooms in dwelling)
 - Inclusion of acoustic complaints management procedure in approval

- MCUI/2023/956- 28 French Street, East Toowoomba
 - Site located within the Low Density Residential Zone
 - Condition of approval requires letting to only one (1) group/entity at a time
 - Maximum occupancy of six (6) people (Note: Three (3) bedrooms in dwelling)
 - Inclusion of acoustic complaints management procedure in approval

- MCUI/2020/1230 - 3 Bridge Street, East Toowoomba
 - Site located within Low Density Residential Zone
 - Condition of approval requires letting to only one (1) group/entity at a time
 - Maximum occupancy of eight (8) people (note: four (4) bedrooms in dwelling)
 - Inclusion of acoustic complaints management procedure in approval

4.3. Conditions of Approval

Having regard to the conditions of approval which have been applied for previous similar applications, the following considerations are noted:

- Occupancy - It is appropriate to condition the development such that
 - *The premises must only be let to one (1) associate group or entity at a time;*
 - *Rooms cannot be let individually; and*
 - *The premises must not accommodate more than eight (8) persons*

It is noted that the proposed limit on occupancy equates to two (2) persons per bedroom and is consistent with previous decisions made by Council.

- Car Parking - It is appropriate that the approval be structured such that at least two (2) car parking spaces must be provided. This is consistent with previous approvals.
- Noise Complaints Management Procedure - It is appropriate that the Acoustic Complaints Plan provided at **Appendix C** be included in the approval package, as a means of ensuring the development is managed in a way that ensures no inappropriate noise impacts.
- Fencing - Previously, conditions of approval have been applied by Council (although not consistently) requiring the provision of a 1.8m high fence to site boundaries. The subject site does not contain fences to this height. However, all fencing is in good

condition including the northern frontage which features a new timber picket fence. Additionally, the following points are noted:

- Eastern boundary - A solid timber fence is provided along the eastern boundary with the dwelling situated in the middle lot, this allows for a buffer between the eastern neighbours and the house. The southeastern corner of the lot also has a two (2) car garage which provides additional acoustic protection.
- Southern boundary - solid ~1.8m high timber fencing is also provided on the southern boundary with a significant 12.0m buffer provided from the dwelling to the boundary, providing additional noise protection for the southern neighbours.
- Western boundary - split pole timber fencing is provided on along the northernmost section of the western boundary with significant landscaping also providing privacy. The southernmost section of the western boundary benefits from an exposed brick retaining wall, being the western neighbours' shed.
- Northern Boundary - The northern boundary features a new timber fence (approximately 1.5m high) which provides for sufficient separation between the house and the street.

In summary, the existing fencing is suitable and no new or altered fencing is warranted having regard to the nature of the use.

5. CONCLUSIONS AND RECOMMENDATION

This town planning report has been prepared by *Property Projects Australia Pty Ltd* on behalf of WR Baron Pty Ltd A.C.N. 673 011 704 ("the applicant") in support of a development application lodged over land located at 12 Chamberlain Street, North Toowoomba QLD 4350 being more formally described as Lot 13 on RP16519 & Lot 14 on RP16519.

Specifically, this development application seeks a development approval for the following aspect:-

- Development Permit for Material Change of Use for Short-Term Accommodation

As the development application is subject to impact assessment, a broad discretion is applied to the assessment of this development application. In applying this discretion, it is submitted that the development application is, on balance, in the public interest and a logical land use planning outcome which, having regard to fundamental planning principles, will advance the purpose of the *Planning Act 2016*.

The proposed development is recommended for approval, subject to reasonable and relevant conditions.

APPENDIX A

Application Documentation and Searches

Prepared by:

Property Projects Australia Pty Ltd

APPENDIX B

Proposal Plans

Prepared by:

Property Projects Australia and Real Way Property

APPENDIX C

Acoustic Complaints Plan

Prepared by:

Property Projects Australia Pty Ltd

APPENDIX D

State Planning Assessment

Prepared by:

Property Projects Australia Pty Ltd

Table 3 - Response to State Assessment Benchmarks / Matters

Matter / Benchmark	Response
Prohibited Development:	The development is not prohibited development, as established giving consideration to all relevant instruments which can provide prohibitions under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i> . Therefore, the applicant has the right to make a development application under Section 50 of the <i>Planning Act 2016</i> .
Schedule 9 & 10 of the <i>Planning Regulation 2017</i>:	Based on a review of Schedule 9 and 10 of the <i>Planning Regulation 2017</i> , the development application is not required to be referred to a referral agency.
Regional Plan:	<p>The subject site is located within the Urban Footprint of the <i>South East Queensland Regional Plan 2023 (ShapingSEQ)</i> and Priority Living Area of the <i>Darling Downs Regional Plan</i>.</p> <p>The <i>South East Queensland Regional Plan 2023</i> and <i>Darling Downs Regional Plan</i> are not appropriately integrated into the Planning Scheme. However, the proposal involves the establishment of Short Term Accommodation which is consistent with the designations of the <i>Urban Footprint and Priority Living Area</i> being an urban use in an urban area.</p>
State Planning Policy ("SPP"):	<p>The subject site is mapped as being affected by the following interests under the SPP:</p> <ul style="list-style-type: none"> ■ Natural Hazards Risk and Resilience <ul style="list-style-type: none"> ○ Flood Hazard Area - Local Government Flood Mapping Area <p>As identified at Section 2.1 of the planning scheme, the interests under the SPP are not appropriately integrated into the planning scheme and, therefore, a detailed assessment is provided below:-</p> <ul style="list-style-type: none"> ■ <u>Natural Hazards Risk and Resilience</u> - The site is mapped as containing a flood Hazard Area (Local Government Flood Mapping Area). Toowoomba Regional Council has prepared flood risk mapping addressing the subject site, and the subject site is not mapped as being affected by flooding.
Temporary State Planning Policy:	The development application is not currently affected by a <i>Temporary State Planning Policy</i> .
The Designation for a Designated Premises:	The premises are not the subject of a designation.

Matter / Benchmark	Response
Lawful Use of Premises or Adjacent Premises:	The proposal will not impact on the lawful use of adjoining premises or the subject site.
Common Material:	<p>With respect to the definition of common material provided in the <i>Planning Regulation 2017</i>, the material provided as part of this development application is considered to be sufficient to allow the assessment manager to assess and decide the development application.</p> <p>The development application involves assessable development subject to impact assessment and, therefore, a properly made submission may be made to the assessment manager during the public notification period. Any submissions will be considered at the end of the public notification period.</p> <p>We note that no infrastructure agreement applies to the premises.</p>

APPENDIX E

Local Planning Assessment

Prepared by:

Property Projects Australia Pty Ltd

Table 4 - Category of Assessment

Aspect of Development	Category of Assessment	Assessment Benchmark
Low Density Residential Zone		
Material Change of Use - Short-Term Accommodation	Table 5.5.1 - Assessable Development (Impact Assessment) where Any other use not listed in this table.	The Planning Scheme
Overlays		
Airport Environs Overlay <ul style="list-style-type: none"> o 8km Wildlife Hazard Buffer Zone o Lighting Area Buffer (6km) 	Table 5.10.1 No Change	Airport Environs Overlay Code

Table 5 - Response to Local Assessment Benchmarks / Matters

Assessment Benchmark	Response
Zone Code	
Low Density Residential Zone Code	An assessment against the Low Density Residential Zone Code has been undertaken at Appendix F The assessment demonstrates that the proposed development complies with the relevant acceptable outcomes and performance outcomes.
Overlay Code	
Airport Environs Overlay Code	The proposed development involves the reuse of an existing dwelling house for Short-Term Accommodation. The activity has no potential to adversely impact on airport operations, or to be inappropriately impact by airport operations. Standard condition/s of approval can be applied to ensure compliance with this assessment benchmark.
Development Code	
Medium Density Residential Code	A detailed assessment demonstrating compliance with the applicable performance

Assessment Benchmark	Response
	<p>outcomes of the Medium Density Residential Code has been provided at Appendix F.</p>
<p>Environmental Standards Code</p>	<p>The proposal does not involve any building or site works and is limited to a change in use for the existing dwelling. There is no potential for adverse dust, vibration, lighting, or odour emissions.</p> <p>A discussion regarding the potential for adverse noise impacts and outlining the proposed mitigation measures has been provided at section 4.1.2.</p> <p>Appropriate conditions of approval can be applied to ensure compliance with this assessment benchmark.</p>
<p>Integrated Water Cycle Management Code</p>	<p>The proposal is limited to a change in use of the existing building, and no site works are proposed.</p> <p>The proposal is consistent with the purpose and overall outcomes of the code where it will not create any adverse impact on natural land forms, wetlands, water courses or riparian zones, impact ground water, impact on stormwater and water infrastructure, or affect flood waters. The proposal does not have the potential to create inefficient use of water resources.</p> <p>No detailed assessment against this assessment benchmark is warranted in this instance.</p>
<p>Landscaping Code</p>	<p>The subject site is currently landscaped in a manner suitable to a dwelling house in a residential area, and it is proposed that this landscaping will be retained.</p> <p>No additional or altered landscaping treatments are required for amenity. The existing landscaping arrangement complies with the purpose and overall outcomes of the</p>

Assessment Benchmark	Response
	<p>Landscaping Code and no detailed assessment is warranted in this instance.</p>
<p>Transport, Access and Parking Code</p>	<p>It is proposed that the existing car parking, site access, and servicing arrangement will be retained. Where the subject site is currently utilised for a dwelling house, and the proposal involves the house being rented out as a full house, no change to demand for car parking, access, and servicing will be created.</p> <p>The proposal will retain the existing car parking arrangement, which includes three (3) car parks, and which meets the acceptable outcome under the Transport Access and Parking Code.</p> <p>The existing crossover servicing the subject site will continue to be utilised.</p> <p>For servicing, the acceptable outcome anticipates servicing by an SRV. Where the proposal will be utilised or an Airbnb, there is no demand created for site servicing by an SRV.</p>
<p>Works and Services Code</p>	<p>The proposal does not involve any site works, and all existing connections to infrastructure (including water supply, sewer, electricity, and telecommunications) will be retained.</p> <p>The subject site will continue to be serviced by Council's standard kerbside collection service and utilise the existing bin storage location. The continuation of this arrangement is appropriate where the proposed change in use will not increase occupancy rates, and therefore waste generation rates, for the subject site.</p> <p>The proposal is consistent with this assessment benchmark and standard</p>

Assessment Benchmark	Response
	conditions of approval can be applied to ensure compliance.
Local Government Infrastructure Plan	
<p>The subject site is located within the Priority Infrastructure Area of the Local Government Infrastructure Plan (LGIP). The subject site is serviced by all networks and the proposal does not conflict with any proposed works. The proposal is consistent with the LGIP.</p>	

APPENDIX F

Code Response Tables

Prepared by:

Property Projects Australia Pty Ltd

6.2.1 Low Density Residential Zone Code

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		
Not Applicable The proposed development does not involve Caretaker's Accommodation.		
DWELLING UNIT		
Not Applicable The proposed development does not involve Dwelling Units		
NON-RESIDENTIAL USES AND BUILDING WORK - SCALE OF USE WHERE INVOLVING THE REUSE OF AN EXISTING BUILDING		
Not Applicable The proposed development does not involve Non-residential Uses and/or Building Work.		
NON-RESIDENTIAL USES AND BUILDING WORK - NOISE AMENITY		
Not Applicable The proposed development does not involve Non-residential Uses and/or Building Work.		
NON-RESIDENTIAL USES AND BUILDING WORK - PRIVACY AND SCREENING		
Not Applicable The proposed development does not involve Non-residential Uses and/or Building Work.		
NON-RESIDENTIAL USES AND BUILDING WORK - OUTDOOR LIGHTING		
Not Applicable The proposed development does not involve Non-residential Uses and/or Building Work.		
UTILITIES AND STORMWATER		
P07	A07.1	Complies (A07.1)

<p>A water supply is provided that is adequate for the current and future needs of the intended use</p>	<p>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>The proposed development involves the reuse of the existing dwelling for Short-Term Accommodation with the house to be let out as whole (rather than room by room), therefore, no changes to the existing water connection is proposed.</p>
<p>P08 Wastewater treatment and disposal is provided that is appropriate for the level of demand generated, protects public health and avoids environmental harm</p>	<p>A08.1 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 (A08.1) The proposed development involves the reuse of the existing dwelling for Short-Term Accommodation with the house to be let out as whole (rather than room by room), therefore, no changes to the existing waste water connection is proposed.</p>
<p>P09 The development is equipped with an adequate energy supply approved by and installed in accordance with the standards of the relevant energy regulatory authority</p>	<p>A09.1 Premises are connected to an electricity supply approved by the relevant energy regulatory authority.</p>	<p>Complies (A09.1) The proposed development involves the reuse of the existing dwelling for Short-Term Accommodation with the house to be let out as whole (rather than room by room), therefore, no change to the existing electricity supply is proposed.</p>
<p>P010 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>A010.1 Roof water and impervious surfaces water runoff is collected and discharged in accordance with SC6.2 PSP No. 2 - Engineering Standards - Roads and Drainage Infrastructure.</p>	<p>Complies (A010.1) The proposed development involves the reuse of the existing dwelling for Short-Term Accommodation with the house to be let out as whole (rather than room by room), therefore, no changes to the collection of surfaces water runoff is proposed.</p>
<p>WASTE MANAGEMENT</p>		

<p>P011</p> <p>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 discharges to an approved collection point</p>	<p>A011.1</p> <p>Refuse container storage areas are provided that:</p> <p>(a) are located behind the building line and screened from public view:</p> <ul style="list-style-type: none"> i. in a building, outbuilding or other enclosed structure; ii. screened by a minimum 1.5 m high solid fence or wall that is surrounded by minimum 1m wide landscaping (excluding container storage access point) 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 (A011.1)</p> <p>The proposed development involves the reuse of the existing dwelling for Short-Term Accommodation with the house to be let out as whole (rather than room by room), therefore, no changes to refuse storage areas are proposed.</p>
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NON-RESIDENTIAL USES AND BUILDING WORK – ACCESS, ON-SITE CAR PARKING AND MANOEUVRING
Not Applicable The proposed development does not involve Non-residential Uses and/or Building Work.
NON-RESIDENTIAL USES AND BUILDING WORK – LANDSCAPING
Not Applicable The proposed development does not involve Non-residential Uses and/or Building Work.

6.2.1:2 – Low Density Residential Zone Code – Requirements for Accepted Development Assessment Benchmarks For Assessable Development Where Not Involving Building Works (Not Associated With A Material Change Of Use)

Performance Outcomes	Acceptable Outcomes	Response
NON-RESIDENTIAL USES - HOURS OF OPERATION		
P01 Hours of operation are controlled so that the non-residential use does not impact on the amenity or privacy of adjoining residential uses.	A01.1 Hours of operation, including for deliveries, are limited to hours between 6:00 am to 9:00 pm	Complies (A01.1) The proposed development involves the reuse of the existing dwelling for Short-Term Accommodation. As such, the 'hours of operation' component is not applicable to the proposed use.
NON-RESIDENTIAL USES – IMPACT ON ROAD NETWORK		
P02 Non-residential uses are located on major roads and do not introduce non-residential traffic into local streets.	A02.1 Non-residential uses: a. have frontage and vehicle access to a Regional Arterial, Sub-Arterial or Distributor Road; and	Complies (P02) The subject site has frontage to Chamberlain Street which is identified as a Local Road on Council's road hierarchy. Taking into consideration the proposed use and anticipated occupancy rates, it is suggested

	b. vehicle access to the development does not occur from a local street.	that vehicle access to a local street is appropriate and ensures a negligible impact on existing traffic dynamics. No changes to the existing access arrangement are warranted.
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6.2.1:3 - Low Density Residential Zone Code - Assessment Benchmarks For Assessable Development

Performance Outcomes	Acceptable Outcomes	Response
<p>P01</p> <p>The zone accommodates predominantly dwelling houses and other housing forms at a low density scale and intensity</p>	<p>A01.1</p> <p>Uses which are consistent with the intent of the zone include:</p> <p>(a) dwelling house; and</p> <p>(b) dual occupancy, except where located in the Clifford Park Stables and Park Residential Precincts</p>	<p>Complies (A01.1)</p> <p>The proposed development involves the adaptive reuse of the dwelling house from Residential Dwelling to Short-Term Accommodation. As no building or landscaping works are proposed, the development retains the low density scale and intensity in line with its residential surroundings.</p>
<p>P02</p> <p>The density of accommodation activities in the Clifford Park Stables Precinct is not increased, other than where directly associated with the management of stables on the same site.</p>	<p>A02.1</p> <p>No acceptable outcome is nominated</p>	<p>Not Applicable (P02)</p> <p>The subject site is not located within the Clifford Park Stables Precinct.</p>
<p>P03</p> <p>Short-term accommodation occurs where:</p>	<p>A03.1</p> <p>No acceptable outcome is nominated</p>	<p>Complies (P03)</p>

- (a) it is of a small scale that is consistent with the intensity of development in the surrounding residential area;
- (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;
- (c) all car parking needs can be met on site;
- (d) have direct vehicle access to a distributor, sub-arterial and regional arterial level road that is not a Statecontrolled road; and
- (e) do not unduly detract from the amenity of nearby residences.

a) The proposed development retains the existing residential dwelling on the site and does not propose any additional works. Therefore, the small-scale intensity is retained, in line with surrounding residential areas.

(b) the proposed use will utilise the existing dwelling and be let out on a 'whole house' basis. As such, it will remain consistent with the existing residential dwellings within the area. Further, it is located in close proximity to existing short-term accommodation facilities.

(c) The proposed development retains the existing parking configuration with two (2) under-cover parking spaces in the garage plus at least two (2) parking spaces in the driveway.

(d) The proposed development retains the existing vehicle access arrangement which involves one (1) crossover to Chamberlain Street. Due to the nature of the development and the controlled occupancy rates, it is deemed appropriate for the proposed use.

		(e) The proposed development will retain the existing intensity of occupancy and build, which will remain in line with the existing amenity of nearby residences.
P04 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.	A04.1 The number of dwellings on the site does not exceed one per 500m ² .	Not Applicable (P04) The proposed development does not involve higher density forms of accommodation.
	A04.2 The site has a minimum frontage of 12m	
NON-RESIDENTIAL DEVELOPMENT		
P05 Non-residential uses establish only where they: (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;	A05.1 No acceptable outcome is nominated	Complies (P05) a. Due to the short-term accommodation use of the proposed development this outcome is not considered applicable b. The proposed use is in line with the immediate surrounding residential context. c. The proposed development does not contribute to strip development. d. The development is of a small scale and intensity e. The proposed use will introduce traffic from occupants only, which

<p>(e) are highly accessible to the immediate local community it serves and have direct vehicle access to a distributor, sub-arterial and regional arterial;</p> <p>(f) do not introduce non-local traffic into a local street;</p> <p>(g) 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>(h) do not adversely impact the amenity, safety or privacy of nearby residences.</p>		<p>will remain at the existing level of the current residential use</p> <p>f. The existing residential dwelling on site is retained and is compatible with the surrounding residential area.</p> <p>g. The development will not adversely impact the amenity safety or privacy of nearby residents</p>
BUILT FORM		
<p>P06</p> <p>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>A06.1</p> <p>Buildings have a maximum height of two (2) storeys or 8.5m above ground level.</p>	<p>Complies (A06.1)</p> <p>The existing dwelling does not exceed 8.5m above ground and is only one (1) storey.</p>
<p>P07</p> <p>Except for Dwelling Houses and Dual Occupancies site coverage:</p> <p>(a) maximizes setbacks;</p> <p>(b) maximizes landscaping;</p>	<p>A07.1</p> <p>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 (A07.1)</p> <p>The proposed development retains the existing dwelling on the site and does not exceed the site cover limits listed.</p>

<p>(c) ensures adequate useable outdoor areas;</p> <p>(d) ensures adequate space for vehicle movement and parking areas;</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>P08</p> <p>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>A08.1</p> <p>Impervious areas of the site do not exceed 60% of the site area</p>	<p>Complies (A08.1)</p> <p>The proposed development does not introduce any additional impervious area than what is on the site currently.</p>
<p>P09</p>	<p>A09.1</p> <p>Where the site has frontage to a collector or local road, buildings are set back from that frontage:</p>	<p>Complies (P09)</p>

<p>The front building setback is consistent with the prevailing front setbacks in the street.</p>	<p>(a) within 20% of the average front setback of adjoining buildings; or (b) where there are no adjoining buildings, 4m.</p> <p>A09.2 Where the site has frontage to a road other than a collector or local road: (a) residential buildings are set back from that frontage in accordance with the requirements of the Queensland Development Code. (b) non-residential buildings are set back from that frontage 6m.</p> <p>A09.3 Where involving non-residential use, buildings are set back a minimum 6m from the road frontage.</p>	<p>The proposed development retains the existing dwelling on the site and does not propose any changes the setbacks.</p>
<p>P010 Side and rear building setbacks: (a) enhance the appearance and character of streets and buildings; (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>A010.1 Buildings are set back from a side boundary: (a) Ground Floor (up to 3.5m high) - 1.5m; and (b) First floor (up to 7.5m high) - 2m; (c) Above 7.5m - 3m; or (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</p>	<p>Complies (P010) The proposed development retains the existing dwelling on the site and does not propose any changes to setbacks.</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 nonresidential premises; and</p> <p>(f) maximise opportunities for landscaping.</p>	<p>site, the setback is measured from the base or top of the retaining wall</p>	
	<p>A010.2</p> <p>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>A010.3</p> <p>Buildings are set back a minimum of 2.5m from a side boundary.</p>	
	<p>A010.4</p> <p>Buildings are set back from a rear boundary whichever is the greater -</p> <p>(a) a minimum of 3m; or.</p> <p>(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</p>	
<p>P011</p> <p>The development is designed to a high aesthetic standard and to integrate with</p>	<p>In partial compliance with the performance outcome:</p> <p>A011.1</p>	<p>Complies (P011)</p> <p>The proposed development retains the existing dwelling on the site and does not involve any building or landscaping works.</p>

<p>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; (j) scale and bulk; and (k) provision of services 	<p>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>P012 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> <ul style="list-style-type: none"> (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 ; 	<p>A012.1 No acceptable outcome is nominated</p>	<p>Complies (P012) The proposed development retains the existing dwelling on the site and does not propose any building or landscaping works.</p>

<p>(d) differentiate between private houses and the non-residential use through variation in materials, patterns, textures and/or colours</p>		
<p>P013 Where appropriate, development facilitates active transport and open space connections through the neighbourhood</p>	<p>A013.1 No acceptable outcome is nominated</p>	<p>Complies (P013) The proposed development retains the transport and access connections as no building works are proposed.</p>
<p>P014 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>A014.1 No acceptable outcome is nominated</p>	<p>Complies (P014) The proposed development retains the existing site layout and does not involve any building or landscaping works.</p>

AMENITY AND SAFETY		
<p>P015</p> <p>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>A015.1</p> <p>No acceptable outcome is nominated.</p>	<p>Complies (P015)</p> <p>The proposed development involves the adaptive reuse of a dwelling house into a short-term accommodation dwelling. Residential amenity is retained through the occupancy limits, fencing, and layout of the house. Refer to Section 4.1 of the Town Planning Report for more information.</p>
<p>P016</p> <p>Site layout, building design and landscaping facilitates the security of people and property having regard to:</p> <p>(a) opportunities for casual surveillance of and sightlines to publicly accessible areas such as car parks, pathways, public toilets and communal areas;</p> <p>(b) exterior building design and orientation which promote safety;</p> <p>(c) adequate definition of uses and public and private ownership;</p> <p>(d) adequate lighting;</p> <p>(e) appropriate way-finding mechanisms (e.g. signage);</p> <p>(f) minimisation of entrapment locations; and</p>	<p>A016.1</p> <p>Setbacks are provided from all boundaries in accordance with acceptable outcome A010.2;</p> <p>A016.2</p> <p>The development does not introduce lighting which is inconsistent with a residential area; reduced to less than 3 hours between 9am and 3pm on June 21, or</p> <p>A016.3</p> <p>Sunlight access for the private open space or habitable rooms on adjoining properties or private open spaces on the subject site is not</p> <p>A016.4</p> <p>Where existing overshadowing by building and fences is greater than this, sunlight is not further reduced by 20%</p>	<p>Not Applicable (P016)</p> <p>The proposed development will not introduce any changes to the site layout, building design and landscaping of the existing property.</p>

<p>(g) building entrances, loading and storage areas being well lit and lockable after hours.</p>		
<p>P017 Development is designed to incorporate graffiti-prevention measures</p>	<p>A017.1 Building design and layout incorporates the following features where practical: (a) designs with an absence of 'natural ladders'; (b) minimal unbroken vertical surface areas; and (c) graffiti-deterrent surface treatments.</p>	<p>Not Applicable (P017) The proposed development does not involve any design changes to the existing dwelling.</p>
<p>P018 Development for non-residential uses provides landscaping that: (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: i. the privacy and amenity for adjoining residential uses ii. sight lines and overlooking to public spaces and the street to enable casual surveillance</p>	<p>A018.1 Where not involving reuse of a premises development provides a minimum 3m wide landscaped garden strip along the frontage of the site</p>	<p>Not Applicable (P018) The development does not involve any changes to the existing landscaping on the subject site.</p>

<p>iii. a clearly defined pedestrian entry point for visitors and customers that is separated from the driveway;</p> <p>iv. established trees (including street trees) and other significant existing vegetation.</p>		
<p>P019</p> <p>Development for non-residential uses provide car parking and loading and servicing areas that:</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>A019.1</p> <p>No acceptable outcome is nominated.</p>	<p>Not Applicable (P019)</p> <p>The proposed development does not involve any changes to the car parking arrangement. Due to the nature of the proposed development, loading and service areas are not applicable.</p>
<p>P020</p> <p>Development for a sensitive use on land within 250m of land within the Medium Impact Industry Zone must not result in</p>	<p>A020.1</p> <p>The use is designed to ensure that:</p>	<p>Not Applicable (P020)</p> <p>The proposed development does not involve a sensitive use on land within 250m of a Medium Impact Industry Zone.</p>

<p>that use being exposed to industrial air, noise or odour emissions that impact on human health, amenity and wellbeing</p>	<p>(a) the indoor noise objectives set out in the Environmental Protection (Noise) Policy 2008 are met; and</p> <p>(b) the air quality objectives in the Environmental Protection (Air) Policy 2008, are met</p>	
<p>P021</p> <p>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>A021.1</p> <p>No acceptable outcome is nominated.</p>	<p>Not Applicable (P021)</p> <p>The proposed development is not located on land that is affected by any of the environmental impacts listed.</p>
<p>DEVELOPMENT INVOLVING ANIMAL KEEPING (WHERE FOR STABLES) IN THE CLIFFORD PARK STABLES PRECINCT</p>		
<p>Not Applicable</p> <p>The proposed development does not involve animal keeping and is not located in the Clifford Park Stables Precinct.</p>		
<p>DEVELOPMENT IN THE PARK RESIDENTIAL PRECINCT</p>		
<p>Not Applicable</p> <p>The proposed development is not located in the Park Residential Precinct.</p>		

9.3.7 - Medium Density Residential Code

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>Not Applicable The proposed development does not involve Dual Occupancies.</p>		
WHERE A DWELLING HOUSE ON A HATCHET LOT		
<p>Not Applicable The proposed development does not involve hatchet lots.</p>		

9.3.7:2 - Medium Density Residential Code - Assessment Benchmarks for Assessable Development

Performance Outcomes	Acceptable Outcomes	Response
<p>P01 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>A01.1 The design of the development considers and responds to: (a) Site specific qualities including: 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;</p>	<p>Not Applicable (P01) The proposed development involves the reuse of the existing dwelling on site and does not propose any design changes.</p>

	<ul style="list-style-type: none"> 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 <p>(b) Nearby features including:</p> <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; <p>(c) Local qualities and amenities including:</p> <ul style="list-style-type: none"> i. available public transport; and nearby amenities such as parks, shops. 	
	<p>A01.2 Site design retains all existing street trees.</p>	

<p>P02</p> <p>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>A02.1</p> <p>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>A02.2</p> <p>Batters and earth-retaining structures are constructed in accordance with SC6.2 PSP No. 2 - Engineering Standards - Roads and Drainage Infrastructure</p>	<p>Not Applicable (P02)</p> <p>No earthworks or landscaping works are involved in the proposed development. The existing slope of the site will remain as is.</p>						
<p>P03</p> <p>Development is designed to facilitate the retention of any existing street tree adjacent to the site</p>	<p>A03.1</p> <p>Development does not compromise or require the removal of any street tree.</p>	<p>Not Applicable (P03)</p> <p>No external works are proposed, therefore, not existing street trees will be impacted.</p>						
<p>P04</p> <p>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>A04.1</p> <p>The impervious site cover does not exceed Table 1:</p> <table border="1" data-bbox="813 1082 1406 1385"> <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 more than 50% of the proposed dwellings are 1 storey</td> <td>70%</td> </tr> </tbody> </table>	Table 1		Average building height	Maximum impervious site cover	If more than 50% of the proposed dwellings are 1 storey	70%	<p>Not Applicable (P04)</p> <p>The proposed development does not involve any changes to impervious area or site cover on the subject site.</p>
Table 1								
Average building height	Maximum impervious site cover							
If more than 50% of the proposed dwellings are 1 storey	70%							

<p>If more than 50% of the proposed dwellings are 2 storeys</p>	<p>65%</p>													
<p>If more than 50% of the proposed dwellings are 3 or more storeys</p>	<p>60%</p>													
<p>A04.2 No more than 50% of the front setbacks area is impervious</p>														
<p>A04.3 Site cover does not exceed rates specified in Table 2</p>														
<table border="1"> <thead> <tr> <th colspan="2" data-bbox="808 799 1413 847">Table 2</th> </tr> <tr> <th data-bbox="808 847 1108 895">Dwelling Height</th> <th data-bbox="1108 847 1413 895">Maximum site cover</th> </tr> </thead> <tbody> <tr> <td data-bbox="808 895 1108 1023"> <p>If more than 50% of proposed dwellings are 1 storey</p> </td> <td data-bbox="1108 895 1413 1023"> <p>50%</p> </td> </tr> <tr> <td data-bbox="808 1023 1108 1150"> <p>If more than 50% of proposed dwellings are 2 storeys</p> </td> <td data-bbox="1108 1023 1413 1150"> <p>45%</p> </td> </tr> <tr> <td data-bbox="808 1150 1108 1278"> <p>If more than 50% of proposed dwellings are 3 storeys</p> </td> <td data-bbox="1108 1150 1413 1278"> <p>40%</p> </td> </tr> <tr> <td data-bbox="808 1278 1108 1361"> <p>If more than 50% of proposed dwellings</p> </td> <td data-bbox="1108 1278 1413 1361"> <p>35%</p> </td> </tr> </tbody> </table>			Table 2		Dwelling Height	Maximum site cover	<p>If more than 50% of proposed dwellings are 1 storey</p>	<p>50%</p>	<p>If more than 50% of proposed dwellings are 2 storeys</p>	<p>45%</p>	<p>If more than 50% of proposed dwellings are 3 storeys</p>	<p>40%</p>	<p>If more than 50% of proposed dwellings</p>	<p>35%</p>
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<p>If more than 50% of proposed dwellings</p>	<p>35%</p>													

	are 4 storeys or more			
<p>P05</p> <p>Areas of hardstand required for parking and pathways:</p> <p>(a) are minimised,</p> <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>	<p>A05.1</p> <p>Landscaped areas are provided in accordance with Table 3</p>		<p>Complies (P05)</p> <p>The proposed development does not involve any changes to areas of hardstand on the subject site.</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		

<p>P06</p> <p>The front building setback is consistent with the prevailing front setbacks of other residential buildings in the street.</p>	<p>A06.1</p> <p>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="813 539 1402 1010"> <thead> <tr> <th colspan="2">Table 4</th> </tr> <tr> <th>Building Element</th> <th>Minimum setback</th> </tr> </thead> <tbody> <tr> <td>Solid Building Wall (other than garage)</td> <td>4.0m</td> </tr> <tr> <td>Solid Building Wall (where for a garage)</td> <td>5.5m</td> </tr> <tr> <td>Permeable or non-enclosed elements (e.g. porch, verandah, balcony or carport)</td> <td>3.5m (or 3m where secondary road frontage)</td> </tr> </tbody> </table>	Table 4		Building Element	Minimum setback	Solid Building Wall (other than 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>Not Applicable (P06)</p> <p>The proposed development retains the existing dwelling on the site and does not alter any of the existing setbacks.</p>
Table 4												
Building Element	Minimum setback											
Solid Building Wall (other than 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>P07</p> <p>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>In partial fulfilment of the performance outcome</p> <p>A07.1</p> <p>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>Complies (P07)</p> <p>The proposed development retains the existing dwelling on the site and does not alter any of the existing setbacks.</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>(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>A07.2</p> <p>Buildings are set back from side boundaries in accordance with the following:</p> <p>(a) For lots with frontages less than 20m:</p> <ul style="list-style-type: none"> i. 1.2m for any part of the building up to 3.5m high; and ii. 2m for any part of the building above 3.5m high. <p>(b) For lots with frontages greater than 20m:</p> <ul style="list-style-type: none"> i. 1.8m for any part of the building up to 3.5m high; and ii. 2.4m for any part of the building above 3.5m high. 	
	<p>A07.3</p> <p>Buildings are set back from the rear boundary a minimum of 2m.</p>	
	<p>A07.4</p>	

	<p>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>P08</p> <p>Development provides adequate and suitable communal and private open space to meet the needs of occupants for privacy, relaxation and entertainment and accommodate visitors.</p>	<p>A08.1</p> <p>Development provides communal and private open space in accordance with Table 5.</p> <table border="1" data-bbox="813 663 1402 1182"> <thead> <tr> <th colspan="4">Table 5</th> </tr> <tr> <th>No. of dwellings</th> <th>Min. communal open space per dwelling</th> <th>Min. ground floor private open space per dwelling</th> <th>Min. private open space above ground floor per dwelling</th> </tr> </thead> <tbody> <tr> <td>1-10</td> <td>0m²</td> <td>16m²</td> <td>8m²</td> </tr> <tr> <td>11-15</td> <td>20m²</td> <td>16m²</td> <td>8m²</td> </tr> <tr> <td>16+</td> <td>25m²</td> <td>16m²</td> <td>8m²</td> </tr> </tbody> </table> <p>A08.2</p> <p>Communal and private open space has a minimum dimension in accordance with Table 6.</p> <table border="1" data-bbox="813 1318 1402 1364"> <thead> <tr> <th colspan="4">Table 6</th> </tr> </thead> </table>	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	Table 6				<p>Complies (P08)</p> <p>The proposed development retains the existing amount of private open space on site, which meet the requirements set out in Table 5 and 6.</p>
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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																							
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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
<p>A08.3</p> <p>Private open space is:</p> <p>(a) is oriented to receive at least three hours of sun between 9am and 3pm on 21 June.</p> <p>(b) directly accessible from a living area or kitchen;</p> <p>(c) fenced or landscaped to achieve privacy for occupants;</p> <p>(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</p> <p>(e) not located within the front setback area.</p>		
P09	<p>A09.1</p> <p>Design of the site layout must ensure a B85 vehicle (as defined in AS 2890.1:2004 Parking</p>	Complies (P09)

All car parking is designed to accommodate a standard car (B85 vehicle for occupant car parking and B99 vehicle for visitor car parking) and:

- (a) is clearly identifiable and of adequate dimensions;
- (b) incorporates adequate manoeuvring area to parking spaces (including carports and garages); and
- (c) incorporates a clear, safe and effective circulation system

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.

A09.2

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

A09.3

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	5.4 metres long by 3 metres wide

The proposed development involves the reuse of an existing dwelling house, as such, no changes to the carparking arrangement is proposed. The proposed development retains the existing two (2) car park garage, plus two (2) additional car parking spaces on the driveway.

	clearance between either side of the parking space and the nearest wall.		
	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	
<p>P010</p> <p>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>A010.1</p> <p>Parking is only provided within the front setback area where it is:</p> <p>(a) uncovered and located on a driveway directly in front of a carport or garage; or</p> <p>(b) the front setback is a least 6m, and</p> <p>(c) the car park surface is permeable;</p> <p>(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;</p> <p>(e) the location of the car park does not compromise the ability of the dwelling</p>	<p>Complies (P010)</p> <p>The proposed development involves the reuse of an existing dwelling house, as such, no changes to the carparking arrangement is proposed. The proposed arrangement does not negatively impact the amenity of the site or surrounding residences and retains the level of hardstand areas.</p>	

	<p>to provide casual surveillance of the public realm; and</p> <p>(f) at least 60% of the front setback area is landscaped area</p>	
	<p>A010.2</p> <p>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>A010.3</p> <p>All car parking:</p> <p>(a) is clearly signposted; and</p> <p>(b) is freely available for use by to the applicable occupants and visitors of the development</p>	
<p>P011</p> <p>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>A011.1</p> <p>Vehicular access from the street is provided via a single shared driveway with a maximum crossover width of 5m.</p> <p>A011.2</p>	<p>Complies (P011)</p> <p>The existing pedestrian and vehicle access is retained, which provides for safe and accessible pathway to and from the dwelling for all modes of transport.</p>

	Where the site abuts a lane vehicle access is provided from the lane	
<p>P012</p> <p>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>A012.1</p> <p>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>A012.2</p> <p>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 A013.3; 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>AND</p> <p>A012.3</p> <p>Where screening is used, it:</p> <p>(a) is a solid translucent screen or a louvre perforated panel, trellis or the like that</p>	<p>Complies (P012)</p> <p>The proposed development involves the adaptive reuse of the existing dwelling, and will not alter the built form, fencing and screening, or number of occupants to take residence. Therefore, the privacy of adjoining residential dwellings is retained at the current level which exceeds the levels needed for exceptional personal amenity.</p>

	<p>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>P013</p> <p>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>A013.1</p> <p>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>Not Applicable (P013)</p> <p>The proposed development involves retaining the existing dwelling on site and does not propose any design changes.</p>
<p>P014</p> <p>Noise from the development does not unreasonably impact on existing or likely future dwellings on nearby land.</p>	<p>A014.1</p> <p>For developments of six (6) dwellings or more, vehicle movement areas are located a minimum of 3m from any adjoining dwellings.</p> <p>A014.2</p> <p>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>A014.3</p> <p>Provide acoustic screening in accordance with an acoustic engineer's design where vehicle</p>	<p>Complies (P014)</p> <p>The development involves establishing a Short-Term Accommodation use on the subject site. The house will be rented out as a whole house only and the activity areas of the house Lounge room, outdoor entertainment area, and deck are, appropriately set back and screened from neighbouring residential dwellings.</p> <p>Taking into consideration the controlled occupancy rates and existing site layout, impacts on existing or future dwellings on nearby land is unlikely.</p>

	movement or recreational areas are located closer than 3m to any adjoining dwellings.	
P015 Where communal open space is provided, it: (a) is positioned on site to enjoy a good solar orientation; (b) includes landscaping and screening for privacy to provide amenity; (c) is easily accessible and conveniently located for the use of all occupants; (d) is useable and safe; (e) is designed and located to minimise internal and external impacts on the amenity of residents and neighbouring premises; and (f) contributes positively to the streetscape where located in a frontage area.	A015.1 Communal open space is oriented to receive at least three hours of sun between 9am and 5pm on 21 June.	Not Applicable (P015) The proposed development does not involve any communal open space.
	A015.2 Communal open space provided at the ground level, includes a balance of soft and hard landscape features with: (a) a minimum 50% open to the sky, and (b) a minimum 25% shaded by trees within 5 years.	
	A015.3 The location and design of communal open space ensures that it is: (a) able to be accessed by all residents from a common area within the site; (b) subject to casual surveillance; and (c) separated from private areas of the site.	
	A015.4 Communal open spaces may include indoor recreation facilities.	

<p>P016</p> <p>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>A016.1</p> <p>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>A016.2 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>See Figure 17</p>	<p>Complies (P016)</p> <p>The proposed development will retain the existing bin storage and collection point as used in the residential dwelling setting. The new use will continue to utilise Council's weekly kerb side bin collection.</p>
<p>P017</p>	<p>A017.1</p>	<p>Complies (P017)</p>

<p>Long, unvaried driveways to property boundaries are avoided and do not detract from the local streetscape.</p>	<p>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>A017.2 Driveways that exceed 40 metres in length must incorporate a change of alignment of a minimum of 1m. See Figure 18</p>	<p>The proposed development retains the existing driveway crossover to Chamberlain Street.</p>
<p>P018 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>A018.1 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 	<p>Not Applicable (P018) The proposed development will retain the existing residential dwelling on site and does not involve any design or aesthetic changes.</p>

	<p>for a minimum 50% of the building width at ground level.</p> <p>Note: See Figure 19.</p>	
<p>P019</p> <p>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>In partial fulfilment of the performance outcome</p> <p>A019.1</p> <p>The maximum single wall length of a building is 32m with offsets of 600mm minimum provided every 7.5m;</p> <p>A019.2</p> <p>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> <p>(a) verandahs, porches, pergolas or balconies;</p> <p>(b) roof overhangs;</p> <p>(c) window hoods/screens;</p> <p>(d) awning and shade structures; or</p> <p>(e) 600mm vertical gutter offset to create roof articulation.</p> <p>A019.3</p> <p>Townhouses or attached dwellings have :</p> <p>(a) no more than three (3) dwellings contained within a single building;</p>	<p>Not Applicable (P019)</p> <p>The proposed development will retain the existing residential dwelling on site and does not involve any change to design or amenity features.</p>

	(b) a minimum of 4.5m separation between buildings.	
<p>P020</p> <p>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.</p>	<p>In partial fulfilment of the performance outcome:</p> <p>A020.1</p> <p>Building facades incorporate:</p> <p>(a) external elements and treatments that are of a high quality finish, durable and need minimal maintenance;</p> <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>Not Applicable (P020)</p> <p>The proposed development will retain the existing residential dwelling on site and does not involve any change to facades or themes of the dwelling.</p>
<p>P021</p> <p>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>A021.1</p> <p>Landscape design plans for the subject site are prepared by a Registered Landscape Architect and lodged with the application for development approval.</p> <p>A021.2</p> <p>Existing mature trees:</p> <p>(a) are retained where assessed by a qualified arborist as healthy and sound and not a</p>	<p>Complies (P021)</p> <p>The proposed development does not involve any changes to the landscaping on the subject site.</p>

	<p>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>P022</p> <p>The treatment of fencing and retaining walls in all situations reinforces the high quality, amenity and safety of the development.</p>	<p>A021.3</p> <p>New canopy trees capable of achieving a height of at least five (5) metres and canopy spread of at least six (6) metres at maturity are provided at the following rate: (a)one (1) per site with a frontage of less than 25 metres; and (b)two (2) per site with a frontage of 25m or more.</p> <p>A021.4</p> <p>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>A022.1</p> <p>The maximum total height of a combined fence and retaining wall is 2.1m, as measured from the finished surface level.</p> <p>A022.2</p> <p>Where a combined fence and retaining wall is located on the front boundary, the fence has a minimum transparency of 30% when viewed from</p>	<p>Complies (P022)</p> <p>The existing fencing of the subject site facilitates amenity for the proposed development and will be retained for the site's new use.</p> <p>Refer to Section to Section 4.3 of the Town Planning Report prepared by Property Projects Australia</p>

	<p>in front of the fence (at 90 degree angle to the fence).</p> <p>A022.3 Retaining walls and fences are constructed of high quality materials and contribute to residential amenity.</p> <p>A022.4 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>P023 Front fencing contributes to privacy, screening, security, and street character while maintaining a visual relationship between dwellings and public spaces.</p>	<p>A023.1 Fences located on a front property boundary or a common boundary with an adjacent park or within the front setback area: (a) have a maximum height of 1.2 metres; or (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>Not Applicable (P023) The proposed development does not involve any changes to the existing fencing.</p>
<p>P024 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</p>	<p>A024.1 The site: (a) has a natural surface with an elevation that is higher than the abutting road and enables stormwater to drain gravitationally to the abutting road via subsurface pipes; or</p>	<p>Not Applicable (P024) The proposed development does not involve any changes to stormwater discharge from the site.</p>

<p>a lawful point of discharge in land over which Council has tenure or control.</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>P025</p> <p>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>A025.1</p> <p>No acceptable outcome is nominated.</p>	<p>Not Applicable (P025)</p> <p>The proposed development does not involve the use of a Relocatable Home Park or Tourist Park.</p>