



Beaudesert Shire Planning Scheme 2007

Amendment Package No. 8

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Introduction

1.1 Background

On 27 November 2012, Council resolved in accordance with section 117(1) of the *Sustainable Planning Act 2009* and the applicable requirements of the *Statutory Guideline 02/12 – Making and Amending Local Planning Instruments* (the Guideline) to propose a number of amendments to the *Beaudesert Shire Planning Scheme 2007*, which are recognised as Amendment Package No.8.

After responding to state interests and relevant State planning instruments provided by the Department of State Development, Infrastructure and Planning, Council resolved on 26 February 2013 to proceed with the above amendment package and requested the Minister conduct a state interest review of the amendment package pursuant to section 117(1) of the *Sustainable Planning Act 2009*.

On 18 June 2013, Council received correspondence from the Minister advising that the proposed amendment package had progressed through the state interest review process and Council could proceed to public notification, subject to the following condition:

- *Amend proposed 'Item 4: Removal of Planning Scheme Policy 8 (Standard Drawings)' by referring specifically to relevant design standards contained within the planning scheme, a planning scheme policy or as an appendix.*

In order to satisfy the requirements of the condition, Item 4² was removed prior to public consultation and Council will not be seeking the adoption of the item as part of this amendment package.

1.2 Public consultation

The draft amendment package was publicly notified in accordance with Section 117 of the SPA and *Statutory Guideline 02/12 Making and Amending Local Planning Instruments* (statutory guideline) from 3 July 2013 to 14 August 2013 (30 business days).

Council received one (1) submission during the consultation period. The submission was prepared by Urban Planning Services Pty Ltd on behalf of the owner of 1-33 Tamborine Mountain Road, Tamborine (Lot 1 on RP175619). The submission related to changes proposed to planning scheme provisions at Tamborine Village and the effect the draft amendment would have on the development of a shopping centre and the creation of a main street outcome.

1.3 Changes to the amendment package after public consultation

1.3.1 Response to submission

The review of the submission has resulted in a number of minor changes to Item 5 which proposes amendments to implement the outcomes of the Tamborine Village Discussion Paper endorsed by Council on 30 August 2011. The submitter identified a number of changes that would result in an improved main street outcome for the potential development of a small

² Please note that the amendments were re-numbered following the removal of the previous Item 4.

shopping centre at Tamborine Village and changes have been made to the proposed Specific Outcomes and Tamborine Village Land Use Plan accordingly. A key aspect of the submission that was not supported was the increase of the proposed code assessable threshold for a shopping centre at Tamborine Village from 1000m² to 1600m². The increase is not supported because it is considered that a shopping centre at Tamborine Village of such a scale (>1000m²) should be subject to impact assessment, particularly since a key outcome of the community consultation of the Tamborine Village Local Planning Study Discussion paper (2010) was to 'maintain the village atmosphere'.

1.3.2 *New or changed planning circumstances*

There are no known drafting errors, new or changed planning circumstances or information that necessitates changes to the amendment package as publicly notified during July and August 2013. However, a new Community Infrastructure Designation has been made by the Education Minister for the Beaudesert State High School and this designation has been included in Item 12 of the amendment package. It is noted that in accordance with Section 211(2) of the SPA, the notation of a Community Infrastructure Designation in a planning scheme is not an amendment to a planning scheme and therefore is not required to follow the statutory amendment process.

1.3.3 *Changes not significantly different*

The changes to the amendment package outlined above were not considered to be significantly different to the version released for public consultation for the following reasons:

- the changes to Item 5 do not alter the overall policy position for development at Tamborine Village;
- the changes to Item 5 are restricted to planning outcomes for a limited number of lots at Tamborine Village; and
- the changes to Item 5 do not alter the proposed levels of assessment or land use zones.

As such, additional public consultation of the amendment package was not required.

Further, the proposed changes continue to appropriately reflect the relevant State Planning Instruments as nominated by the Minister under Step 2.1 of the amendment process stipulated by the statutory guideline.

At its Ordinary Meeting on 24 September 2013, Council resolved to:

1. endorse the proposed changes to *Beaudesert Shire Planning Scheme 2007 Draft Amendment Package No. 8*; and
2. seek approval from the Minister for State Development, Infrastructure and Planning to adopt the *Beaudesert Shire Planning Scheme 2007 Draft Amendment Package No.8* in accordance with Section 117(1) of the *Sustainable Planning Act 2009* and supporting statutory guideline.

On 20 November 2013, Council received correspondence from the Minister advising that Council could proceed with the adoption of the amendment package. There were no conditions attached to this advice.

1.4 Nature and purpose of proposed amendments

The proposed amendments aim to:

- (1) clarify certain policy to assist in the interpretation and operation of the planning scheme for matters that have been identified through its implementation;
- (2) respond to and incorporate the outcomes of a local planning study undertaken for Tamborine Village;
- (3) achieve compliance with the *Sustainable Planning Regulation 2009* in regard to the level of assessment for Houses in residential precincts;
- (4) include new planning scheme provisions for the assessment of Dual Occupancies;
- (5) update the list of Ministerial designations for community infrastructure; and
- (6) resolve a number of anomalies in the planning scheme.

The type of amendments proposed as part of Amendment Package No. 8 are primarily identified as 'major amendments' in accordance with the Guideline, however, some 'minor amendments', 'administrative amendments', amendments to planning scheme policies and notations reflecting Community Infrastructure Designations are also proposed in this package.

1.5 Structure of amendment package

This report provides:

- (1) a summary of each amendment item stating which parts of the planning scheme are affected;
- (2) an explanation of the background /context and rationale for each amendment item;
- (3) references to parts of the planning scheme affected by amendments, as well as a 'snapshot' of the proposed amendments using tracked changes; and
- (4) representative maps showing details of planning scheme mapping changes to properties affected by proposed amendments.

1.6 Planning scheme version

The proposed items seek to amend the *Beaudesert Shire Planning Scheme 2007* as in force on 23 November 2012.

Item 1: Amendment to the Mt Lindesay Corridor Zone boundary

Summary

Amendment to Zoning Maps 15 and 16 to remove the remaining properties in the Scenic Rim Local Government Area located in the Mt Lindesay Corridor Zone for inclusion within the equivalent precincts of the Rural Zone.

Explanation

Following the amalgamation of parts of the former Beaudesert Shire with the adjacent Logan City, the majority of properties included in the Mt Lindesay Corridor Zone are now located in this local government area. Less than 300 lots included in the Mt Lindesay Corridor Zone remain within the Scenic Rim Local Government Area (refer to Figure 1 below).

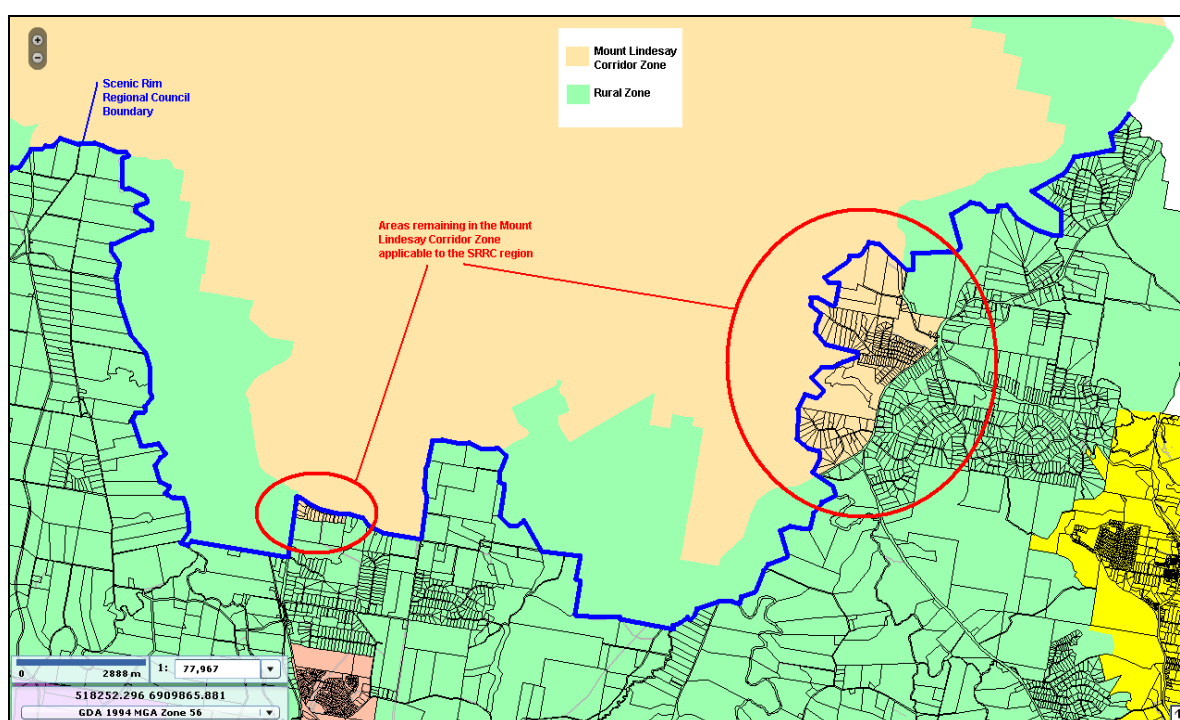


Figure 1: Map showing areas remaining in the Mount Lindesay Corridor Zone that are included in the Scenic Rim Local Government Area post amalgamation.

An amendment is proposed to simplify the planning scheme and improve alignment with applicable planning scheme provisions, by removing these properties from the Mount Lindesay Corridor Zone, and include them in the Rural Zone and equivalent precincts. The table below shows the precincts of the Rural Zone that have been identified as being the equivalent precincts in the Mt Lindesay Corridor Zone:

Current Zone Precinct of Mt Lindesay Corridor Zone for lots affected by proposed amendment		Equivalent Zone Precinct in Rural Zone	
ML-RURRES	Rural Residential	RL-RURRES	Rural Residential
ML-CTYSD	Countryside	RL-CTYSD	Countryside
ML-CONSV	Conservation	RL-CONSV	Conservation
ML-COMFC	Community Facilities	RL-COMFC	Community Facilities
ML-PASRC	Passive Recreation	RL-PASRC	Passive Recreation
ML-MNCON	Minor Convenience	RL-VILLG	Village

As shown in the table above, in most cases, the equivalent precinct and its intent align with the existing precincts. In the absence of a Minor Convenience Precinct in the Rural Zone, the Village Precinct is the most compatible precinct, as both of these precincts envisage small scale retail or commercial activities that service the local community.

The proposed amendment also includes a review of any Mt Lindesay Corridor Zone (ML Zone) provisions that could be carried across to the Rural Zone (RL Zone). The review identified and discounted the following for carrying forward:

- a) provisions that are exactly the same (i.e., provisions in the ML Zone that are already included in the RL Zone);
- b) provisions that relate to ML Zone specific precincts, which are not relevant or applicable to the RL Zone or precincts;
- c) provisions where the intent has been stated in both zones, though expressed in a slightly different way; and
- d) provisions that vary, but are not considered to add value to the assessment of development in the RL Zone.

The ML Zone provisions that have been identified as suitable for carrying forward into the RL Zone are:

- an overall outcome for transport and access (OO46);
- a specific outcome regarding the rehabilitation of degraded land (SO5); and
- parts of specific outcome SO18, items (a) – (h) regarding ecological sustainability.

Text amendments

1. In Chapter 3, Part 3, Table 3.3.10, include a new overall outcome (OO40) for the Rural Zone as shown below and re-number the overall outcomes accordingly:

Transport and Access	
OO38	Development provides for vehicle connectivity and ease of mobility.
OO39	Development minimises conflicts between local and through traffic.
OO40	<u>Development provides adequate parking facilities.</u>

2. In Chapter 3, Part 3, Table 3.3.11, include the new specific outcome (SO6) for the Rural Zone and re-number the specific outcomes accordingly:

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – if Self-assessable Probable Solutions – if Code-assessable
Amenity, Environmental Management and Greenspace	
<u>SO6</u> <u>Development provides that degraded land is rehabilitated and reused in a way that does not compromise the safety of the community or the amenity of the Zone or Precinct.</u>	<u>S6.1</u> <u>No Solution is prescribed.</u>

3. In Chapter 3, Part 3, Table 3.3.11, amend the existing SO19 (new SO20) for the Rural Zone as follows:

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – if Self-assessable Probable Solutions – if Code-assessable
Ecological Sustainability	
<p>SO19<u>SO20</u> Development identifies, protects and enhances Ecologically Significant Areas (<u>including their biodiversity</u>) and other nature conservation values <u>from the adverse impacts of –</u></p> <ul style="list-style-type: none"> <u>(a) land degradation, land contamination or land subsidence; and</u> <u>(b) a worsening or nuisance; and</u> <u>(c) stormwater pollution through the application of water sensitive design principles; and</u> <u>(d) environmental harm, environmental nuisance or a nuisance; and</u> <u>(e) an invasive weed or noxious plant; and</u> <u>(f) a contaminant or a waste; and</u> <u>(a)(g) a hazard or disaster.</u> <p><i>Note: The demonstration of compliance with this Outcome would be assisted by the preparation of an Ecological Assessment Report prepared by a suitably qualified and experienced person. The report is to address the information outlined in Planning Scheme Policy 3 – Ecological Assessment Reporting.</i></p>	<p>S20<u>S20</u>19.1 No Solution is prescribed.</p>

Map amendments

On Zoning Maps 15 and 16, amend the zoning and precincts of land currently within the Mt Lindesay Corridor Zone and within the Scenic Rim Local Government Area boundary to reflect the equivalent precincts of the Rural Zone:

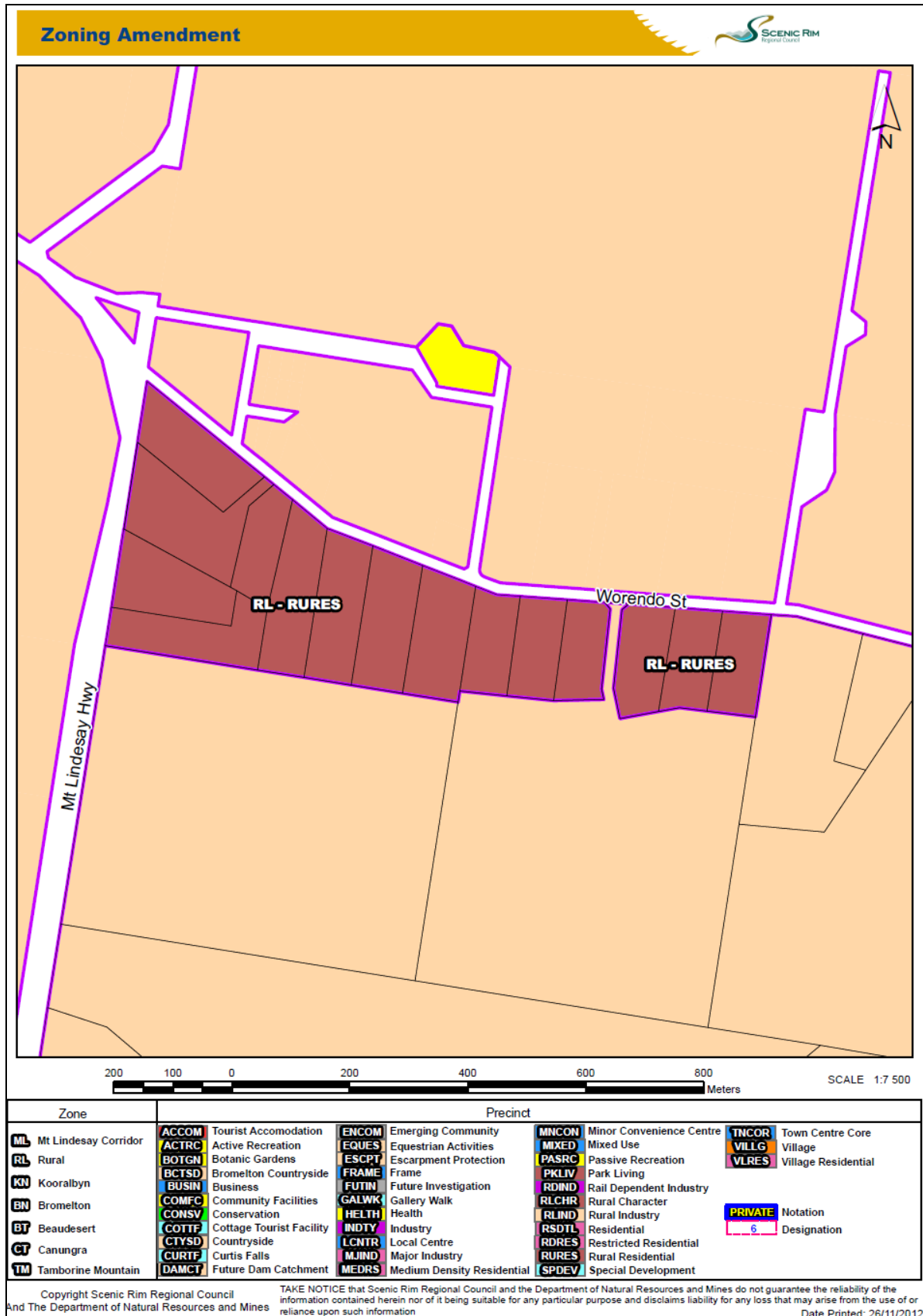
Lot/Plan	Current Precinct	Proposed Precinct	Lot/Plan	Current Precinct	Proposed Precinct
6 RP845117	ML-RURES	RL-RURES	118 SP143698	ML-RURES	RL-RURES
5 RP845117	ML-RURES	RL-RURES	119 SP143698	ML-RURES	RL-RURES
4 RP845117	ML-RURES	RL-RURES	14 SP147926	ML-RURES	RL-RURES
3 RP845117	ML-RURES	RL-RURES	907 SP147926	ML-RURES	RL-RURES
2 RP845117	ML-RURES	RL-RURES	23 SP131082	ML-RURES	RL-RURES
1 RP845117	ML-RURES	RL-RURES	24 SP131082	ML-RURES	RL-RURES
1 RP142169	ML-RURES	RL-RURES	900 SP147502	ML-CONSV	RL-CONSV

Lot/Plan	Current Precinct	Proposed Precinct	Lot/Plan	Current Precinct	Proposed Precinct
1 RP150913	ML-RURES	RL-RURES	901 SP147502	ML-PASRC	RL-PASRC
4 RP151710	ML-RURES	RL-RURES	15 SP147502	ML-RURES	RL-RURES
7 RP837230	ML-RURES	RL-RURES	16 SP147502	ML-RURES	RL-RURES
2 RP163430	ML-RURES	RL-RURES	17 SP147502	ML-RURES	RL-RURES
1 RP163430	ML-RURES	RL-RURES	18 SP147502	ML-RURES	RL-RURES
8 RP837230	ML-RURES	RL-RURES	19 SP147502	ML-RURES	RL-RURES
10 RP172344	ML-RURES	RL-RURES	20 SP147502	ML-RURES	RL-RURES
3 RP151710	ML-RURES	RL-RURES	21 SP147502	ML-RURES	RL-RURES
122 RP151363	ML-RURES	RL-RURES	22 SP147502	ML-RURES	RL-RURES
123 RP151363	ML-RURES	RL-RURES	23 SP147502	ML-RURES	RL-RURES
124 RP151363	ML-RURES	RL-RURES	24 SP147502	ML-RURES	RL-RURES
125 RP151363	ML-RURES	RL-RURES	25 SP147502	ML-RURES	RL-RURES
126 RP151363	ML-RURES	RL-RURES	26 SP147502	ML-RURES	RL-RURES
127 RP151363	ML-RURES	RL-RURES	27 SP147502	ML-RURES	RL-RURES
128 RP151363	ML-RURES	RL-RURES	28 SP147502	ML-RURES	RL-RURES
130 RP151364	ML-RURES	RL-RURES	29 SP147502	ML-RURES	RL-RURES
131 RP151364	ML-RURES	RL-RURES	30 SP147502	ML-RURES	RL-RURES
132 RP151364	ML-RURES	RL-RURES	31 SP147502	ML-RURES	RL-RURES
133 RP151364	ML-RURES	RL-RURES	32 SP147502	ML-RURES	RL-RURES
134 RP151364	ML-RURES	RL-RURES	33 SP147502	ML-RURES	RL-RURES
121 RP151363	ML-RURES	RL-RURES	34 SP147502	ML-RURES	RL-RURES
120 RP151363	ML-RURES	RL-RURES	35 SP147502	ML-RURES	RL-RURES
119 RP151363	ML-RURES	RL-RURES	36 SP147502	ML-RURES	RL-RURES
109 RP151362	ML-RURES	RL-RURES	37 SP147502	ML-RURES	RL-RURES
110 RP151362	ML-RURES	RL-RURES	899 SP147502	ML-COMFC	RL-COMFC
198 WD4526	ML-PASRC	RL-PASRC	43 SP169267	ML-COMFC	RL-COMFC
112 RP151363	ML-RURES	RL-RURES	902 SP157585	ML-PASRC	RL-PASRC
113 RP151363	ML-RURES	RL-RURES	903 SP157585	ML-PASRC	RL-PASRC
115 RP151363	ML-RURES	RL-RURES	120 SP157585	ML-RURES	RL-RURES
117 RP151363	ML-RURES	RL-RURES	121 SP157585	ML-RURES	RL-RURES
118 RP151363	ML-RURES	RL-RURES	122 SP157585	ML-RURES	RL-RURES
1 RP140936	ML-CTYSD	RL-CTYSD	123 SP157585	ML-RURES	RL-RURES
18 RP140936	ML-PASRC	RL-PASRC	124 SP157585	ML-RURES	RL-RURES
17 RP140936	ML-RURES	RL-RURES	125 SP157585	ML-RURES	RL-RURES
16 RP140936	ML-RURES	RL-RURES	126 SP157585	ML-RURES	RL-RURES
15 RP140936	ML-RURES	RL-RURES	127 SP157585	ML-RURES	RL-RURES
14 RP140936	ML-RURES	RL-RURES	128 SP157585	ML-RURES	RL-RURES
13 RP140936	ML-RURES	RL-RURES	129 SP157585	ML-RURES	RL-RURES
135 RP151364	ML-RURES	RL-RURES	130 SP157585	ML-RURES	RL-RURES
3 RP140936	ML-RURES	RL-RURES	131 SP157585	ML-RURES	RL-RURES
4 RP140936	ML-RURES	RL-RURES	132 SP157585	ML-RURES	RL-RURES
136 RP151362	ML-RURES	RL-RURES	133 SP157585	ML-RURES	RL-RURES
5 RP140936	ML-RURES	RL-RURES	134 SP157585	ML-RURES	RL-RURES
139 RP151362	ML-RURES	RL-RURES	38 SP182966	ML-CTYSD	RL-CTYSD
140 RP151362	ML-RURES	RL-RURES	39 SP182966	ML-CTYSD	RL-CTYSD
1 RP42008	ML-CTYSD	RL-CTYSD	40 SP182966	ML-CTYSD	RL-CTYSD
1 RP46954	ML-MNCON	RL-VILLG	41 SP182966	ML-CTYSD	RL-CTYSD
1 RP145415	ML-MNCON	RL-VILLG	42 SP182966	ML-CTYSD	RL-CTYSD
2 RP96212	ML-MNCON	RL-VILLG	43 SP182966	ML-CTYSD	RL-CTYSD
157 WD2913	ML-COMFC	RL-COMFC	44 SP182966	ML-CTYSD	RL-CTYSD
1 RP96212	ML-MNCON	RL-VILLG	45 SP182966	ML-CTYSD	RL-CTYSD
2 RP839310	ML-RURES	RL-RURES	46 SP182966	ML-CTYSD	RL-CTYSD

Lot/Plan	Current Precinct	Proposed Precinct	Lot/Plan	Current Precinct	Proposed Precinct
5 RP839310	ML-RURES	RL-RURES	47 SP182966	ML-CTYSD	RL-CTYSD
10 RP846110	ML-RURES	RL-RURES	48 SP182966	ML-CTYSD	RL-CTYSD
19 RP846110	ML-RURES	RL-RURES	49 SP182966	ML-CTYSD	RL-CTYSD
1 RP845789	ML-RURES	RL-RURES	76 SP182966	ML-CTYSD	RL-CTYSD
2 RP845789	ML-RURES	RL-RURES	77 SP182966	ML-CTYSD	RL-CTYSD
1 RP847726	ML-RURES	RL-RURES	78 SP182966	ML-CTYSD	RL-CTYSD
2 RP847726	ML-RURES	RL-RURES	79 SP182966	ML-CTYSD	RL-CTYSD
10 RP847726	ML-RURES	RL-RURES	80 SP182966	ML-CTYSD	RL-CTYSD
11 RP847726	ML-RURES	RL-RURES	81 SP182966	ML-CTYSD	RL-CTYSD
3 RP848261	ML-RURES	RL-RURES	82 SP182966	ML-CTYSD	RL-CTYSD
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6 RP848261	ML-RURES	RL-RURES	51 SP182968	ML-CTYSD	RL-CTYSD
7 RP848261	ML-RURES	RL-RURES	52 SP182968	ML-CTYSD	RL-CTYSD
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161 RP817758	ML-RURES	RL-RURES	55 SP182968	ML-CTYSD	RL-CTYSD
162 RP817758	ML-RURES	RL-RURES	56 SP182968	ML-CTYSD	RL-CTYSD
14 RP892831	ML-RURES	RL-RURES	57 SP182968	ML-CTYSD	RL-CTYSD
15 RP892831	ML-RURES	RL-RURES	58 SP182968	ML-CTYSD	RL-CTYSD
13 RP910757	ML-RURES	RL-RURES	59 SP182968	ML-CTYSD	RL-CTYSD
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21 RP902997	ML-CTYSD	RL-CTYSD	63 SP182968	ML-CTYSD	RL-CTYSD
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1 RP91980	ML-MNCON	RL-VILLG	67 SP182968	ML-CTYSD	RL-CTYSD
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1 SP101453	ML-RURES	RL-RURES	69 SP182968	ML-CTYSD	RL-CTYSD
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5 SP101453	ML-RURES	RL-RURES	73 SP182968	ML-CTYSD	RL-CTYSD
6 SP101453	ML-RURES	RL-RURES	74 SP182968	ML-CTYSD	RL-CTYSD
7 SP101453	ML-RURES	RL-RURES	75 SP182968	ML-CTYSD	RL-CTYSD
8 SP101453	ML-RURES	RL-RURES	903 SP182968	ML-CTYSD	RL-CTYSD
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101 SP101454	ML-RURES	RL-RURES	7 SP227072	ML-CTYSD	RL-CTYSD
102 SP101454	ML-RURES	RL-RURES	9 SP227072	ML-CTYSD	RL-CTYSD
103 SP101454	ML-RURES	RL-RURES	1 SP234829	ML-CTYSD	RL-CTYSD
104 SP101454	ML-RURES	RL-RURES	2 SP234829	ML-CTYSD	RL-CTYSD
105 SP101454	ML-RURES	RL-RURES	3 SP234829	ML-CTYSD	RL-CTYSD
106 SP101454	ML-RURES	RL-RURES	135 SP230702	ML-CTYSD	RL-CTYSD
107 SP101454	ML-RURES	RL-RURES	136 SP230702	ML-CTYSD	RL-CTYSD
108 SP101454	ML-RURES	RL-RURES	137 SP230702	ML-CTYSD	RL-CTYSD
21 SP111702	ML-RURES	RL-RURES	138 SP230702	ML-CTYSD	RL-CTYSD
22 SP111702	ML-RURES	RL-RURES	139 SP230702	ML-CTYSD	RL-CTYSD
13 SP113199	ML-RURES	RL-RURES	140 SP230702	ML-CTYSD	RL-CTYSD
14 SP113199	ML-RURES	RL-RURES	141 SP230702	ML-CTYSD	RL-CTYSD
6 SP110985	ML-RURES	RL-RURES	142 SP230702	ML-CTYSD	RL-CTYSD

Lot/Plan	Current Precinct	Proposed Precinct	Lot/Plan	Current Precinct	Proposed Precinct
7 SP110985	ML-RURES	RL-RURES	154 SP230702	ML-CTYSD	RL-CTYSD
10 SP101455	ML-RURES	RL-RURES	205 SP230702	ML-CTYSD	RL-CTYSD
11 SP101455	ML-RURES	RL-RURES	206 SP230702	ML-CTYSD	RL-CTYSD
12 SP101455	ML-RURES	RL-RURES	207 SP230702	ML-CTYSD	RL-CTYSD
109 SP101456	ML-RURES	RL-RURES	208 SP230702	ML-CTYSD	RL-CTYSD
110 SP101456	ML-RURES	RL-RURES	240 SP230702	ML-CTYSD	RL-CTYSD
111 SP101456	ML-RURES	RL-RURES	241 SP230702	ML-CTYSD	RL-CTYSD
112 SP101456	ML-RURES	RL-RURES	904 SP230702	ML-CTYSD	RL-CTYSD
113 SP101456	ML-RURES	RL-RURES	906 SP230704	ML-CTYSD	RL-CTYSD
13 SP143697	ML-RURES	RL-RURES	200 SP230704	ML-CTYSD	RL-CTYSD
114 SP143698	ML-RURES	RL-RURES	200 SP230704	ML-CTYSD	RL-CTYSD
115 SP143698	ML-RURES	RL-RURES	506 SP230704	ML-CTYSD	RL-CTYSD
116 SP143698	ML-RURES	RL-RURES	905 SP230704	ML-CTYSD	RL-CTYSD
117 SP143698	ML-RURES	RL-RURES	199 SP230704	ML-CTYSD	RL-CTYSD
203 SP230704	ML-CTYSD	RL-CTYSD	198 SP230704	ML-CTYSD	RL-CTYSD
202 SP230704	ML-CTYSD	RL-CTYSD	197 SP230704	ML-CTYSD	RL-CTYSD
201 SP230704	ML-CTYSD	RL-CTYSD	196 SP230704	ML-CTYSD	RL-CTYSD
1 RP59599	ML-CTYSD	RL-CTYSD	233 SP230704	ML-CTYSD	RL-CTYSD
2 RP59599	ML-CTYSD	RL-CTYSD	234 SP230704	ML-CTYSD	RL-CTYSD
2 RP32047	ML-CTYSD	RL-CTYSD	235 SP230704	ML-CTYSD	RL-CTYSD
1 RP32047	ML-CTYSD	RL-CTYSD	236 SP230704	ML-CTYSD	RL-CTYSD
2 RP32048	ML-CTYSD	RL-CTYSD	237 SP230704	ML-CTYSD	RL-CTYSD
1 RP32048	ML-CTYSD	RL-CTYSD	238 SP230704	ML-CTYSD	RL-CTYSD
8 RP842318	ML-CTYSD	RL-CTYSD	239 SP230704	ML-CTYSD	RL-CTYSD
16 RP842318	ML-CTYSD	RL-CTYSD	204 SP230704	ML-CTYSD	RL-CTYSD
3 SP223751	ML-CTYSD	RL-CTYSD	3 SP223751	ML-CTYSD	RL-CTYSD

2. Amendment to ZM15



Item 2: Amendment to levels of assessment for a Utility-Major

Summary

Amendment to correct an inconsistency between the level of assessment for a Utility-Major and the intents of certain zone precincts.

Explanation

An inconsistency has been identified whereby the level of assessment for a Utility-Major is inconsistent with the intent of certain precincts of particular zones. For example, a Material Change of Use (Impact - Inconsistent) application is required for an extension to an existing Utilities-Major within the Kooralbyn Zone - Community Facilities Precinct despite a Utility-Major (especially for reticulated water and sewer) typically considered as being a land use in keeping with the intent of this precinct.

A Utility – Major use is defined as follows:

Utility – Major means premises used for any public utility installation or undertaking of a government entity or other agency or organisation providing community infrastructure.

The term includes the following—

- (a) the bulk distribution or bulk storage of electricity or gas; and
- (b) the storage or treatment of water, sewage or municipal waste including stormwater detention and retention basins and artificial wetlands; and
- (c) State or commonwealth purposes not within any other separately Defined Term.

The examples of a Utility – Major use provided in the definition are varied in terms of type, form and consequential impacts. Some of the examples have the potential to be land consumptive and/or require generous buffer areas or setbacks to existing development.

In determining in which zones and precincts a Utility – Major use may be appropriate, consideration has been given to the following matters:

- 1) the intent of precincts. In particular, the Community Facilities precinct is intended to provide for infrastructure such as reticulated water and sewer;
- 2) where practical, applying a consistent approach across the precincts;
- 3) the likely impacts and requirements associated with the use, in particular, certain Utility – Major uses may not be considered appropriate in commercial or residential areas that are built up or highly populated, or areas that are to be protected or conserved for scenic or environmental values, given:
 - the use is potentially land consumptive, requiring large allotments (e.g., lots greater than 2ha in area) not typically found in the built up areas of the region;
 - health, safety and amenity issues would be more difficult to address on small allotments (e.g., lots less than 2ha in area); and
 - the intention to avoid or limit the extent of land clearing and/or topographical alteration (earthworks) in areas that are to be protected or conserved;
- 4) acknowledging that, where the Utility – Major involves a reservoir (such as a stormwater retention or detention basin, or artificial wetland), the use may be appropriate within certain precincts of zones providing for township settings given a reservoir would be

provided in a landscaped or open space environment, allowing for amenity issues to be adequately addressed. Further, stormwater retention or detention basins or artificial wetlands are catchment specific and the waterway dictates their location – not the zoning of the land.

For some precincts, no change to the current level of assessment is proposed, in particular for Utility – Major uses that are land consumptive due to potential impacts. Otherwise, all other proposed changes generally result in Utility – Major uses that have limited off – site impacts such as a reservoir as being code assessable in certain precincts.

Text amendments

1. In Chapter 3, Part 3 Rural Zone, Division 3, amend Table 3.3.7 for a Utility-Major as shown below:

Table 3.3.7 Consistent Development in the Rural Zone

Column 1 Development	Column 2 Consistent Development
Utility—Major.	Where in the— (a) Countryside Precinct; or (b) Equestrian Activities Precinct; or (c) Future Dam Catchment Precinct; or (d) Active Recreation Precinct; or (e) Community Facilities Precinct; <u>or</u> (f) <u>Passive Recreation Precinct; or</u> (g) <u>Rural Residential Precinct; or</u> (h) <u>Village Precinct.</u>

2. In Chapter 3, Part 4 Kooralbyn Zone, Division 2, amend Table 3.4.4 for a Utility-Major as shown below:

Table 3.4.4 Assessment Table for Material Change of Use in the Kooralbyn Zone

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
Utility—Major.	Code-assessable , if located in the— (a) Business Precinct; or (b) Industry Precinct; or (c) <u>Rural Residential Precinct where a reservoir</u> and not located within 100 metres of a dwelling; or (d) <u>Emerging Community Precinct where a reservoir; or</u> (e) <u>Active Recreation Precinct; or</u> (f) <u>Community Facilities Precinct where a reservoir or an upgrade to an existing</u>	Kooralbyn Zone Code (section 3.4.8). Utility-Major Code (section 5.2.104). Advertising Devices Code (section 5.3.2). Construction and Infrastructure Code (section 5.3.6). Landscape Code (section 5.3.10). Parking and Servicing Code (section 5.3.13).

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
	<u>sewage treatment plant.</u>	

3. In Chapter 3, Part 4 Kooralbyn Zone, Division 3, amend Table 3.4.7 for a Utility-Major as shown below:

Table 3.4.7 Consistent Development in the Kooralbyn Zone

Column 1 Development	Column 2 Consistent Development
Utility—Major.	Where in the— (a) Business Precinct (a)(b) Community Facilities Precinct; or (b)(c) Industry Precinct; or (d) <u>Passive Recreation Precinct;</u> or (e) <u>Emerging Community Precinct;</u> or (e)(f) Rural Residential Precinct and not located within 100 metres of a dwelling; or (d)(g) Active Recreation Precinct.

4. In Chapter 3, Part 6 Beaudesert and Canungra Townships Zone, Division 3, amend Table 3.6.7 for a Utility-Major as shown below:

Table 3.6.7 Consistent Development in the Beaudesert and Canungra Townships Zone

Column 1 Development	Column 2 Consistent Development
Utility—Major.	Where in the— (a) Industry Precinct; or (b) Residential Precinct ; or (c) Rural Residential Precinct; or (d) Emerging Community Precinct; or (e) Countryside Precinct; or (f) Community Facilities Precinct; <u>or</u> (g) <u>Active Recreation Precinct;</u> or (g)(h) Passive Recreation Precinct.

Map amendments

Not applicable.

Item 3: Amendment to Utility-Local Definition

Summary

Amendment to the Utility-Local land use definition to clarify that sewage pumping stations are included as part of the use.

Explanation

Queensland Urban Utilities (QUU) has advised that the existing Utility-Local land use definition may not include sewerage pumping stations because there is no reference to the short term storage of sewage in the definition.

A Utility-Local is exempt in all precincts in the planning scheme as it is not Council's intent to require minor infrastructure of this nature to be assessed against the provisions of the planning scheme. A sewage pumping station generally does not incur any significant visual amenity or odour impacts.

As such, an amendment to the existing Utility-Local land use definition is proposed to clarify that pumping stations are included in the land use.

Text amendments

In Schedule 1, Dictionary, Part 1 – Defined Uses, amend the existing Utility-Local definition as shown below:

Utility – Local means premises, reserves and easements used, other than for a major utility, for any of the public utility undertakings of the government entity or other agency or organisation providing community infrastructure.

The term includes—

- (a) the conveyance of water, sewerage (including sewage pumping stations) and stormwater drainage; and
- (b) the reticulation of electricity or gas; and
- (c) the collection of garbage; and
- (d) the provision and maintenance of roads, directional signs and traffic control devices and activities ancillary to and associated with the provision of transport infrastructure; and
- (e) public transport facilities (including railways and associated stations, minor works depots and signalling equipment) other than depots, offices or Passenger Terminals; and
- (f) the provision and maintenance of premises and facilities for public spaces and for conservation purposes.

Map amendments

Not applicable.

Item 4: Amendments to achieve compliance with the *Sustainable Planning Regulation 2009* regarding the level of assessment for Houses

Summary

Amendments to make a House self assessable development in residential precincts and the removal of any unnecessary overlay triggers that would raise the level of assessment.

Explanation

Schedule 4, Table 2 of the *Sustainable Planning Regulation 2009*, requires particular class 1 buildings and class 10 buildings or structures (detached dwellings including garages and sheds) to be exempt development, subject to certain criteria, including:

- the use does not comprise more than two attached dwellings;
- the residential use is in a residential zone;
- an existing detached dwelling can involve the repair, renovation, alteration and addition to the building;
- if a new dwelling is proposed on a site where there is an existing dwelling, the exempt provisions do not apply;
- the use is not made self assessable under a planning scheme; and
- if overlays apply, the exempt provisions do not apply.

To achieve compliance with the above legislative requirement, this amendment proposes to make a House in each residential precinct self-assessable, removing any criteria in the level of assessment tables that would raise the assessment level beyond self assessment.

This approach means Council has not 'opted in' to make a House exempt development and Council's House Code applies to the assessment of Houses, rather than the mandatory provisions of the Queensland Development Code (QDC).

In addition to amending the assessment levels for a House, consideration has also been given to the overlay triggers that make a House assessable development in some circumstances. In a report to Council (on 1 February 2011), a review was undertaken to identify the overlay triggers that are not relevant or do not add value to the assessment of a House. In accordance with this assessment and Council's resolution on this matter, amendments are proposed to the assessment tables for the Infrastructure Overlay, Nature Conservation Overlay and Development Constraints Overlay. The purpose of this aspect of the amendment item is to bring greater clarity and relevance to the overlay triggers that apply to a House.

Text amendments

Note: The changes shown to the assessment tables in regard to the deletion of secondary dwelling provisions and the inclusion of dual occupancy provisions in the overlays relate to Amendment Item No.8. They are shown below to provide clarity about the way the level of assessment for a House will appear in the planning scheme under this proposed amendment package.

1. In Chapter 3, Part 3 Rural Zone, Division 2 amend Table 3.3.4 for a House as shown below:

Table 3.3.4 Assessment Table for Material Change of Use in the Rural Zone

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
House	<p>Self-assessable, if—</p> <p>(a) located in the—</p> <p>(a) Village Precinct; or</p> <p>(b) Rural Residential Precinct; or</p> <p>(c) Equestrian Activities Precinct <u>and access is via a constructed road;</u></p> <p>or</p> <p>(d) Countryside Precinct <u>and access is via a constructed road;</u> <u>and</u></p> <p>(b) located on a lot with an area of 2,000m² or greater; and</p> <p>(c) access is via a constructed road; and</p> <p>(d) where involving a secondary dwelling the gross floor area of the secondary dwelling does not exceed 100m² and is located within 20 metres of the house.</p> <p>Code-assessable, if—</p> <p>(a) not Self-assessable and located in the—</p> <p>(i) Village Precinct; or</p> <p>(ii)(i) Countryside Precinct; or</p> <p>(iii) Rural Residential Precinct;</p> <p>or</p> <p>(iv)(ii) Equestrian Activities Precinct; or</p> <p>(b) located in the Future Dam Catchment Precinct.</p>	<p>If Code-assessable or Self-assessable—</p> <p>Solutions S6.1, S6.2 and S6.3 of section 3.3.12, S4.1, S4.2 and S4.3 of section 3.3.13 of the Rural Zone Code where Self-assessable.</p> <p>Rural Zone Code (section 3.3.8) where assessable development.</p> <p>House Code (section 5.2.35).</p> <p>Construction and Infrastructure Code (section 5.3.6).</p> <p>Parking and Servicing Code (section 5.3.13).</p>

2. In Chapter 3, Part 4-Kooralbyn Zone, Division 2, amend Table 3.4.4 for House as shown below:

Table 3.4.4 Assessment Table for Material Change of Use in the Kooralbyn Zone

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
House	<p>Self-assessable, if—</p> <p>(a) located in the—</p> <p>(i) Residential Precinct; or</p> <p>(ii) Rural Residential Precinct with a minimum lot size of 2,000m²; or</p> <p>(iii) Emerging Community Precinct with a minimum lot size of 2,000m²; and</p> <p>and access is via a constructed road; and</p> <p>(iv) where involving a secondary dwelling the gross floor area of the secondary dwelling does not exceed 100m² and is located within 20 metres of the house.</p> <p>Code-assessable, if not Self-assessable and located in the—</p> <p>Residential Precinct; or</p> <p>(a) Rural Residential Precinct; or Emerging Community Precinct.</p>	<p>If Self-assessable or Code-assessable—</p> <p>Solutions S3.1, S3.2 and S3.3 of section 3.4.14 and S4.1, S4.2 and S4.3 of section 3.4.15 of the Kooralbyn Zone Code where Self-assessable.</p> <p>Kooralbyn Zone Code (section 3.4.8) where assessable development.</p> <p>House Code (section 5.2.35).</p> <p>Construction and Infrastructure Code (section 5.3.6).</p> <p>Parking and Servicing Code (section 5.3.13).</p>

3. In Chapter 3, Part 6 – Beaudesert & Canungra Townships Zone, Division 2, amend Table 3.6.4 for House as shown below:

Table 3.6.4 Assessment Table for Material Change of Use in the Beaudesert and Canungra Townships Zone

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
House	<p>Self-assessable, if—</p> <p>(a) located in the—</p> <p>(i) Residential Precinct; or</p> <p>(ii) Medium Density Residential Precinct; or</p> <p>(iii) Rural Residential Precinct with a minimum lot size of 2,000m²; or</p> <p>(iv) Emerging Community Precinct; or</p> <p>(v) Countryside Precinct with a minimum lot size of 2,000m²; and</p> <p>(b) access is via a constructed road; and</p> <p>(c) where involving a secondary dwelling, the gross floor area of the secondary dwelling does not exceed 100m² and is located within 20 metres of the house.</p> <p>Code-assessable, if not Self-assessable and located in the—</p> <p>(a) Residential Precinct; or</p> <p>(b) Medium Density Precinct; or</p> <p>(c) Emerging Community Precinct; or</p> <p>(d) Rural Residential Precinct; or</p> <p>(e) Countryside Precinct.</p> <p>Impact-assessable, if —</p> <p>(a) not Self-assessable or Code-assessable; or</p> <p>(b) located on Lot 112 RP32085, Lot 18 RP7563, Lots 11/17 RP7563, Lot 19 & 20 RP7563, Lot 4 SP121126 or Lot 2 RP7568.</p>	<p>If Self-assessable, Code-assessable or Impact-assessable—</p> <p>Solutions S3.1, S3.2 and S3.3 of section 3.6.16, S3.1, S3.2 and S3.3 of section 3.6.17 and S4.1, S4.2 and S4.3 of section 3.6.18 of the Beaudesert and Canungra Townships Zone Code where Self-assessable.</p> <p>Beaudesert and Canungra Townships Zone Code (section 3.6.8) where assessable development.</p> <p>House Code (section 5.2.35).</p> <p>Construction and Infrastructure Code (section 5.3.6).</p> <p>Parking and Servicing Code (section 5.3.13).</p>

4. In Chapter 3, Part 7 – Tamborine Mountain Zone, Division 2, amend Table 3.7.4 for House as shown below:

Table 3.7.4 Assessment Table for Material Change of Use in the Tamborine Mountain Zone

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
House	<p>Self-assessable, if—</p> <p>(a) located in the—</p> <p>(i) Cottage Tourist Facility Precinct; or</p> <p>(ii)(i) Village Residential Precinct; or</p> <p>(iii)(ii) Residential Precinct; or</p> <p>(iv) Park Living Precinct; or</p> <p>(v) Rural Character Precinct; or</p> <p>(vi) Countryside Precinct; or</p> <p>(vii) Escarpment Protection Precinct; and</p> <p>(viii) on a lot with an area greater than 2,000m²; and</p> <p>(ix) access is via a constructed road; and</p> <p>where involving a secondary dwelling, the gross floor area of a secondary dwelling does not exceed 100m² and is located within 20 metres of the house.</p> <p>(b) Located in the -</p> <p>(i) <u>Cottage Tourist Facility Precinct; or</u></p> <p>(ii) <u>Park Living Precinct; or</u></p> <p>(iii) <u>Rural Character Precinct; or</u></p> <p>(iv) <u>Countryside Precinct; or</u></p> <p>(v) <u>Escarpment Protection Precinct; and</u></p> <p>(vi) <u>On a lot with an area greater than 2000m²; and</u></p> <p>(vii) <u>access is via a constructed road</u></p> <p>Code-assessable, if not Self-assessable and—</p> <p>(a) located in the—</p> <p>(i) Cottage Tourist Facility Precinct; or</p> <p>(ii) Village Residential Precinct; or</p> <p>or</p>	<p>If Self-assessable or Code-assessable—</p> <p>Solutions S3.1 of section 3.7.13, S2.1, S2.2, S5.1 and S5.2 of section 3.7.14, S4.1, S4.2, S4.3 and S4.4 of section 3.7.15, S3.1, S3.2 and S3.3 of section 3.7.16, S6.1 of section 3.7.18 and S5.1 of section 3.7.19 of the Tamborine Mountain Zone Code where Self-assessable.</p> <p>Tamborine Mountain Zone Code (section 3.7.8) where assessable development.</p> <p>House Code (section 5.2.35).</p> <p>Construction and Infrastructure Code (section 5.3.6).</p> <p>Parking and Servicing Code (section 5.3.13).</p>

	<p>(iii) Residential Precinct; or (iv)(ii) Park Living Precinct; or (v)(iii) Rural Character Precinct; or (vi)(iv) Countryside Precinct; or (vii)(v) Escarpment Protection Precinct.</p> <p>(b) Where involving a secondary dwelling where the gross floor area of the secondary dwelling does not exceed 100m² and is located within 20 metres of the house.</p>	
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5. In Chapter 4, Part 2 – Infrastructure Overlay, amend table 4.2.4 by including provisions for Material Change of Use for a House as shown below:

Note: Changes relating to Item 9 of this amendment package (Dual Occupancy Provisions) are also shown below in the 'Use or Use Class' category to minimise duplication of changes in this amendment package.

Table 4.2.4 Assessment Table for the Infrastructure Overlay

Column 1 Use or Use Class	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria
<p><u>Material Change of Use for a House or Dual Occupancy</u></p>	<p><u>Exempt, if –</u></p> <p><u>(a) the use-</u></p> <p><u>(i) is located in an approved Building Envelope ; and</u></p> <p><u>(ii) does not involve access via a restricted access road; or</u></p> <p><u>(b) the use—</u></p> <p><u>(i) is not within 30 metres of an easement for an electricity network power line between 133kV and 275kV; or</u></p> <p><u>(ii) is not within 40 metres of an easement for an electricity network power line greater than 275kV; or</u></p> <p><u>(iii) is not within 50 metres of the boundary of a major transport route; or</u></p> <p><u>(iv) is not within 100 metres of a railway; or</u></p> <p><u>(v) is not within 10 metres of a State Controlled Road; or</u></p> <p><u>(vi) is not adjacent to a site containing a water treatment plant; or</u></p> <p><u>(vii) is not adjacent to a site containing a water reservoir; or</u></p> <p><u>(viii) is not adjacent to a site</u></p>	<p><u>If Exempt – None applicable.</u></p> <p><u>If Code-assessable – Infrastructure Overlay Code (section 4.2.5)</u></p>

Column 1 Use or Use Class	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria
	<p><u>containing a wastewater treatment plant; or</u></p> <p>(ix) <u>is not within 500 metres of a Non-Directional Beacon (NDB) aviation facility or 1000 metres of a VHF Omni-Directional Radio Range (VOR) aviation facility; or</u></p> <p>(x) <u>is not accessed via a restricted access road.</u></p> <p>Code-assessable, if not Exempt.</p>	
<p>Material Change of Use for all <u>other</u> Defined or Undefined Uses except Road, and Park, <u>Dual Occupancy and House.</u></p>	<p>Exempt, if—</p> <p>(a) the use—</p> <p>(i) is a House, Caretaker's Residence, Home Based Business, Managers/Workers House; and</p> <p>(ii) is located in an approved Building Envelope; and</p> <p>(iii) does not involve access via a restricted access road; or</p> <p>(b) the use—</p> <p>(i) is not within 30 metres of an easement for an electricity network power line between 133kV and 275kV; or</p> <p>(ii) is not within 40 metres of an easement for an electricity network power line greater than 275kV; or</p> <p>(iii) is not within 50 metres of the boundary of a major transport route; or</p> <p>(iv) is not within 100 metres of a railway; or</p> <p>(v) is not within 10 metres of a State Controlled Road; or</p> <p>(vi) is not adjacent to a site containing a water treatment plant; or</p> <p>(vii) is not adjacent to a site containing a water reservoir; or</p> <p>(viii) is not adjacent to a site containing a wastewater treatment plant; or</p> <p>(ix) is not within a site containing a recreation trail or which has frontage to a road containing a recreation trail; or</p> <p>(x) is not within 500 metres of a Non-Directional Beacon (NDB) aviation facility or 1000 metres of a VHF Omni-Directional Radio Range (VOR) aviation facility; or</p> <p>(xi) is not accessed via a restricted</p>	<p>If Exempt—None applicable.</p> <p>If Code-assessable—Infrastructure Overlay Code (section 4.2.5).</p>

Column 1 Use or Use Class	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria
	<p style="text-align: center;">access road; or</p> <p>(c) the use is Agriculture, Animal Husbandry or Forestry; or</p> <p>(d) the use is identified as Exempt development in the applicable Zone Assessment Table and only to the extent the use is identified as Exempt in the table.</p> <p>Code-assessable, if—</p> <p>(a) not Exempt; and</p> <p>(b) the use is—</p> <p style="padding-left: 20px;">(i) a Residential Use (<u>other than a House or Dual Occupancy</u>) Child Care Facility, Community Care Centre, Educational Establishment, Hospital or undefined use within—</p> <p style="padding-left: 40px;">(a) 30 metres of an easement for an electricity network power line between 133kV and 275kV; or</p> <p style="padding-left: 40px;">(b) 40 metres of an easement for an electricity network power line greater than 275 kV; or</p> <p style="padding-left: 20px;">(ii) any Residential Use (<u>other than a House or Dual Occupancy</u>) Industrial Use, Business Use, Tourist Use, Child Care Facility, Community Care Centre, Educational Establishment, Hospital, Public Worship or undefined use within—</p> <p style="padding-left: 40px;">(A) 50 metres of a boundary of a major transport route; or</p> <p style="padding-left: 40px;">(B) 100 metres of a railway; or</p> <p style="padding-left: 20px;">(iii) any use other than <u>a House or Dual Occupancy</u>, Agriculture, Animal Husbandry or Forestry if—</p> <p style="padding-left: 40px;">(A) adjacent to a site containing a water treatment plant; or</p> <p style="padding-left: 40px;">(B) adjacent to a site containing a water reservoir; or</p> <p style="padding-left: 40px;">(C) adjacent to a site containing a wastewater treatment plant; or</p> <p style="padding-left: 40px;">(D) within a site containing a recreation trail or</p>	

Column 1 Use or Use Class	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria
	<p>which has frontage to a road containing a recreation trail; or</p> <p>(E) within 500 metres of a NDB aviation facility or 1000 metres of a VOR aviation facility; or</p> <p>(F) access is via a restricted access road.</p>	

6. In Chapter 4, Part 3 – Nature Conservation Overlay, amend table 4.3.4 by including provisions for Material Change of Use for a House as shown below:

Table 4.3.4 Assessment Table for the Nature Conservation Overlay

Column 1 Use or Use Class	Column 2 Assessment Category	Column 3 Assessment Criteria
<u>Material Change of Use for a House or Dual Occupancy</u>	<p><u>Exempt</u>, if located:</p> <p>(a) <u>in an approved Building Envelope; or</u></p> <p>(b) <u>on a site:</u></p> <p>(i) <u>containing an Ecological Corridor; or</u></p> <p>(ii) <u>in a Local Nature Conservation Area; or</u></p> <p>(iii) <u>in a Regional Nature Conservation Area; or</u></p> <p>(iv) <u>in a Vegetation Management Area; and</u></p> <p>(v) <u>where:</u></p> <p>(A) <u>the proposal does not involve the clearing of any vegetation; or</u></p> <p>(B) <u>the clearing of vegetation is defined as Exempted Clearing under the planning scheme.</u></p> <p><u>Code-assessable, if not Exempt.</u></p>	<p>If Exempt—None applicable.</p> <p>If Code-assessable—Nature Conservation Overlay Code (section 4.3.5).</p>
Material Change of Use for all <u>other</u> Defined or Undefined Uses except Road, and Park, <u>Dual Occupancy and House.</u>	<p>Exempt, if Exempted Clearing or not Code-assessable.</p> <p>Code-assessable, if—</p> <p>a) the use is other than—</p> <p>(i) a House, Caretaker's Residence or a Managers/Workers House in an approved</p>	<p>If Exempt—None applicable.</p> <p>If Code-assessable—Nature Conservation Overlay Code (section 4.3.5).</p>

Column 1 Use or Use Class	Column 2 Assessment Category	Column 3 Assessment Criteria
	Building Envelope; or (ii) a Home Based Business in an approved Building Envelope or undertaken within a lawfully existing building; or (iii) Agriculture or Animal Husbandry the Countryside Precinct, located outside the Irbyana Sensitive Areas; and b) located— (i) on a site containing an Ecological Corridor; or (ii) on a site within 100 metres of the boundary of a Conservation Estate Area or a World Heritage Area; or (iii) in a Local Nature Conservation Area; or (iv) in a Regional Nature Conservation Area; or (v) in a Landscape Amenity Area; or (vi) in an Irbyana Sensitive Area; or (vii) in a Vegetation Management Area.	

7. In Chapter 4, Part 3 – Development Constraints Overlay, amend table 4.3.4 by including provisions for Material Change of Use for a House as shown below:

Table 4.4.4 Assessment Table for the Development Constraints Overlay

Column 1 Use or Use Class	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria
<u>Material Change of Use for a House or Dual Occupancy</u>	<u>Exempt if located –</u> (a) <u>in an approved Building Envelope; or</u> (b) <u>in a High Bushfire Hazard Area or Medium Bushfire Hazard Area on a lot less than 2000m² in area; or</u> (c) <u>in an Agricultural Protection Area; or</u> (d) <u>in the Water Cycle Investigation Area.</u> <u>Code-assessable, if-</u> (a) <u>not Exempt; and</u> (b) <u>located-</u>	<u>If Exempt—None applicable.</u> <u>If Code-assessable—</u> <u>Development Constraints Overlay Code (section 4.4.5).</u>

Column 1 Use or Use Class	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria
	<ul style="list-style-type: none"> (i) <u>in a High Bushfire Hazard Area or Medium Bushfire Hazard Area on a lot greater than 2000m²; or</u> (ii) <u>in a Flood Hazard Area; or</u> (iii) <u>in a Medium Landslide Hazard Area, a High Landslide Hazard Area or a Landslide Hazard Investigation Area; or</u> (iv) <u>in an Extractive/ Mineral Resource Area, Buffer Area, or Key Resource Area; or</u> (v) <u>adjoining a Haul Route; or</u> (vi) <u>in a View Protection Area; or</u> (vii) <u>in a Water Supply Catchment Area; or</u> (viii) <u>within 500 metres of a Water Supply Source or Buffer; or</u> (ix) <u>within 100 metres of a Defence Establishment (the Defences Establish Buffer Area); or</u> (x) <u>on a lot adjoining a site containing an Airfield; or</u> (†)(xi) <u>in a Buffer Area.</u> 	
<p>Material Change of Use for all <u>other</u> Defined or Undefined Uses except Road, <u>Dual Occupancy, House</u> and Park.</p>	<p>Exempt, if the use is —</p> <ul style="list-style-type: none"> (a) Agriculture or Animal Husbandry in the Countryside Precinct; or (b) in an approved building envelope. <p>Code-assessable, if—</p> <ul style="list-style-type: none"> (a) not Exempt; and (b) located— 	<p>If Exempt—None applicable.</p> <p>If Code-assessable—Development Constraints Overlay Code (section 4.4.5).</p>

Column 1 Use or Use Class	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria
	<ul style="list-style-type: none"> (i) in a High Bushfire Hazard Area or Medium Bushfire Hazard Area; or (ii) in a Flood Hazard Area; or (iii) in a Medium Landslide Hazard Area, a High Landslide Hazard Area or a Landslide Hazard Investigation Area; or (iv) in an Extractive/ Mineral Resource Area, Buffer Area, or Key Resource Area; or (v) adjoining a Haul Route; or (vi) in an Agriculture Protection Area; or (vii) in a View Protection Area; or (viii) in a Water Supply Catchment Area; or (ix) within 500 metres of a Water Supply Source or Buffer; or (x) within 100 metres of a Defence Establishment (the Defences Establish Buffer Area); or (xi) on a lot adjoining a site containing an Airfield; or (xii) in a Buffer Area; or (xiii) in the Water Cycle Investigation Area and is not a Rural Use. 	

Map amendments

Not applicable.

Item 5: Amendments to implement the outcomes of the Tamborine Village Discussion Paper

Summary

Amendment to zoning and the inclusion of new planning scheme provisions to guide development in Tamborine Village.

Explanation

A planning study on Tamborine Village was carried out by Council in 2010, the results of which were aimed at guiding and planning a more consolidated and functional village responding to:

- current and future convenience and service needs of the general locality;
- anticipated population growth (until 2031); and
- planned road upgrades.

Outputs from the planning study included:

- consultation material (brochure);
- a Draft Tamborine (Village) Planning Study Discussion Paper December 2010;
- Community Consultation Report (11 August 2011); and
- Council reports, in which consideration were given to submissions and recommendations.

In respect of this scheme amendment, key areas of proposed changes relate to:

- (1) adjusting the zoning of a number of properties to accord with the recommendations of the Community Consultation Report and the Proposed Tamborine Land Use Plan (Map 4 in the Discussion Paper); and
- (2) the preparation and insertion of specific planning scheme provisions that guide future development in the Rural Zone - Village Precinct in the identified Tamborine Village Area.

Table 1 below identifies how the proposed scheme amendments address each of the recommendations adopted by Council on 30 August 2011 from the Draft Tamborine Local Planning Study Discussion Paper – Community Consultation Report (August 2011).

Table 1: Response to recommendations of the Tamborine Local Planning Study Discussion Paper adopted by Council on 30 August 2011.

Proposed Recommendation from Community Consultation Report	Proposed response in Amendment Package No. 8
<i>That the area identified for low impact/service industry precinct remain as the use is compatible with those uses currently permissible in the Village Precinct.</i>	<ul style="list-style-type: none"> • The Tamborine Village Study Area contains land included in the Mount Lindesay Corridor Zone, which in accordance with Item No. 1 of this amendment package, will be adjusted to be included in the equivalent precincts of the Rural Zone. • Additional provisions for the Village Precinct (in Table 3.3.12 of the Scheme) have been included that relate specifically to Tamborine Village in regard to low impact/service industry uses in the Village Precinct (proposed new SO13).
<i>While out of scope of the discussion paper, Council endeavour to preserve</i>	<p>The intent to preserve the former tram line has been captured by:</p> <ul style="list-style-type: none"> • Tamborine Village specific provisions, to be included as part of Table 3.3.12 (proposed new SO16); and

Proposed Recommendation from Community Consultation Report	Proposed response in Amendment Package No. 8
<i>aspects of the former tram line within the Leach Road reserve.</i>	<ul style="list-style-type: none"> The indicative location of the tram line shown on the Tamborine Village Land Use Plan Map included as Figure 3.3.12)
<i>That the general concept plan be amended to reflect a more centralised “village green” located away from Leach Road and Beaudesert-Beenleigh Road intersection.</i>	<ul style="list-style-type: none"> Additional provisions for the Village Precinct (in Table 3.3.12 of the Scheme) have been included that relate specifically to Tamborine Village (proposed new SO16).
<i>Preferred development pattern to be amended to reflect location of commercial development closer to roundabout design and the location of a “village green” along Leach Road.</i>	<ul style="list-style-type: none"> Tamborine Village specific provisions have been included as part of Table 3.3.12 (proposed new SO2, SO15 and SO16). Map amendments are proposed to: <ul style="list-style-type: none"> remove part of Lot 11 SP205718 from the Rural Residential Precinct of the Rural Zone and include within the Village Precinct of the Rural Zone; and remove Lot 1 RP175619 from the Rural Countryside Precinct of the Rural Zone and include in the Village Precinct of the Rural Zone.
<i>That the properties currently zoned as Minor Convenience on Waterford Tamborine Road remain as such and the discussion paper be amended accordingly.</i>	<ul style="list-style-type: none"> Tamborine Village contains land currently included in the Mount Lindesay Corridor Zone, which as part of Amendment Item No. 1 will be adjusted to be included in the Village Precinct of the Rural Zone.
<i>That the link between Leach Road and Tamborine Mountain Road to be maintained as part of the Discussion Paper and any future development approvals on Lot 1 RP175619.</i>	<ul style="list-style-type: none"> Tamborine Village specific provisions have been included as part of Table 3.3.12. Lot 1 RP175619 at 1-33 Tamborine Mountain Road (Cnr Leach Road) has been included in the Village Precinct of the Rural Zone. In 2006, the former Beaudesert Shire Council approved a two stage Shopping Centre development on this site. The amended land use designation is consistent with this approval.

Text amendments

1. In Chapter 3, Part 3 – Rural Zone, Division 2, amend Table 3.3.4 for Shopping Centre as shown below:

Table 3.3.4 Assessment Table for Material Change of Use in the Rural Zone

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
Shopping Centre.	Code-assessable , if— <ul style="list-style-type: none"> (a) located in the Village Precinct; and (i) the combined total gross floor area for the development and existing approved retail uses and office/professional 	Rural Zone Code (section 3.3.8). Retailing and Commercial Activity Code (section 5.2.71). Advertising Devices Code (section 5.3.2). Construction and

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
	<p>uses does not exceed 300m²; <u>or</u> (ii) <u>where located in Tamborine Village and the gross floor area does not exceed 1000m².</u></p>	<p>Infrastructure Code (section 5.3.6). Landscape Code (section 5.3.10) Parking and Servicing Code (section 5.3.13).</p>

2. In Chapter 3, Part 3 – Rural Zone, Division 4, amend Table 3.3.10 for the overall outcomes for Economic Development and Precinct Intent as shown below:

Table 3.3.10 Overall Outcomes for the Rural Zone

Overall Outcomes for the Rural Zone	
Economic Development	
0021	Development involving retail uses and office/professional uses may be supported where the total gross floor area for each village <u>(excluding Tamborine Village)</u> does not exceed 500m ² .
Precinct Intent	
0040	Development within the Village Precinct provides for a range of village – type land uses serving the local community including a limited range of localised convenience shopping, specialty shopping, lower order professional offices and businesses, tourist facilities and urban residential type housing on unsewered allotments. <u>Opportunities also exist for Industry – Low Impact/Services at Tamborine Village.</u>

3. In Chapter 3, Part 3 – Rural Zone, Subdivision 3, amend Table 3.3.12 as shown below and renumber the outcomes in the code accordingly:

Table 3.3.12 Specific Outcomes and Prescribed Solutions for the Village Precinct

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – If Self-assessable Probable Solutions – If Code-assessable
<p>SO1 Development for Business Uses and Tourist Uses within the Precinct exhibits a ‘country village’ character typified by the provision of—</p> <p>(a) buildings with minimal or no setback to the street; and</p> <p>(b) verandahs facing the street frontage or over-footpath awnings; and</p> <p>(c) building designs based on early 20th century architecture.</p>	<p>S1.1 No Solution is prescribed.</p>
<p>SO2 Development for Business Uses and Tourist Retail Uses <u>locate on and address the main street. Where located in Tamborine Village, these uses and any Industrial Uses address Leach Road, are located on the main street.</u></p>	<p>S2.1 No Solution is prescribed.</p>
<p>SO3 Development provides for predominantly low-density, urban residential development characterised by—</p> <p>(a) single dwellings on existing lots; and</p> <p>(b) typically unsewered.</p>	<p>S3.1 No Solution is prescribed.</p>
<p>SO4 Development within the Village Precinct does not exceed a total maximum GFA for retail and office/business activity of 500m².</p>	<p>S4.1 No Solution is prescribed.</p>
<p>SO45 Development for Business Uses within the Village Precinct <u>(excluding Tamborine Village)</u> does not exceed a total maximum GFA for retail and office/business activity of 500m².</p>	<p>S45.1 No Solution is prescribed.</p>
<p>SO56 Development ensures a building height, bulk and setback consistent with the character of a country town.</p>	<p>S56.1 Development ensures that the maximum height of buildings and structures is 8.5 metres above natural ground level.</p> <p>S56.2 Development ensures that building bulk does not exceed a plot ratio of 0.5.</p> <p>S56.3 Development for Residential Uses ensures that buildings—</p> <p>(a) are set back a minimum of</p>

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – If Self-assessable Probable Solutions – If Code-assessable
	<p>6.0 metres from the primary street frontage which provides vehicular access to the development; and</p> <p>(b) are set back a minimum of 4.5 metres from a frontage which does not provide vehicular access to the development; and</p> <p>(c) the distance specified in the <i>Standard Building Regulation 1993</i> in the case of the setback from a side and rear boundary.</p> <p>S56.4 Development for Business Uses and Industry Uses ensures that buildings maintain a rural village character by using materials and design to blend with surrounding buildings.</p>
<p>SO6 Where located in the Village Precinct at Tamborine Village Retail and Office / Professional Uses are limited to a scale that services the convenience needs of local residents.</p>	<p>S6.1 No solution is prescribed.</p>
<p>SO67 Development being Building Work and Engineering Work does not—</p> <p>(a) interfere with or adversely impact upon any existing or planned infrastructure; and</p> <p>(b) place an adverse loading on any existing or planned infrastructure; and</p> <p>(c) impede the operation of the Tamborine Roundabout at Tamborine Village.</p>	<p>S67.1 Development is extended only where it can be readily supported by appropriate infrastructure.</p> <p>S6.2 Development is designed and sited to accommodate planned road infrastructure at Tamborine Village.</p>
<p>SO78 Development in the Village Centre Precinct at Rathdowney addresses the street and provides continuous pedestrian shelter.</p>	<p>S78.1 No Solution is prescribed.</p>
<p>SO89 Development provides for Village neighbourhoods with a strong sense of community and local identity, through—</p> <p>(a) providing a safe, efficient and legible local road network; and</p> <p>(b) the location and design of development that respects the characteristics and setting of the land; and</p> <p>(c) integration with surrounding development;</p>	<p>S89.1 No Solution is prescribed.</p>

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – If Self-assessable Probable Solutions – If Code-assessable
<p>and</p> <p>(d) the shared use of community facilities, infrastructure and parks; and</p> <p>(e) achieving a sense of place.</p>	
<p>SO940 Development provides that the orientation and form of buildings and the orientation of roads and lots facilitate the construction of energy efficient buildings that respond to local climatic conditions by—</p> <p>(a) maximising solar access to the north in winter; and</p> <p>(b) minimising solar access to the east and west in the summer; and</p> <p>(c) maximising access to any prevailing summer breezes; and</p> <p>(d) minimising exposure to prevailing winter winds.</p>	<p>S940.1 No Solution is prescribed.</p>
<p>SO104 Development for a Home Based Business does not interfere with adjoining residential amenity and uses.</p>	<p>S104.1 No Solution is prescribed.</p>
<p>SO112 Development being a non-residential use (except a Home Based Business)—</p> <p>(a) reflects the type, form, scale and density of development elsewhere in the Precinct; and</p> <p>(b) provides a building setback and landscaping which are consistent with the existing and planned development in the Precinct; and</p> <p>(c) provides a car parking behind the building frontage or below ground level area on the premises that addresses the road— but does not adversely impact upon adjacent residential uses; and</p> <p>(d) <u>ensures car parking, loading areas and refuse storage areas do not adversely impact upon adjacent residential uses; and</u></p> <p>(e) provides a solid fence along any boundary to a residential use; <u>and</u></p>	<p>S112.1 No Solution is prescribed.</p>

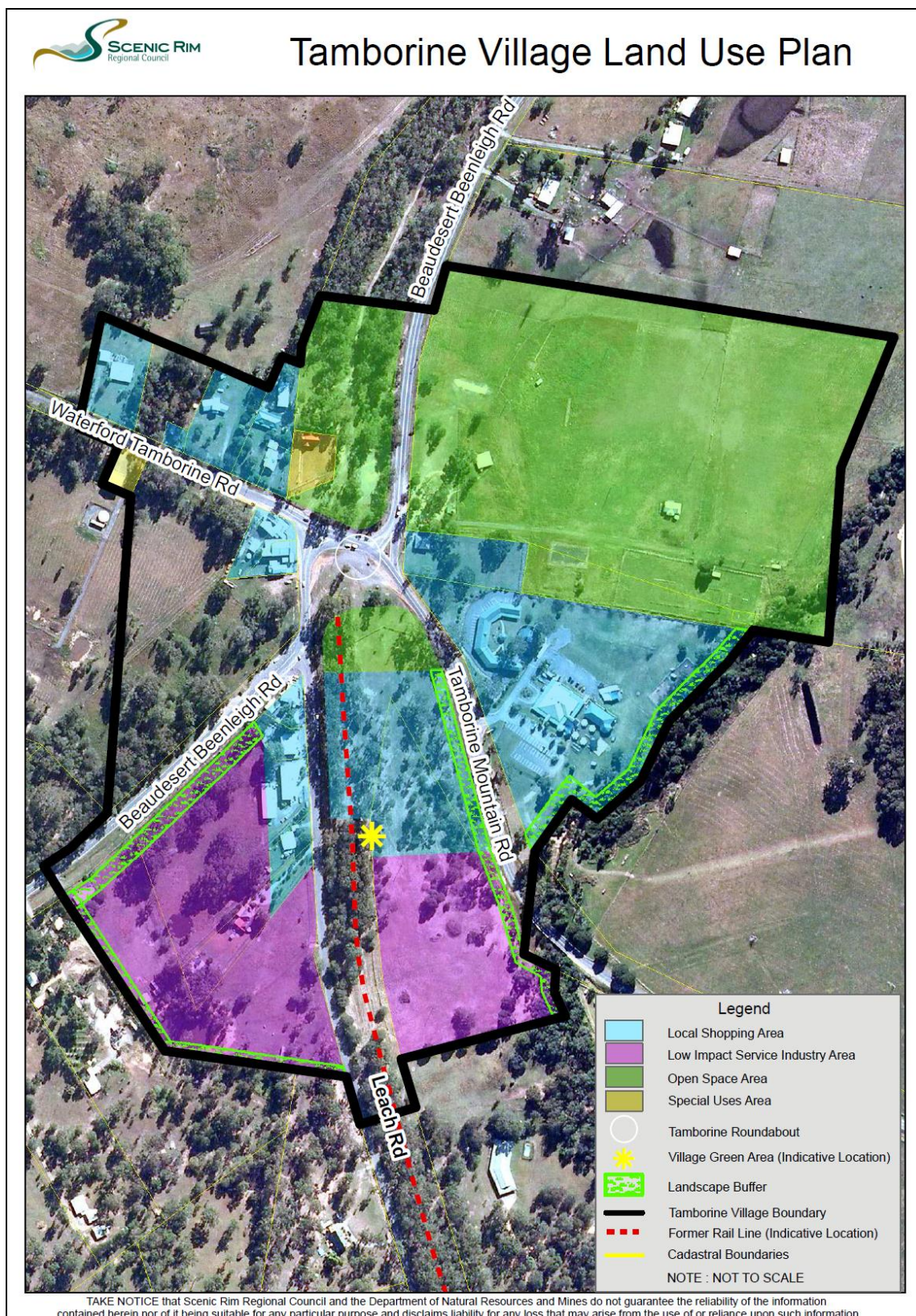
Column 1 Specific Outcomes	Column 2 Acceptable Solutions – If Self-assessable Probable Solutions – If Code-assessable
<p>(f) <u>where located in Tamborine Village, development reflects traditional main street design principles, including the creation of active pedestrian spaces and streetscapes; and</u></p> <p>(e)(g) <u>where located in Tamborine Village, buildings provide a continuous active façade, visual interest and opportunities for social interaction.</u></p>	
<p>SO123 Development for Business Uses in Rathdowney addresses the street and provides continuous pedestrian shelter.</p>	<p>S123.1 No Solution is prescribed.</p>
<p>SO13 <u>Development at Tamborine Village is limited to a scale that services the convenience needs of existing and future local residents and seeks to maintain a village atmosphere.</u></p>	<p>S13.1 <u>Development is generally consistent with Figure 3.3.12 Tamborine Village Land Use Plan Map.</u></p> <p>S13.2 <u>Development in the Local Shopping Area (as shown in Figure 3.3.12 – Tamborine Village Land Use Plan Map) comprises—</u></p> <ul style="list-style-type: none"> (a) <u>Child Care Facility; or</u> (b) <u>Community Facilities; or</u> (c) <u>Food Establishment/Reception Centre; or</u> (d) <u>Shop; or</u> (e) <u>Markets; or</u> (f) <u>Public Park; or</u> (g) <u>Tourist Businesses; or</u> (h) <u>Commercial Activity; or</u> (i) <u>Shopping Centre not exceeding 1000m² of Gross Floor Area.</u> <p>S13.3 <u>Development in the Low Impact Service Industry Area (as shown in Figure 3.3.12 – Tamborine Village Land Use Plan Map) comprises—</u></p> <ul style="list-style-type: none"> (a) <u>Child Care Facility</u> (b) <u>Industry-Low Impact/Service; or</u> (c) <u>Markets; or</u> (d) <u>Produce Stores; or</u> (e) <u>Retail Showroom not exceeding 300m² of Gross Floor Area; or</u> (f) <u>Warehouse/Storage Facility; or</u> (g) <u>Retail Plant Nurseries; or</u> (h) <u>Veterinary Surgery/Hospital</u> <p>S13.4 <u>Development in the Open Space Area (as shown in Figure 3.3.12 – Tamborine Village Land Use Plan Map) comprises—</u></p> <ul style="list-style-type: none"> (a) <u>Indoor Sports, Recreation or</u>

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – If Self-assessable Probable Solutions – If Code-assessable
	<p><u>Entertainment not exceeding 150m² of Gross Floor Area; or</u></p> <p><u>(b) Markets; or</u></p> <p><u>(c) Outdoor Sports, Recreation and Entertainment; or</u></p> <p><u>(d) Public Parks.</u></p> <p><u>S13.5 Development in the Special Uses Area (as shown in Figure 3.3.12 – Tamborine Village Land Use Plan Map) comprises community uses that service the local community.</u></p>
<p><u>SO14 Development at Tamborine Village (as shown in Figure 3.3.12 – Tamborine Village Land Use Plan Map) is supported by the provision of adequate on-site sewerage and water supply.</u></p>	<p><u>S14.1 Development at Tamborine Village can be serviced by appropriate infrastructure in accordance with the Local Government’s specifications and standard drawings.</u></p>
<p><u>SO15 Development in the Local Shopping Area (excluding the lots located on Waterford-Tamborine Road) and Low Impact Service Industry Area at Tamborine Village (as shown in Figure 3.3.12 – Tamborine Village Land Use Plan Map) :</u></p> <p><u>(a) is integrated with adjacent development in relation to parking areas, access areas, internal circulation areas, the pedestrian network and landscape features; and</u></p> <p><u>(b) incorporates a functional public realm area supported by shade trees, street furniture (such as lighting, benches, directional signage, water bubblers and rubbish bins) and weather protection structure(s); and</u></p> <p><u>(c) includes only one vehicular access from Beenleigh-Beaudesert Road to service the Low Impact Service Industry area.</u></p>	<p><u>S15.1 No Solution is prescribed.</u></p>
<p><u>SO16 Development provides for a Village Green at Tamborine Village (as shown in Figure 3.3.12 – Tamborine Village Land Use Plan Map) that is co-located with community uses and businesses that service the local community. The Village Green is designed and sited to make reference to the former rail line along Leach Road.</u></p> <p><u>Note: A ‘Village Green’ is generally provided for community activities</u></p>	<p><u>S16.1 The design of the Village Green has regard to:</u></p> <p><u>(a) accessibility;</u></p> <p><u>(b) shade and weather protection;</u></p> <p><u>(c) landscaping</u></p> <p><u>(d) seating and furnishings;</u></p> <p><u>(e) passive surveillance to surrounding businesses, roads and open space;</u></p> <p><u>(f) providing opportunities for activities such as public</u></p>

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – If Self-assessable Probable Solutions – If Code-assessable
<p><u>and meeting space. They serve as civic parks and are co-located with community uses and businesses that service the local community. A Village Green provides opportunities for activities such as public meetings, markets, organised events, outdoor dining, etc. The design of a Village Green should have regard to accessibility, shade, weather protection, seating, furnishing, the intended use of the space, surveillance to surrounding businesses, roads and space.</u></p>	<p><u>meetings, markets, organized events, outdoor dining, etc; and</u></p> <p>(g) <u>the former rail line alongside Leach Road.</u></p>
<p><u>SO17 Development of sites that include Open Space-or Landscape Buffer Areas at Tamborine Village (as shown in Figure 3.3.12 – Tamborine Village Land Use Plan Map) provide for:</u></p> <p>(a) <u>the integration of landscape elements with adjoining development and/or pathways/linkages where appropriate; or</u></p> <p>(b) <u>the establishment of landscape buffers to Beaudesert Beenleigh Road, Tamborine Mountain Road and Steel Creek;</u></p> <p>(c) <u>passive surveillance and incorporate Crime Prevention Through Environmental Design Principles.</u></p>	<p><u>17.1 No Solution is prescribed.</u></p>

4. In Chapter 3, Part 3 – Rural Zone, Subdivision 3, insert the Tamborine Village Land Use Plan Map following Table 3.3.12 as shown below:

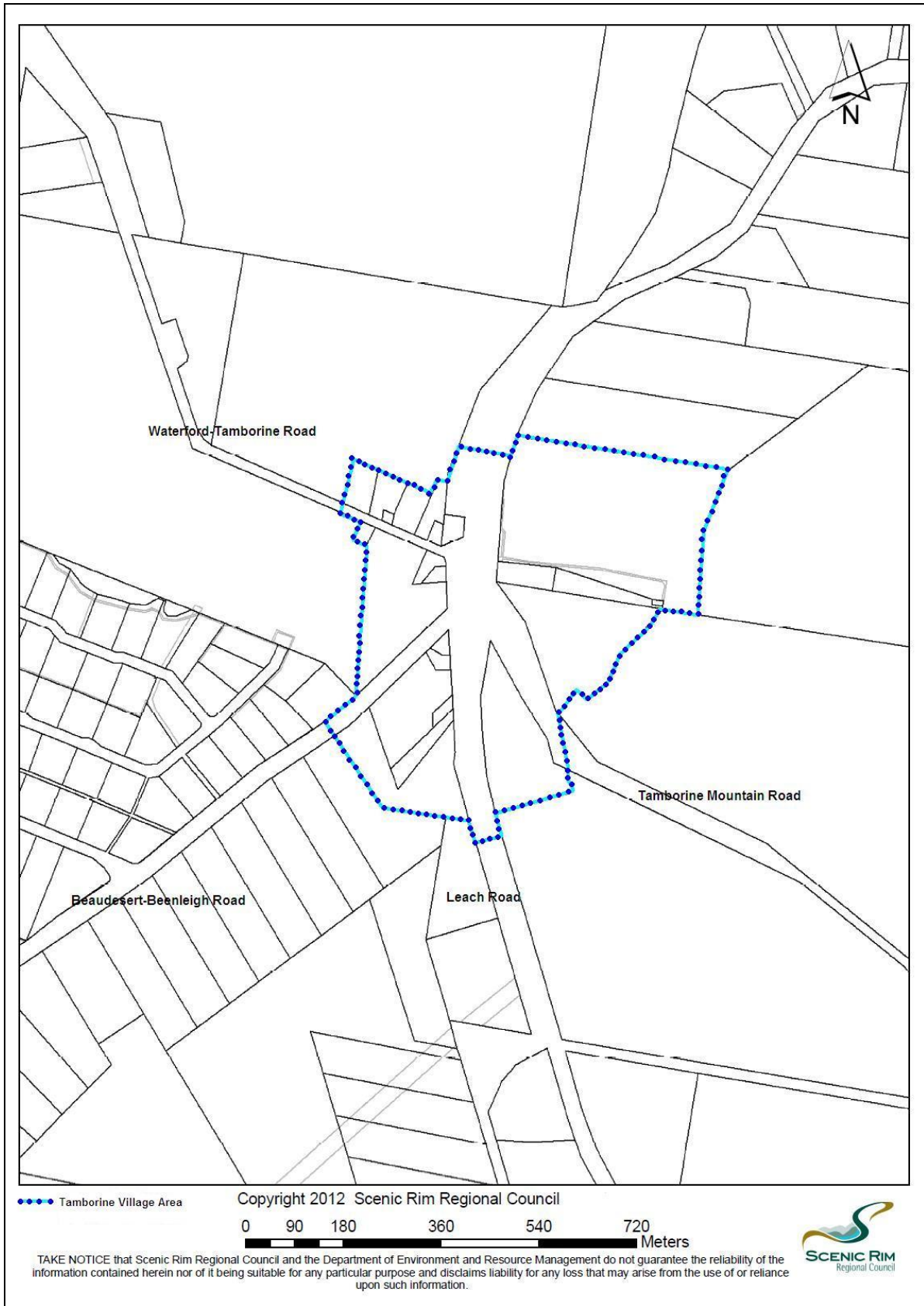
Figure 3.3.12 Tamborine Village Land Use Plan



Map amendments

1. Refer to Amendment Item No. 1 to review the proposed map changes involving the removal of all land from the Mt Lindesay Corridor Zone and its inclusion in the equivalent precincts of the Rural Zone.
2. Amend Zoning Map 16 (ZM16) and Zoning Map 17 (ZM17) to identify the Tamborine Village Land Use Plan Area.
3. Amend Zoning Map 16 (ZM16) and Zoning Map 17 (ZM17) to remove part of Lot 11 SP205718 from the Rural Residential Precinct of the Rural Zone and include within the Rural Village Precinct of the Rural Zone.
4. Amend Zoning Map 16 (ZM16) and Zoning Map 17 (ZM17) to remove Lot 1 RP175619 from the Rural Countryside Precinct of the Rural Zone and include in the Rural Village Precinct of the Rural Zone.

2. Zoning Map 16 (ZM16) and Zoning Map 17 (ZM17)



3 & 4. Zoning Map 16 (ZM16) and Zoning Map 17 (ZM17)



Item 6: Amendment to the intent for the development of Tourist Cabins in the Passive Recreation Precinct of the Rural Zone

Summary

Amendment to include Tourist Cabins as consistent development in the Passive Recreation Precinct of the Rural Zone.

Explanation

Tourist Cabins are currently identified as impact assessable and inconsistent development in the Rural Zone, Passive Recreation Precinct. On the basis that camping grounds are consistent development in the Precinct, an amendment is proposed to also make Tourist Cabins consistent development in the Rural Zone.

No change is proposed to the level of assessment. The use will remain impact assessable; however it will be identified as consistent development in the Precinct.

The rationale for this amendment is to allow camping facilities to provide a range of accommodation options on the one site.

Text amendments

In Chapter 3, Part 3 Rural Zone, Division 3, amend Table 3.3.7 for Tourist Cabins as shown below:

Table 3.3.7 Consistent Development in the Rural Zone

Column 1 Development	Column 2 Consistent Development
Tourist Cabins.	Where in the— (a) Village Precinct; or (b) Countryside Precinct; or (c) <u>Passive Recreation Precinct.</u>

Map amendments

Not applicable.

Item 7: Amendment to the intent of the Passive Recreation Precinct

Summary

Amendment to the overall outcome for the Passive Recreation Precinct in various zones to clarify the types of ancillary structures that are envisaged.

Explanation

The intent statement for the Passive Recreation Precinct is included as an overall outcome in each zone, and currently reads as follows:

*Development within the **Passive Recreation Precinct** is characterised by informal or non-organised forms of recreational activity and generally includes activity within open space and recreation reserve areas such as picnics, dog walking, strolling, kite flying and the like.*

An amendment is proposed that seeks to clarify that this precinct may also include ancillary structures (such as toilet blocks, barbeque areas, gazebos, tables and bench seating, children’s play equipment and the like), which are associated with type of activities undertaken in the precinct.

Text amendments

1. In Chapter 3, Part 3 Rural Zone, Division 4, Table 3.3.10, amend the overall outcome for the Passive Recreation Precinct as shown below:

Table 3.3.10 Overall Outcomes for the Rural Zone

Overall Outcomes for the Rural Zone	
Precinct Intent	
0047	Development within the Passive Recreation Precinct is characterised by informal or non-organised forms of recreational activity and generally includes activity within open space and recreation reserve areas such as picnics, dog walking, strolling, kite flying and the like. <u>Development within the Precinct includes ancillary/ associated structures such as toilet blocks, barbeque areas, gazebos, tables and bench seating, children’s play equipment and the like.</u>

2. In Chapter 3, Part 4 Kooralbyn Zone, Division 4, Table 3.4.10, amend the overall outcome for the Passive Recreation Precinct as shown below:

Table 3.4.10 Overall Outcomes for the Kooralbyn Zone

Overall Outcomes for the Kooralbyn Zone	
Precinct Intent	
0042	Development within the Passive Recreation Precinct is characterised by informal or non-organised forms of recreational activity and generally includes activity within open space and recreation reserve areas such as picnics, dog walking, strolling, kite flying and the like. <u>Development within the Precinct includes ancillary/ associated structures such as toilet blocks, barbeque areas, gazebos, tables and bench seating, children’s play equipment and the like.</u>

3. In Chapter 3, Part 6 Beaudesert & Canungra Townships Zone, Division 4, Table 3.6.10, amend the overall outcome for the Passive Recreation Precinct as shown below:

Table 3.6.10 Overall Outcomes for the Beaudesert & Canungra Townships Zone

Overall Outcomes for the Beaudesert & Canungra Townships Zone	
Precinct Intent	
0054	Development within the Passive Recreation Precinct is characterised by informal or non-organised forms of recreational activity and generally includes activity within open space and recreation reserve areas such as picnics, dog walking, strolling, kite flying and the like. <u>Development within the Precinct includes ancillary/ associated structures such as toilet blocks, barbeque areas, gazebos, tables and bench seating, children's play equipment and the like.</u>

4. In Chapter 3, Part 7 Tamborine Mountain Zone, Division 4, Table 3.7.10, amend the overall outcome for the Passive Recreation Precinct as shown below:

Table 3.7.10 Overall Outcomes for the Tamborine Mountain Zone

Overall Outcomes for the Tamborine Mountain Zone	
Precinct Intent	
0054	Development within the Passive Recreation Precinct is characterised by informal or non-organised forms of recreational activity and generally includes activity within open space and recreation reserve areas such as picnics, dog walking, strolling, kite flying and the like. <u>Development within the Precinct includes ancillary/ associated structures such as toilet blocks, barbeque areas, gazebos, tables and bench seating, children's play equipment and the like.</u>

Map amendments

Not applicable.

Item 8: Amendment to include new provisions for Dual Occupancies

Summary

Amendments to include:

1. A new land use definition for Dual Occupancy and inclusion of the use in assessment tables;
2. A new Use Code for Dual Occupancies;
3. Removal of the term Secondary Dwelling from Schedule 1;
4. Amendment to the House definition to remove reference to a Secondary Dwelling;
5. Amendment to the assessment tables in zones for House to remove Secondary Dwelling provisions; and
6. Amendment to overlays to include the new Dual Occupancy land use where relevant.

Explanation

The Planning Scheme currently does not include a definition for a 'Dual Occupancy', meaning a development comprising two residential dwelling units. Whilst the current 'House' land use definition does include reference to the establishment of a secondary dwelling, under the defined terms of the Planning Scheme a secondary dwelling only refers to a detached, free – standing dwelling unit (i.e. not attached dwellings).

As such, proposals for genuine Dual Occupancies are either being treated as undefined uses (impact assessable and inconsistent where two attached dwelling units), or as a secondary dwelling for an additional dwelling unit separate to the principle residence.

Accordingly, this amendment seeks to correct the gap in scheme definitions by inserting a definition for Dual Occupancy and include new code provisions for Dual Occupancy uses to support and guide their future development.

In conjunction with Amendment Item No. 4 (which amends the Scheme to make a House self assessable development and remove qualification criteria that would raise the level of assessment if variation to the criteria is proposed), this amendment proposes the following:

- a) inclusion of a new definition for Dual Occupancy (which accords with the Queensland Planning Provisions (QPP) version of this defined use);
- b) removal of the reference to the term 'secondary dwelling' from the definition of 'House';
- c) removal of the term 'secondary dwelling' from the administrative definitions;
- d) amendment to all level of assessment tables to reflect the inclusion of the Dual Occupancy land use definition;
- e) amendment to level of assessment tables in overlays to ensure that Dual Occupancies are treated in the same way as a House; and
- f) inclusion of a new code for Dual Occupancies, including provisions relating to design, side setbacks, open space and treatment of building frontages.

As a result of removing Secondary Dwelling from the definition of House and removing the term Secondary Dwelling from Schedule 1, the House Code also requires subsequent amendment as it includes specific provisions for a Secondary Dwelling. The same applies to the Parking & Servicing Code, which also requires updating to remove specific car parking provisions relating to Secondary Dwellings, and the inclusion of car parking requirements for Dual Occupancies.

Text amendments

Note: Proposed changes to the assessment tables in zones to remove Secondary Dwelling provisions are shown in the text amendments in Amendment Item No.4.

PART 1: CHANGES TO SCHEDULE 1, DICTIONARY

1. In Schedule 1 - Dictionary, Part 1, Section 1.1, include the following new defined use and note for dual occupancy in the suitable location of the alphabetical list:

Dual Occupancy means premises containing two dwellings on one lot (whether or not attached) where the use is primarily residential.

Note: The term does not include House or Medium Density Residential Development as defined herein.

2. In Schedule 1 - Dictionary, Part 1, Section 1.1, amend the existing House definition as shown below:

House means a dwelling unit, used for residential purposes, including the use of the premises for either long or short term accommodation. The term also includes the following—

~~(a)~~ not more than 1 secondary dwelling; and

~~(b)~~(a) the care of up to 7 non-resident children on the site; and

~~(c)~~(b) the cultivation of any plant for the interest or enjoyment of the residents therein; and

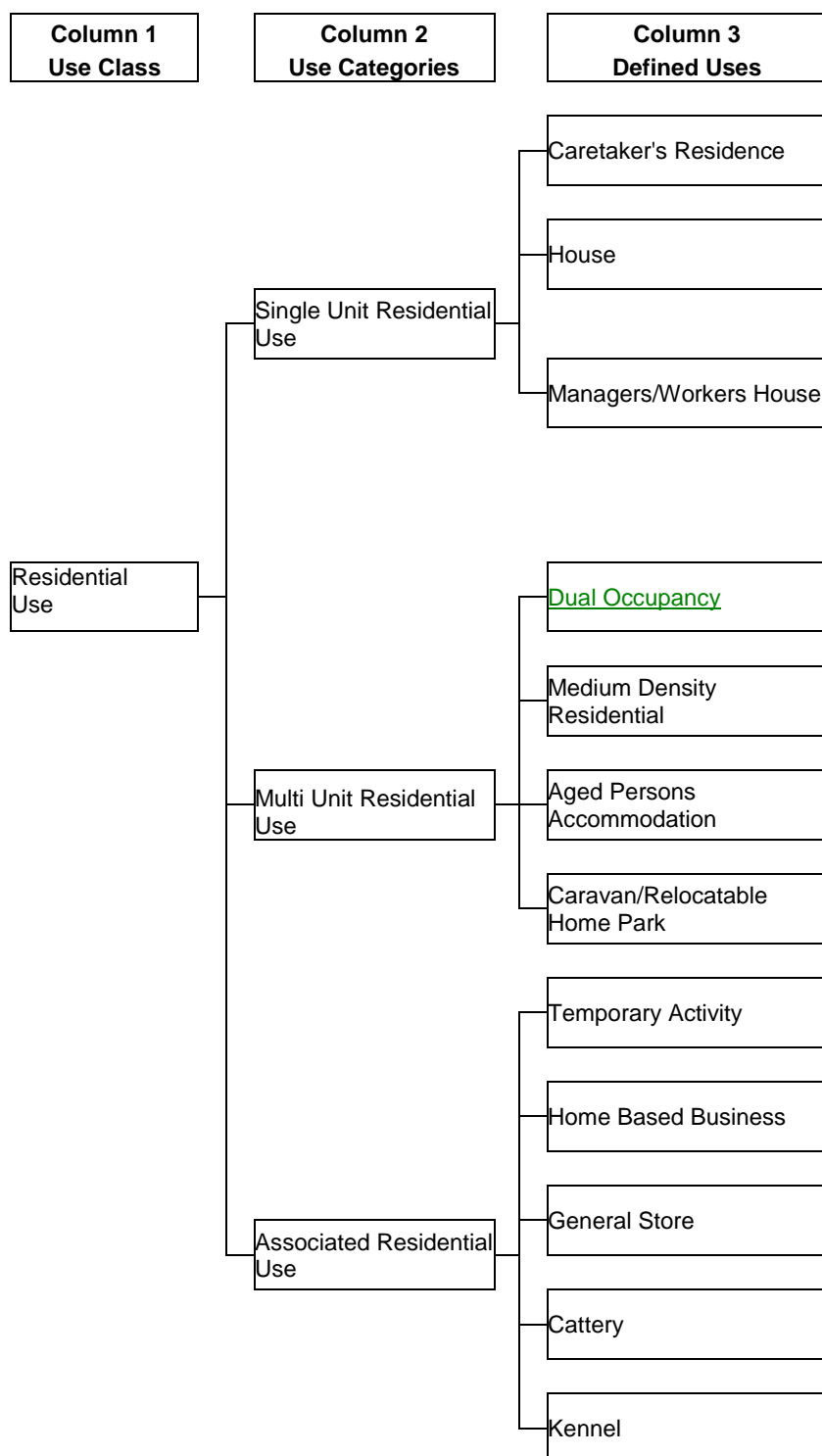
~~(d)~~(c) the keeping of domestic animals that are incidental to the house; and

~~(e)~~(d) the parking of 1 heavy vehicle on an allotment less than 2 hectares in size, or 2 heavy vehicles on an allotment equal to or greater than 2 hectares in size.

Note: The term does not include Dual Occupancy or Medium Density Residential Development as defined herein.

3. In Schedule 1 - Dictionary, Part 2, amend Figure 1.2B to add the term 'Dual Occupancy' to the 'Multi-Unit Residential Use' category as shown below:

Figure 1.2B Residential Use



4. In Schedule 1 - Dictionary, Part 3, section 1.3, delete the term 'Secondary dwelling' as shown below:

~~**Secondary Dwelling** means a free-standing, self-contained dwelling unit, containing only 1 kitchen, used for residential purposes where located in conjunction with an existing house on the 1 allotment.~~

~~*Note: The term does not include a Caretakers Residence or a Manager's/Workers House.*~~

PART 2: CHANGES TO ASSESSMENT TABLES IN ZONES

Note: Proposed changes to the assessment tables in zones to remove Secondary Dwelling provisions are shown in the text amendments in Amendment Item No.4.

1. In Chapter 3, Part 3 Rural Zone, Division 2 amend Table 3.3.4 to include provisions for a Dual Occupancy as shown below:

Table 3.3.4 Assessment Table for Material Change of Use in the Rural Zone

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
Dual Occupancy	<p>Self assessable, if –</p> <p>(a) located in the—</p> <p>(i) Village Precinct; or</p> <p>(ii) Rural Residential Precinct; or</p> <p>(iii) Equestrian Activities Precinct and access is via a constructed road; or</p> <p>(iv) Countryside Precinct and access is via a constructed road; and</p> <p>(b) where the gross floor area of one of the dwellings does not exceed 100m².</p> <p>Code-assessable, if -</p> <p>(a) not Self-assessable and located in the –</p> <p>(i) Village Precinct; or</p> <p>(ii) Rural Residential Precinct; or</p> <p>(iii) Equestrian Activities Precinct; or</p> <p>(iv) Countryside Precinct ;or</p> <p>(b) located in the Future Dam Catchment Precinct.</p>	<p>Where Self-assessable development —</p> <p>the self-assessable provisions of the Dual Occupancy Code (section 5.2.107)</p> <p>Where assessable development –</p> <p>Rural Zone Code (section 3.3.8)</p> <p>Dual Occupancy Code (section 5.2.107).</p> <p>Construction and Infrastructure Code (section 5.3.6).</p> <p>Parking and Servicing Code (section 5.3.13).</p>

2. In Chapter 3, Part 4-Kooralbyn Zone, Division 2, amend Table 3.4.4 to include provisions for a Dual Occupancy as shown below:

Table 3.4.4 Assessment Table for Material Change of Use in the Kooralbyn Zone

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
<u>Dual Occupancy</u>	<p><u>Self assessable, if—</u></p> <p>(a) <u>located in the—</u></p> <p>(i) <u>Residential Precinct;</u></p> <p>(ii) <u>Rural Residential Precinct; or</u></p> <p>(iii) <u>Emerging Community Precinct; and</u></p> <p>(b) <u>where the gross floor area of one of the dwellings does not exceed 100m².</u></p> <p><u>Code-assessable, if—</u></p> <p>(a) <u>not Self-assessable and located in the –</u></p> <p>(i) <u>Residential Precinct; or</u></p> <p>(ii) <u>Rural Residential Precinct; or</u></p> <p>(iii) <u>Emerging Community Precinct.</u></p>	<p><u>If Self-assessable—</u></p> <p><u>the self-assessable provisions of the Dual Occupancy Code (Table 5.2.109(a) of section 5.2.107)</u></p> <p><u>If Code-assessable—</u></p> <p><u>Kooralbyn Zone Code (section 3.4.8)</u></p> <p><u>Dual Occupancy Code (section 5.2.107).</u></p> <p><u>Construction and Infrastructure Code (section 5.3.6).</u></p> <p><u>Parking and Servicing Code (section 5.3.13).</u></p>

3. In Chapter 3, Part 6 – Beaudesert & Canungra Townships Zone, Division 2, amend Table 3.6.4 to include provisions for a Dual Occupancy as shown below:

Table 3.6.4 Assessment Table for Material Change of Use in the Beaudesert and Canungra Townships Zone

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
Dual Occupancy	<p>Self-assessable, if –</p> <p>(a) located in the—</p> <p>(i) Residential Precinct; or</p> <p>(ii) Medium Density Residential Precinct; or</p> <p>(iii) Rural Residential Precinct; or</p> <p>(iv) Emerging Community Precinct; or</p> <p>(v) Countryside Precinct and access is via a constructed road; and</p> <p>(b) where the gross floor area of one of the dwellings does not exceed 100m².</p> <p>Code-assessable, if –</p> <p>(a) not Self-assessable and located in the—</p> <p>(i) Residential Precinct; or</p> <p>(ii) Medium Density Residential Precinct or;</p> <p>(iii) Rural Residential Precinct; or</p> <p>(iv) Emerging Communities Precinct; or</p> <p>(v) Countryside Precinct.</p> <p>Impact-assessable, if –</p> <p>(a) not Self-assessable or Code-assessable; or</p> <p>(b) located on ³Lot 112 RP32085, Lot 18 RP7563, Lots 11/17 RP7563, Lot 19 & 20 RP7563, Lot 4 SP121126 or Lot 2 RP7568.</p>	<p>Where Self-assessable development —</p> <p>the self-assessable provisions of the Dual Occupancy Code (section 5.2.107)</p> <p>Where assessable development –</p> <p>Beaudesert Township Zone Code (section 3.6.8)</p> <p>Dual Occupancy Code (section 5.2.107).</p> <p>Construction and Infrastructure Code (section 5.3.6).</p> <p>Parking and Servicing Code (section 5.3.13).</p>

³ Refer to Appendix B of the *Beaudesert Shire Planning Scheme 2007* for further information.

4. In Chapter 3, Part 7 – Tamborine Mountain Zone, Division 2, amend Table 3.7.4 to include provisions for a Dual Occupancy as shown below:

Table 3.7.4 Assessment Table for Material Change of Use in the Tamborine Mountain Zone

Column 1 Use	Column 2 Assessment Category	Column 3 Assessment Criteria
<u>Dual Occupancy</u>	<p><u>Self-assessable, if—</u></p> <p>(a) <u>located in the—</u></p> <p>(i) <u>Cottage Tourist Facility Precinct; or</u></p> <p>(ii) <u>Village Residential Precinct; or</u></p> <p>(iii) <u>Residential Precinct; or</u></p> <p>(iv) <u>Park Living Precinct; or</u></p> <p>(v) <u>Rural Character Precinct; or</u></p> <p>(vi) <u>Countryside Precinct; or</u></p> <p>(vii) <u>Escarpment Protection Precinct; and</u></p> <p>(b) <u>on a lot with an area greater than 2000m²; and</u></p> <p>(c) <u>access is via a constructed road; and</u></p> <p>(d) <u>where the gross floor area of one of the dwellings does not exceed 100m².</u></p> <p><u>Code-assessable, if -</u></p> <p>(a) <u>not Self-assessable and located in the—</u></p> <p>(i) <u>Cottage Tourist Facility Precinct; or</u></p> <p>(ii) <u>Village Residential Precinct; or</u></p> <p>(iii) <u>Residential Precinct; or</u></p> <p>(iv) <u>Park Living Precinct; or</u></p> <p>(v) <u>Rural Character Precinct; or</u></p> <p>(vi) <u>Countryside Precinct; or</u></p> <p>(vii) <u>Escarpment Protection Precinct; and</u></p> <p>(b) <u>where the gross floor area of one of the dwellings does not exceed 100m².</u></p>	<p><u>If Self-assessable—</u></p> <p><u>the self-assessable provisions of the Dual Occupancy Code (Table 5.2.109(a) of section 5.2.107).</u></p> <p><u>If Code-assessable—</u></p> <p><u>Tamborine Mountain Zone Code (section 3.7.8)</u></p> <p><u>Dual Occupancy Code (section 5.2.107).</u></p> <p><u>Construction and Infrastructure Code (section 5.3.6).</u></p> <p><u>Parking and Servicing Code (section 5.3.13).</u></p>

PART 3: CHANGES TO CONSISTENT DEVELOPMENT TABLES IN ZONES

1. In Chapter 3, Part 3 Rural Zone, Division 3, amend Table 3.3.7 to include provisions for a Dual Occupancy as shown below:

Table 3.3.7 Consistent Development in the Rural Zone

Column 1 Development	Column 2 Consistent Development
<u>Dual Occupancy</u>	Where in the— (a) <u>Village Precinct; or</u> (b) <u>Rural Residential Precinct; or</u> (c) <u>Countryside Precinct; or</u> (d) <u>Equestrian Activities Precinct; or</u> (e) <u>Future Dam Catchment Precinct.</u>

2. In Chapter 3, Part 4 Kooralbyn Zone, Division 3, amend Table 3.4.7 to include provisions for a Dual Occupancy as shown below:

Table 3.4.7 Consistent Development in the Kooralbyn Zone

Column 1 Development	Column 2 Consistent Development
<u>Dual Occupancy</u>	Where in the— (a) <u>Residential Precinct; or</u> (b) <u>Rural Residential Precinct; or</u> (c) <u>Emerging Community Precinct.</u>

3. In Chapter 3, Part 6 Beaudesert and Canungra Townships Zone, Division 3, amend Table 3.6.7 to include provisions for a Dual Occupancy as shown below:

Table 3.6.7 Consistent Development in the Beaudesert and Canungra Townships Zone

Column 1 Development	Column 2 Consistent Development
<u>Dual Occupancy</u>	Where in the— (a) <u>Residential Precinct; or</u> (b) <u>Medium Density Residential Precinct; or</u> (c) <u>Rural Residential Precinct; or</u> (d) <u>Emerging Community Precinct; or</u> (e) <u>Countryside Precinct.</u>

4. In Chapter 3, Part 7 Tamborine Mountain Zone, Division 3, amend Table 3.7.7 as shown below to include Dual Occupancy and remove the references to secondary dwellings associated with a House:

Table 3.7.7 Consistent Development in the Tamborine Mountain Zone

Column 1 Development	Column 2 Consistent Development
<u>Dual Occupancy</u>	<p><u>Where:</u></p> <p><u>(a) the gross floor area of one of the dwellings does not exceed 100m² and in the—</u></p> <p><u>(i) Cottage Tourist Facility Precinct; or</u></p> <p><u>(ii) Village Residential Precinct; or</u></p> <p><u>(iii) Residential Precinct; or</u></p> <p><u>(iv) Park Living Precinct; or</u></p> <p><u>(v) Rural Character Precinct; or</u></p> <p><u>(vi) Countryside Precinct; or</u></p> <p><u>(vii) Escarpment Protection Precinct.</u></p> <p><u>(b) the gross floor area of each of the dwellings does exceed 100m² and in the –</u></p> <p><u>(i) Village Residential Precinct at North Tamborine; or</u></p> <p><u>or</u></p> <p><u>(ii) Village Residential Precinct at Eagle Heights.</u></p>
House.	<p><u>Where</u></p> <p>(a) involving a single dwelling or dwelling unit on a lot in the—</p> <p>(i)(a) Cottage Tourist Facility Precinct; or</p> <p>(ii)(b) Village Residential Precinct; or</p> <p>(iii)(c) Residential Precinct; or</p> <p>(iv)(d) Park Living Precinct; or</p> <p>(v)(e) Rural Character Precinct; or</p> <p>(vi)(f) Countryside Precinct; or</p> <p>(vii)(g) Escarpment Protection Precinct.</p> <p>(b) involving a secondary dwelling where the gross floor area of a secondary dwelling does not exceed 100m² and in the—</p> <p>(i) Cottage Tourist Facility Precinct; or</p> <p>(ii) Village Residential Precinct; or</p> <p>(iii) Residential Precinct; or</p> <p>(iv) Park Living Precinct; or</p> <p>(v) Rural Character Precinct; or</p> <p>(vi) Countryside Precinct; or</p> <p>(vii) Escarpment Protection Precinct.</p> <p>(c) involving a secondary dwelling where the gross floor area of a secondary dwelling exceeds 100m² and in the—</p> <p>(i) Village Residential Precinct at North Tamborine; or</p> <p>(ii) Village Residential Precinct at Eagle Heights.</p>

PART 4: CHANGES TO VARIOUS ZONE CODES TO AMEND REFERENCES TO SECONDARY DWELLINGS AND INCLUDE DUAL OCCUPANCIES

1. In Chapter 3, Part 3 – Rural Zone amend Table 3.3.11 – Specific Outcomes and Prescribed Solutions for the Rural Zone to include Dual Occupancy in the Specific Outcomes 24 and 27 relating to residential character and neighbourhood amenity as shown below:

Table 3.3.11 Specific Outcomes and Prescribed Solutions for the Rural Zone

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – if Self-assessable Probable Solutions – if Code-assessable
SO24 Development being a House <u>and Dual Occupancy</u> limits adverse impacts on existing residential amenity and character and provides residential neighbourhoods with a strong and positive identity through— <ul style="list-style-type: none"> (a) providing a safe, efficient and legible road network; and (b) the location and design of development; and (c) integration with the surrounding development; and (d) the protection and enhancement of personal health, safety and property; and (e) achieving a sense of place. 	S24.1 No Solution is prescribed.
SO26 Development being a <u>Secondary Dwelling-Dual Occupancy</u> is consistent in building form and scale to existing residential uses and maintains the character and amenity of the Precinct.	S26.1 No Solution is prescribed.

2. In Chapter 3, Part 4 – Kooralbyn Zone, amend Table 3.4.11 – Specific Outcomes and Prescribed Solutions for the Kooralbyn Zone to include Dual Occupancy in the Specific Outcomes 19 and 21 relating to residential character and neighbourhood amenity as shown below:

Table 3.4.11 Specific Outcomes and Prescribed Solutions for the Kooralbyn Zone

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – if Self-assessable Probable Solutions – if Code-assessable
SO19 Development being a House <u>and Dual Occupancy</u> limits adverse impacts on existing residential amenity and character and provides Kooralbyn’s residential neighbourhoods with a strong and positive identity through— <ul style="list-style-type: none"> (a) providing a safe, efficient 	S19.1 No Solution is prescribed.

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – if Self-assessable Probable Solutions – if Code-assessable
<p>and legible road network; and</p> <p>(b) the location and design of development; and</p> <p>(c) integration with the surrounding development; and</p> <p>(d) the protection and enhancement of personal health, safety and property; and</p> <p>(e) achieving a sense of place.</p>	
<p>SO21 Development being a <u>Dual Occupancy Secondary Dwelling</u> is consistent in building form and scale to existing residential uses and maintains the character and amenity of the Precinct.</p>	<p>S21.1 No Solution is prescribed.</p>

3. In Chapter 3, Part 6 – Beaudesert and Canungra Townships Zone, amend Table 3.6.11 – Specific Outcomes and Prescribed Solutions for the Beaudesert and Canungra Townships Zone to include Dual Occupancy in the Specific Outcomes 27 and 29 relating to residential character and neighbourhood amenity as shown below:

Table 3.6.11 Specific Outcomes and Prescribed Solutions for the Beaudesert and Canungra Townships Zone

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – if Self-assessable Probable Solutions – if Code-assessable
SO27 Development being a House <u>and Dual Occupancy</u> limits adverse impacts on existing residential amenity and character and provides residential neighbourhoods with a strong and positive identity through— <ul style="list-style-type: none"> (a) providing a safe, efficient and legible road network; and (b) the location and design of development; and (c) integration with the surrounding development; and (d) the protection and enhancement of personal health, safety and property; and (e) achieving a sense of place. 	S27.1 No Solution is prescribed.
SO29 Development being a <u>Secondary Dwelling Dual Occupancy</u> is consistent in building form and scale to existing residential uses and maintains the character and amenity of the Precinct.	S29.1 No Solution is prescribed.

PART 5: CHANGES TO OVERLAY TABLES OF ASSESSMENT TO INCLUDE DUAL OCCUPANCIES AS A LAND USE WHERE RELEVANT

Refer to Item No. 5 of this amendment package to view proposed changes to the Infrastructure, Nature Conservation and Development Constraints Tables of Assessment.

PART 6: CHANGES TO HOUSE CODE TO REMOVE SECONDARY DWELLING PROVISIONS

1. In Chapter 5, Part 2, Division 12 – House Code, amend the overall outcomes as shown below:

5.2.36 Overall Outcomes for a House

- (a) A House , which may include a Secondary Dwelling, is developed on a single allotment serviced with an appropriate standard of infrastructure.

2. In Chapter 5, Part 2, Division 12 – House Code, amend the relevant provisions in Table 5.2.37 as shown below and renumber the outcomes in the code accordingly:

Table 5.2.37 Specific Outcomes and Prescribed Solutions for a House

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – If Self-assessable Probable Solutions – If Code-assessable
SO1 Development is consistent with the density allowed by the definition of a House.	S1.1 Development provides that a maximum of 1 House and 1 Secondary Dwelling is established on a Lot.
SO3 Development is designed, sited and located to complement adjoining residences and contribute positively to the Streetscape.	<p>S3.1 Development being for a Secondary Dwelling, provides a minimum setback distance from side and rear boundaries of the distance specified in the Building Regulation 2006.⁴ of—</p> <ul style="list-style-type: none"> (a) 2 metres where the Building is a single-storey structure within the Residential Precinct; and (b) 3 metres where the Building is a 2-storey structure within the Residential Precinct; and (c) 6 metres where located in the Rural Residential Precinct; and (d) 6 metres where located in the Park Living Precinct and (e) 10 metres where located in the Countryside Precinct. <p>S3.2 Development provides a minimum Building setback distance of-</p> <ul style="list-style-type: none"> (a) 6 metres from the primary street frontage; and (b) 4.5 metres from the secondary frontage.⁵ <p>S3.3 Development in the Residential Precinct provides that car accommodation for a House (and including any Secondary Dwelling) does not occupy more than 40% of the street frontage.</p>
SO4 Development being a Secondary Dwelling does not adversely impact on the amenity and character of the Zone and Precinct by providing that the development is—	<p>S4.1—Development being for a Secondary Dwelling does not exceed 100 m² in floor area; and</p> <p>S4.2—Development being for a Secondary Dwelling or detached habitable room is located within 20 metres of the main living area of the House; and</p> <p>S4.3—Development provides that a wall containing an unscreened window maintains a minimum setback</p>

⁴ The Tamborine Mountain Zone Code may apply higher setback requirements

⁵ The Tamborine Mountain Zone Code may apply higher setback requirements.

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – If Self-assessable Probable Solutions – If Code-assessable
<p>House, the Streetscape and adjacent premises by having the appearance and bulk of a single House when viewed from the street;</p> <p>(d) maintains or enhances the predominant character of Buildings in the surrounding area through Building design, roof form, detailing and architectural style; and</p> <p>(e) protects the visual and acoustic amenity and privacy of adjacent</p>	<p>distance from side and rear boundaries of—</p> <p>(a) 2 metres at ground floor level; and</p> <p>(b) 6 metres above ground floor level.</p>
<p>SO5 — Development being a Secondary Dwelling provides appropriate setbacks and landscape buffering between vehicle access and parking areas to maintain the amenity of adjoining residences.</p>	<p>S5.1 — Development for a Secondary Dwelling ensures vehicle access and parking areas have a minimum side setback distance of—</p> <p>(a) 2 metres where the Building is a single storey structure within the Residential Precinct; and</p> <p>(b) 3 metres where the Building is a 2 storey structure within the Residential Precinct; and</p> <p>(c) 6 metres where located in the Rural Residential Precinct; and</p> <p>(d) 6 metres where located in the Park Living Precinct; and</p> <p>(e) 10 metres where located in the Countryside Precinct.</p>

PART 7: CHANGES TO PARKING AND SERVICING CODE TO REMOVE SECONDARY DWELLING PROVISIONS AND INCLUDE DUAL OCCUPANCY PROVISIONS

1. In Chapter 5, Part 3, Division 5 – Parking and Servicing Code, amend Table 5.3.15A as shown below:

Table 5.3.15A Car and Service Vehicle Parking

Column 1 Use	Column 2 Self-assessable and Assessable Development. Solution for Car Parking Spaces	Column 3 Self-assessable and Assessable Development. Solution for Service Vehicle Parking Spaces¹	Column 4 Requirements for Assessable Development
<u>Dual Occupancy</u>	<u>1 space per dwelling; and 1 visitor space per dwelling, where the development is located in the Residential Precinct, Medium Density Residential Precinct, Village Precinct, Cottage Tourist Precinct or Village Residential Precinct.</u>	<u>Nil</u>	<u>—</u>
House	1 space; or 2 spaces where including a secondary dwelling; or 2 spaces and 1 visitor space where including a secondary dwelling and located in a Residential or Medium Density Residential Precinct.	Nil	—

PART 8: INCLUDE NEW DUAL OCCUPANCY CODE IN CHAPTER 5, PART 2.

1. In Chapter 5, Part 1, Division 1, amend Table 5.1.1 as shown below:

Table 5.1.1 Codes for Development of a Stated Purpose or of a Stated Type

Column 1 Class of Codes	Column 2 Codes	Column 3 Section
Use Codes.	<u>Dual Occupancy Code.</u>	<u>5.2.107</u>

2. In Chapter 5, Part 2, include the following new code for Dual Occupancies as Division 36:

Division 36 Dual Occupancy Code

5.2.107 Purpose of the Dual Occupancy Code

The Overall Outcomes for a Dual Occupancy are the purpose of the Dual Occupancy Code.

5.2.108 Overall Outcomes for a Dual Occupancy

- a) A Dual Occupancy contributes to the provision of a greater range of housing types for the community;
- b) A Dual Occupancy is designed and sited to provide for a high quality living environment on site, and protect and enhance the residential amenity and character of adjoining and nearby land;
- c) A Dual Occupancy provides a safe, efficient and legible parking area to service the development;
- d) A Dual Occupancy is not adversely affected by identified constraints and does not adversely affect the management of identified constraints.

5.2.109 Specific Outcomes and Prescribed Solutions for a Dual Occupancy for Self-assessable and Assessable Development

Table 5.2.109 (Specific Outcomes and Prescribed Solutions for a Dual Occupancy) identifies in—

- a) column 1, the Specific Outcomes in respect of which assessable development is to be assessed; and
- b) column 2, the Acceptable Solutions in respect of which Self-assessable development is to be assessed and the Probable Solutions in respect of which assessable development is to be assessed.

Table 5.2.109 Specific Outcomes and Prescribed Solutions for a Dual Occupancy

Column 1 Specific Outcomes	Column 2 Acceptable Solutions—if Self-assessable Probable Solutions—if Code-assessable
<p><u>SO1 Development is of a height and scale that is consistent with the amenity and character of the surrounding area and does not adversely impact on the amenity of adjoining premises.</u></p>	<p><u>S1.1 Development does not exceed 2 storeys and has a maximum height of 8.5 metres above natural ground level at any point.</u></p> <p><u>S1.2 Development provides that the Dual Occupancy has a total site coverage of no more than 50%.</u></p>
<p><u>SO2 Development is designed, sited and located to ensure—</u></p> <ul style="list-style-type: none"> <u>(a) setbacks complement the existing streetscape; and</u> <u>(b) there is no significant loss of amenity to residents on adjoining sites; and</u> <u>(c) setbacks and landscape areas provide adequate buffering between access and parking areas, and adjoining residences.</u> 	<p><u>S2.1 Development provides a minimum setback distance from front, side and rear boundaries as detailed in Table 5.2.109A Building, Vehicular Access and Parking Area Setbacks Requirements for Dual Occupancies.</u></p>
<p><u>SO3 Development does not adversely impact on the amenity and character of the Zone and Precinct by providing that the development is—</u></p> <ul style="list-style-type: none"> <u>(a) visually integrated with the streetscape and adjacent premises by having the appearance and bulk of a single house when viewed from the street;</u> 	<p><u>S3.1 Development maintains the appearance of a single house when viewed from the street.</u></p> <p><u>S3.2 Development provides for one mail box structure per driveway.</u></p> <p><u>S3.3 Development provides—</u></p> <ul style="list-style-type: none"> <u>(a) a communal driveway to the Dual Occupancy; or</u> <u>(b) a separate driveway to each dwelling unit where</u>

<u>Column 1</u> <u>Specific Outcomes</u>	<u>Column 2</u> <u>Acceptable Solutions—if Self-assessable</u> <u>Probable Solutions—if Code-assessable</u>
<p><u>(b) orientated to address the street;</u></p> <p><u>(c) protects the visual and acoustic amenity and privacy of adjacent residential development.</u></p>	<p><u>development is located on a corner lot and both dwelling units address different street frontages.</u></p> <p><u>S3.5 The main living area of one dwelling unit is located within 20 metres of a main living area of the other dwelling unit on the site.</u></p> <p><u>S3.6 Development provides that a wall containing an unscreened window maintains a minimum setback distance from side and rear boundaries of—</u></p> <p><u>(a) 2 metres at ground storey level;</u> <u>and</u></p> <p><u>(b) 6 metres at first storey level.</u></p> <p><u>S3.7 Development addresses the street by presenting the front door of one of the dwellings and at least one window to the street.</u></p>
<p><u>SO4 Car parking accommodation must be located and designed to—</u></p> <p><u>(a) aesthetically complement the development;</u></p> <p><u>(b) not dominate the street frontage; and</u></p> <p><u>(c) have minimal adverse impacts on the amenity and character of the surrounding area.</u></p>	<p><u>S4.1 Car accommodation does not occupy more than 40% of the street frontage; and</u></p> <p><u>S4.2 Covered car parking accommodation is set back in accordance with the frontage setback requirements detailed in Table 5.2.109A Building, Vehicular Access and Parking Area Setbacks Requirements for Dual Occupancies.</u></p>
<p><u>SO5 Development is provided with sufficient outdoor private open space for the reasonable recreational needs of residents.</u></p>	<p><u>S5.1 Development provides that each dwelling is provided with private open space which—</u></p> <p><u>(a) has a minimum area of 50m²;</u> <u>and</u></p> <p><u>(b) is located at the side or rear of the development; and</u></p> <p><u>(c) is accessible from the main living area; and</u></p> <p><u>(d) has a maximum gradient of 1 in 10.</u></p>
<p><u>SO6 Service facilities are provided to meet the needs of residents and are sited and designed in an unobtrusive and convenient manner.</u></p>	<p><u>S6.1 Development—</u></p> <p><u>(a) provides open air clothes drying facilities with a minimum of 10m² that is screened from view from the street and internal driveways; and</u></p> <p><u>(b) screens air conditioning equipment from view from—</u></p> <p><u>(i) the street; and</u></p> <p><u>(ii) neighbouring properties;</u> <u>and</u></p> <p><u>(iii) internal driveways;</u></p> <p><u>(c) provides for garbage bin storage areas which are located</u></p>

<u>Column 1 Specific Outcomes</u>	<u>Column 2 Acceptable Solutions—if Self-assessable Probable Solutions—if Code-assessable</u>
	<u>for convenient use and collection and adequately screened from public view.</u>
<u>SO7 Development minimises any adverse effect on water quality.</u>	<u>S7.1 Development including an ancillary structure is not located within 50 metres of the high bank of any Waterway.</u>
<u>SO8 Development is serviced by basic infrastructure.</u>	<u>S8.1 Development is located on a lot provided with infrastructure to a standard that would be required or expected on new development, including the provision of access via a constructed road, stormwater drainage, sewerage disposal, water supply, electricity and telecommunications infrastructure.</u>

5.2.110 Specific Outcomes and Prescribed Solutions for a Dual Occupancy for Assessable Development

Table 5.2.110 (Specific Outcomes and Prescribed Solutions for a Dual Occupancy) identifies in—

- a) column 1, the Specific Outcomes in respect of which Code-assessable and Impact-assessable development is to be assessed; and
- b) column 2, the Probable Solutions in respect of which Code-assessable and Impact-assessable development is to be assessed.

Table 5.2.110 Specific Outcomes and Prescribed Solutions for Dual Occupancy

<u>Column 1 Specific Outcomes</u>	<u>Column 2 Probable Solutions</u>
<u>SO9 Development maintains or enhances the predominant character of buildings in the surrounding area through building design, roof form, detailing and architectural style.</u>	<u>S9.1 Development is designed to—</u> <u>(a) provide visual interest through the use of varying building colour and materials, architectural design, landscape elements, pavement treatments, changes in roof form and pitch;</u> <u>(b) provide for roofed verandas or eaves;</u> <u>(c) ensure car ports and garages are visually compatible with, and subordinate to, the building form and appearance.</u>
<u>SO10 Development that adjoins or is directly opposite an approved or existing Dual Occupancy is designed to:</u> <u>(a) add visual interest to the streetscape;</u> <u>(b) provide differentiation between buildings by means of articulation; and</u> <u>(c) avoid a stark or plain appearance.</u>	<u>S10.1 Building design of the development differs from other approved or existing Dual Occupancies in the immediate area.</u>

<p><u>SO11 Privacy between dwellings on the site and adjoining sites is achieved by effective building design and by locating of windows and outdoor open space areas to prevent overlooking into habitable rooms and private open spaces.</u></p>	<p><u>S11.1 Development prevents direct overlooking of the main internal living areas of dwellings on nearby allotments through measures such as—</u></p> <ul style="list-style-type: none"> <u>(a) offsetting the development from the adjacent dwelling by a distance sufficient to limit views into the adjacent windows; or</u> <u>(b) incorporating sill heights a minimum of 1.5m above floor level; or</u> <u>(c) utilising screening devices, such as fixed frosted or textured glazing, for any part of the window below 1.5m above floor level; or</u> <u>(d) providing fixed external screens.</u> <p><u>S11.2 Outlook from windows, balconies, stairs, landings, terraces and decks and other private areas, is obscured or screened where a direct view is available into the private open space of another dwelling unit by:</u></p> <ul style="list-style-type: none"> <u>(a) providing screening devices; or</u> <u>(b) existing or new planted landscaping that will achieve a minimum of 2m or greater in height at maturity.</u>
<p><u>SO12 Development does not cause unacceptable shadow impacts on adjoining development.</u></p>	<p><u>S12.1 Development ensures that sunlight to the ground-level private open space of an adjacent development is not reduced—</u></p> <ul style="list-style-type: none"> <u>(a) by more than 20%; or</u> <u>(b) to less than 4 hours between 9.00am and 3.00pm on 21 June.</u>

Table 5.2.109A Building, Vehicular Access and Parking Area Setbacks Requirements for Dual Occupancies

<u>Zone</u>	<u>Precinct</u>	<u>Front Setback</u>		<u>Side Setback</u>	<u>Rear Setback</u>
		<u>Primary Street Frontage</u>	<u>Frontage that does not provide vehicular access to the development</u>		
<u>Rural</u>	<u>Village</u>	<u>6 metres</u>	<u>4.5 metres</u>	<u>#</u>	<u>#</u>
	<u>Rural Residential</u>	<u>10 metres*</u>	<u>6 metres*</u>	<u>6 metres</u>	<u>#</u>
	<u>Countryside</u>	<u>10 metres</u>	<u>4.5 metres</u>	<u>10 metres</u>	<u>#</u>
	<u>Equestrian</u>	<u>10 metres</u>	<u>4.5 metres</u>	<u>#</u>	<u>#</u>
	<u>Future Dam</u>	<u>10 metres</u>	<u>4.5 metres</u>	<u>#</u>	<u>#</u>
<u>Kooralbyn</u>	<u>Residential</u>	<u>6 metres</u>	<u>4.5 metres</u>	<u>Single Storey – 2 metres</u> <u>Double Storey – 3 metres</u>	<u>#</u>
	<u>Rural Residential</u>	<u>10 metres*</u>	<u>6 metres*</u>	<u>6m</u>	<u>#</u>
	<u>Emerging Community</u>	<u>6 metres</u>	<u>4.5 metres</u>	<u>#</u>	<u>#</u>
<u>Beauesert & Canungra Township</u>	<u>Residential</u>	<u>6 metres</u>	<u>4.5 metres</u>	<u>Single Storey – 2 metres</u> <u>Double Storey – 3</u>	<u>#</u>

<u>Zone</u>	<u>Precinct</u>	<u>Front Setback</u>		<u>Side Setback</u> metres	<u>Rear</u>
	<u>Medium Density Residential</u>	<u>6 metres</u>	<u>4.5 metres</u>	<u>Single Storey – 2 metres</u> <u>Double Storey – 3m metres</u>	<u>#</u>
	<u>Rural Residential</u>	<u>10 metres*</u>	<u>6 metres*</u>	<u>6 metres</u>	<u>#</u>
	<u>Emerging Community</u>	<u>6 metres</u>	<u>4.5 metres</u>	<u>#</u>	
	<u>Countryside</u>	<u>10 metres</u>	<u>4.5 metres</u>	<u>10 metres</u>	<u>#</u>
<u>Tamborine Mountain</u>	<u>Cottage Tourist Facility</u>	<u>~</u>	<u>~</u>	<u>#</u>	<u>#</u>
	<u>Village</u>	<u>6 metres^</u>	<u>4.5 metres^</u>	<u>#</u>	<u>#</u>
	<u>Residential</u>	<u>6 metres^</u>	<u>4.5 metres</u>	<u>Single Storey – 2 metres</u>	<u>#</u>
	<u>Park Living</u>	<u>10 metres</u>	<u>10 metres</u>	<u>6 metres</u>	<u>#</u>
	<u>Rural Character</u>	<u>10 metres</u>	<u>10 metres</u>	<u>#</u>	<u>#</u>
	<u>Countryside</u>	<u>10 metres^</u>	<u>4.5 metres</u>	<u>10 metres</u>	<u>#</u>
	<u>Escarpment Protection</u>	<u>10 metres^</u>	<u>4.5 metres</u>	<u>#</u>	<u>#</u>

The distance specified in the Queensland Development Code

* Or setbacks that are generally consistent with the setbacks of existing residential development in the immediate area.

^ The Precinct provisions in the Tamborine Mountain Zone Code may apply higher setback requirements.

~ Refer to the Precinct provisions in the Tamborine Mountain Zone Code

Map amendments

Not applicable.

Item 9: Amendment to setbacks from services in the Construction and Infrastructure Code

Summary

Amendment to the Construction and Infrastructure Code to provide clarity in relation to setbacks from services.

Explanation

The Construction and Infrastructure Code includes specific provisions in relation to the proximity of development to underground services.

At present, probable solution S4.2 of this Code requires development (other than fences) to be located at least 3 metres from underground services, where there is no building envelope on a property.

Setbacks from services are important in instances where a service needs to be dug up, replaced or maintained. Accordingly, an amendment is proposed to clarify the need for all development (except fences) to be set back 3 metres, regardless of the existence of a building envelope.

Text amendments

In Chapter 5, Part 3, Division 3 Construction and Infrastructure Code, amend Table 5.3.8, S4.2 as shown below:

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – if Self-assessable Probable Solutions – if Code-assessable
Proximity to Underground Services	
SO4 Development is sited to not interfere with maintenance and replacement of underground services.	S4.1 Development ensures that where a Building Envelope is provided, development (other than for fences) is located within the Building Envelope.
	S4.2 Development ensures that where no Building Envelope is provided, development (other than for fences) is located at least 3 metres from underground services.

Map amendments

Not applicable.

Item 10: Amendment to Tourist Cabins definition

Summary

Amendment to Tourist Cabins definition to ensure that cabins that are not self-contained do not trigger an impact assessable, inconsistent application.

Explanation

The current definition of Tourist Cabins implies that all cabins need to be self contained. Cabins that are not self-contained would constitute an undefined use and consequently trigger an impact assessable, inconsistent application. It is considered that a serviced cabin would have similar impacts to a self-contained cabin and therefore not require different treatment in regard to the application of the planning scheme provisions.

Therefore, an amendment is proposed that expands the scope of the definition so that the term is not restricted to self contained cabins.

Text amendments

In Schedule 1, Part 1, Section 1.1, amend the existing definition for 'Tourist Cabins' as shown below:

Tourist Cabins means any premises used, or intended to be used, for accommodating persons away from their normal place of residence in ~~self-contained~~ cabins that may or may not be self-contained.

The term may include the provision of limited leisure facilities, meals and services for guests as ancillary activities.

Note: The term does not include a Motel as defined herein.

Map amendments

Not applicable.

Item 11: Amendment to Gross Floor Area (GFA) definition

Summary

Amendment to the existing Gross Floor Area (GFA) definition to provide additional detail in regard to what is included in the calculation of GFA.

Explanation

An amendment is proposed to provide clarification on the term Gross Floor Area to address variations between residential, industrial and retail/commercial uses.

Specifically, the amendment intends to confirm that garages for residential development are included in the calculation for GFA, whereas car parking areas for non-residential development are excluded.

Text amendments

In Schedule 1, Part 3, Section 1.3, amend the term 'Gross Floor Area' as shown below:

Gross Floor Area (GFA) means the sum of the floor areas (~~inclusive of all walls, and columns~~) of all storeys of every building located on a site, measured from the outside of external walls or the centre of a common wall:

- a. Including all internal walls and columns (such as basements, floor roof spaces and attics, garages, penthouses, enclosed porches or balconies, and attached enclosed covered walkways alongside buildings) and
- b. Excluding areas used for:
 - building services (mechanical/electrical plant and/or equipment rooms, air-conditioning, lifts motor rooms, service ducts, etc.);
 - stairs, lifts and level changes (landings, ramps, escalators or other means of access between floor levels);
 - unenclosed balconies (whether roofed or not), including a roof deck where not used for retail or commercial purposes (such as outdoor dining for a restaurant);
 - ground floor public any lobby at ground storey level (including any common foyer not being used for commercial or retail purposes);
 - a public mall in a shopping centre; and
 - any public toilets; and
 - areas associated with the parking, whether covered or uncovered, loading and manoeuvring of motor vehicles, associated with retail, commercial and industrial uses.

Map amendments

Not applicable.

Item 12: Amendment to list of Community Infrastructure Designations

Summary

Amend Appendix A – Community Infrastructure Designations to include the updated list of land designated by a Minister for community infrastructure.

Explanation

Three additional Community Infrastructure Designations have been made by various Ministers since the commencement of the Planning Scheme in 2007. The purpose of this amendment is to update the Community Infrastructure Designation list in Appendix A, so that the planning scheme reflects current designations.

The following 4 items will be added to Appendix A (Community Infrastructure Designations):

- Eagle Heights Recovery Service Centre;
- Beaudesert Early Years Centre;
- Mount Tamborine Fire and Rescue Station; and
- Beaudesert State High School and associated facilities.

Given that two of the designations were made after the *Sustainable Planning Act 2009* (SPA) came into effect, the preliminary text in Appendix A also requires amendment to reflect designations made under SPA.

Text amendments

In Appendix A, Community Infrastructure Designations, Division 2, amend the preliminary information and Table A.1 as shown below:

1.1 Division 1 - Preliminary

1 Applicability of this Appendix

This Appendix identifies designated development in accordance with section 2.6.11 and 2.6.12 of the *Integrated Planning Act 1997* or section 206 of the *Sustainable Planning Act 2009*.

2 Updating of this Appendix

(1) Table A.1 may be updated periodically as designations for community infrastructure can be made by a Minister at any time.

(2) Table A.2 may not be updated by the local government other than in accordance with Schedule 1 of the *Integrated Planning Act 1997*.

Note: In accordance with section 211(2) of the *Sustainable Planning Act 2009*, the inclusion of details about a designation for community infrastructure made by a Minister does not constitute an amendment to the planning scheme, i.e., the schedule can be updated at any time without following the process of section 117(1) of the *Sustainable Planning Act 2009*.

3 Definitions for this Appendix

“Underlying Zone and Precinct” means the Zone and Precinct the land is included in.

4 Designations Exist for Limited Period

(1) Designations cease to have effect in accordance with section 2.6.14 of the *Integrated Planning Act 1997*.

(2) Designations may continue after the date specified in section 2.6.14 where it complies with section 2.6.15 of the *Integrated Planning Act 1997*.

Note: The *Sustainable Planning Act 2009* does not include provisions in regard to the duration of the effect of designations for community infrastructure made by a Minister.

1.1.1 Division 2 – Designations under section 2.6.7 of IPA or section 206 of the Sustainable Planning Act 2009

5 Designations by a Minister

- (1) Table A.1 lists designations carried out by a Minister under section 2.6.7 of the Integrated Planning Act 1997 or section 206 of the Sustainable Planning Act 2009 current at the date of the last designation listed.

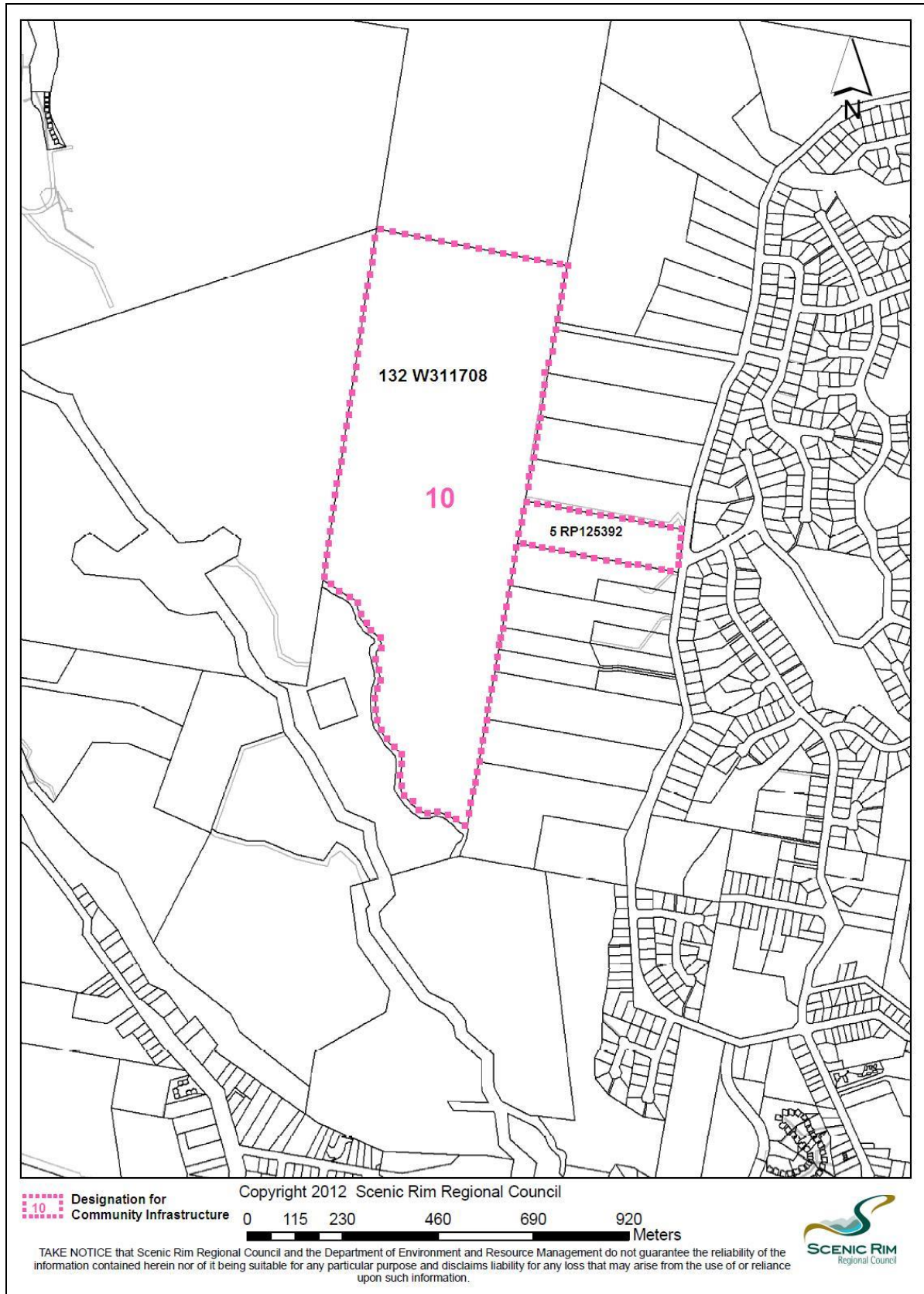
1.1.2 Table A.1 – Designations by a Minister

Designation Number	Real Property Description	Date Designated	Purpose of Designation	Underlying Zone & Precinct
<u>10</u>	<u>L5 RP125392 & L132 W311708</u>	<u>13/11/2009</u>	<u>Eagle Heights Recovery Service Centre</u>	<u>Tamborine Mountain Zone; Escarpment Protection Precinct</u>
<u>11</u>	<u>L184 WD5449</u>	<u>04/03/2011</u>	<u>Beaudesert Early Years Centre</u>	<u>Beaudesert Township Zone; Community Facilities Precinct</u>
<u>12</u>	<u>L1 RP108414, L2 RP138100 & Emt A RP863430</u>	<u>17/02/2012</u>	<u>Mount Tamborine Fire and Rescue Station</u>	<u>Tamborine Mountain Zone; Community Facilities Precinct</u>
<u>13</u>	<u>L154 SP161705</u>	<u>16/08/2013</u>	<u>Beaudesert State High School and associated facilities</u>	<u>Beaudesert Township Zone; Community Facilities Precinct</u>

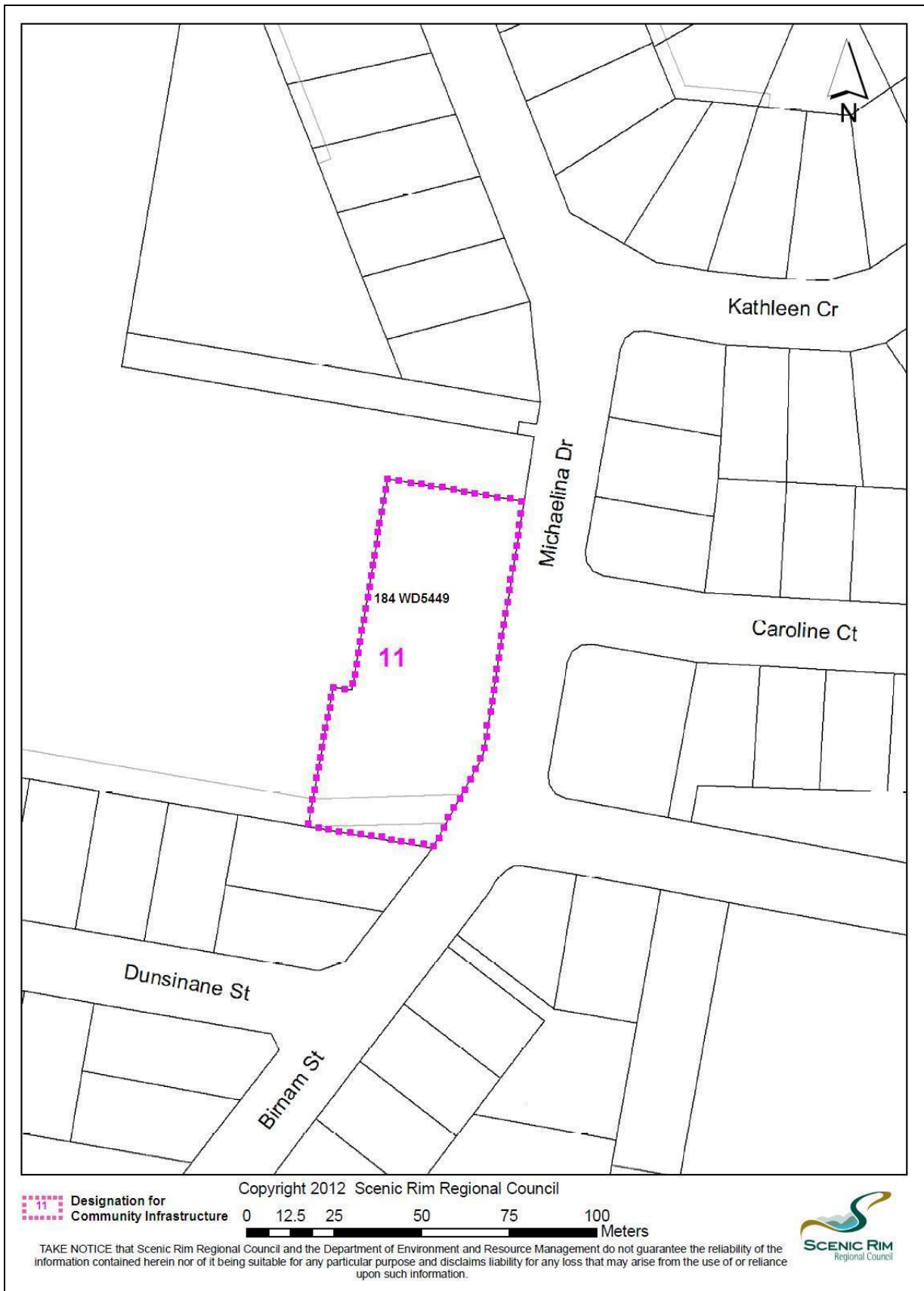
Map amendments

1. Amend Zoning Map 17, to reflect that Lot 5 RP125392 and Lot 132 W311708 is land designated for community infrastructure and assign as designation number 10.
2. Amend Zoning Map 22, to reflect that Lot 184 WD5449 is land designated for community infrastructure and assign as designation number 11.
3. Amend Zoning Map 17, to reflect that Lot 1 RP108414; Lot 2 RP138100 and EMT A RP862430 is land designated for community infrastructure and assign as designation number 12.
4. Amend Zoning Map 22, to reflect that Lot 154 SP161705 is land designated for community infrastructure and assign as designation number 13.

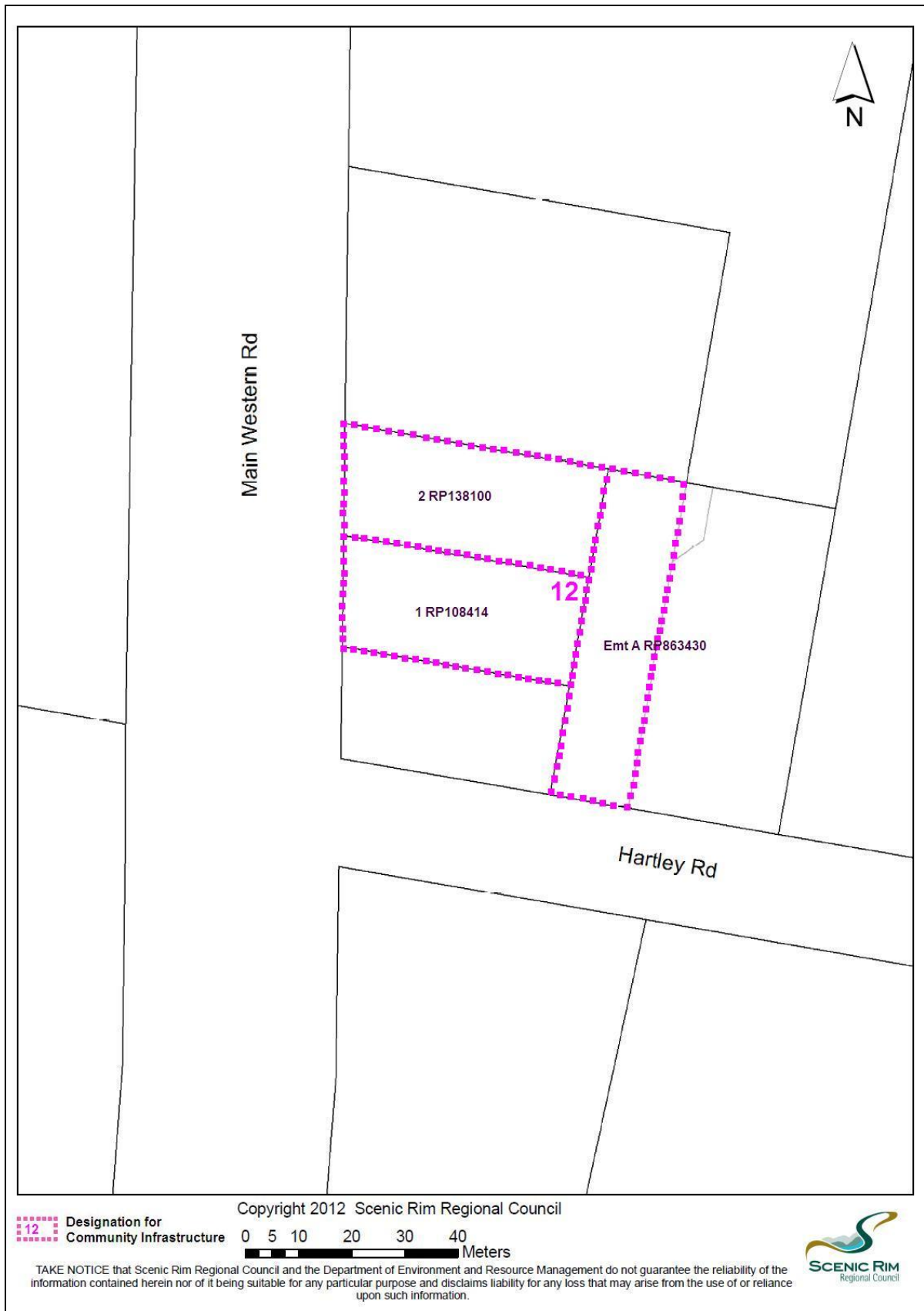
1. Zoning Map 17



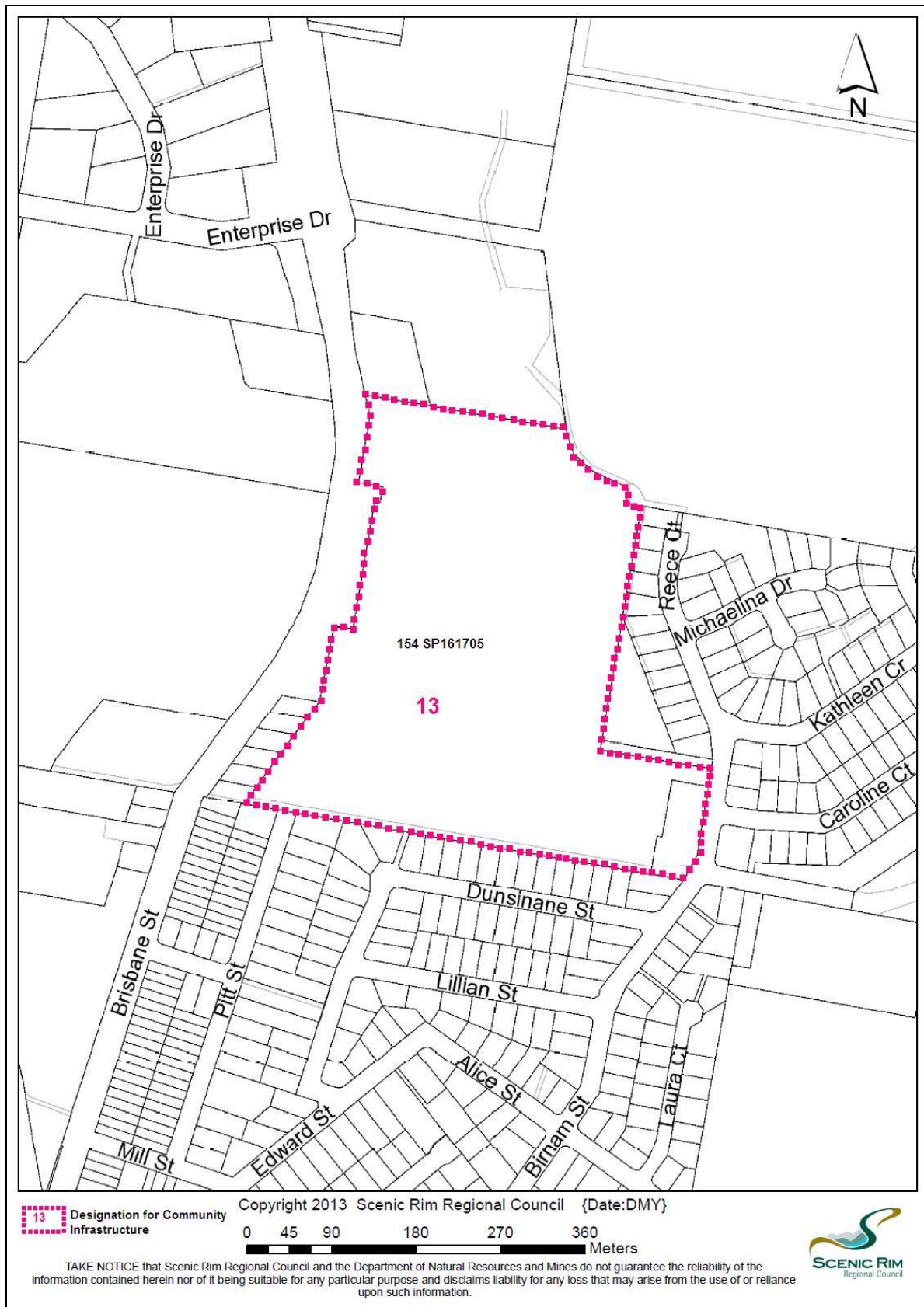
2. Zoning Map 22



3. Zoning Map 17



4. Zoning Map 22



Item 13: Correction of an anomaly in the Countryside Precinct provisions of the Rural Zone Code

Summary

Amendment to correct an error whereby a specific outcome refers to the Rural Precinct when it should relate to the Countryside Precinct.

Explanation

An error has been identified whereby SO4 in the Countryside Precinct outcomes in the Rural Zone Code refers to the Rural Precinct when it should relate to the Countryside Precinct. This amendment proposes to correct this error.

Text amendments

In Chapter 3, Part 3 – Rural Zone, Subdivision 6, amend Table 3.3.15 as shown below:

Table 3.3.15 Specific Outcomes and Prescribed Solutions for the Countryside Precinct

Column 1 Specific Outcomes	Column 2 Acceptable Solutions – If Self-assessable Probable Solutions – If Code-assessable
SO4 Development protects and enhances the amenity and character of the Rural Countryside Precinct by providing that— <ul style="list-style-type: none"> (a) there is no adverse impact on visual or scenic amenity (especially from the major road network); and (b) the future provision of open space corridors is not compromised; and (c) development along a major road achieves a high standard of visual amenity and landscaping treatment; and (d) development is maintained in good order and state of repair and is not unsightly; and (e) the safety and efficiency of any existing or planned service or facility is not compromised. 	S4.1 No Solution is prescribed.

Map amendments

Not applicable.

Item 14: Amendment to assessment table in the Rural Zone for crossover and driveway requirements

Summary

Amendment to the assessment category in the Table of Development for operational works involving the construction of crossovers and driveways in the rural zone.

Explanation

Operational works involving the construction of a crossover is currently code assessable if there is no concrete kerb and channel constructed along the road frontage. It is rare to have a road in the rural zone with a kerb and channel and this criterion is therefore not suitable for this zone. As such, it is proposed to amend the assessment category for crossovers to exclude this requirement.

Further, operational works involving the construction of a driveway is code assessable in the rural zone if:

- (a) located within an access easement; or
- (b) located in the access handle of a rear allotment; or
- (c) crosses a watercourse when providing access between the road and the building envelope or dwelling.

Council does not have specific concerns about driveways in access easements or located in the access handle of a rear allotment in the rural zone. It is therefore proposed that (a) and (b) from the criteria for code assessable development in the Rural Zone be deleted.

Text amendments

In Chapter 3, Part 3 – Rural Zone, amend the assessment table for Development not for a Material Change of Use (Table 3.3.5) as shown below:

Table 3.3.5 Assessment Table for Development not for a Material Change of Use in the Rural Zone⁶

Column 1 Development	Column 2 Assessment Category	Column 3 Assessment Criteria
Carrying out Operational Work being the construction of a crossover.	<p>Self-assessable, where—</p> <p>(a) concrete kerb and channel has been constructed along the road frontage of the lot; and</p> <p>(b) does not involve the crossing or interfering with a table drain.</p> <p>Code-assessable if not Self-assessable.</p>	<p>If Self-assessable or Code-assessable —</p> <p>Construction and Infrastructure Code (section 5.3.6).</p>
Carrying out Operational Work being the	<p>Exempt, if not code assessable.</p> <p>Code-assessable if the</p>	<p>If Exempt—None applicable.</p> <p>If Code-assessable—</p>

⁶ Assessment Categories may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see section 1.4.6 explaining how the higher Assessment Category prevails.

Column 1 Development	Column 2 Assessment Category	Column 3 Assessment Criteria
construction of a driveway.	proposed driveway, if— (a) __ located within an access easement; or (b) __ located in the access handle of a rear allotment; or (c) __ crosses a watercourse when providing access between the road and the building envelope or dwelling.	Construction and Infrastructure Code (section 5.3.6).

Map amendments

Not applicable.

End of Amendment Package