

An aerial photograph of a city, likely Toowoomba, showing a road and a green field. The image is split into two main sections: a dark blue/grey area on the left and a lighter blue/grey area on the right. The text is overlaid on the white background of the right section.

Toowoomba Regional
Planning Scheme Review

Peer Review Report

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1 Introduction

1.1 Background and Context

The Toowoomba Regional Council (TRC) is located west of Brisbane, and is bordered by Southern Downs Regional Council, Goondiwindi Regional Council, Lockyer Valley Regional Council, Somerset Regional Council, Western Downs Regional Council and South Burnett Regional Council.

The TRC area is characterised by its mixed settings, with both rural and urban lifestyles. The major urban centre for the TRC area is Toowoomba, which functions as the major retail, commercial, employment and administrative centre of the region, and for regions beyond the TRC area. The other key centres include Millmerran, Pittsworth, Crows Nest, Highfields, Yarraman, Oakey, and Cecil Plains, with small towns and rural land and areas of significance throughout the rest of the TRC area.

The Toowoomba Regional Planning Scheme (the planning scheme) became operational on 2 July 2012. The planning scheme was one of the first planning schemes prepared under the *Sustainable Planning Act 2009* (SPA). Since its commencement, the planning scheme has undergone many amendments, more recently to align with the *Planning Act 2016* (Planning Act). The current planning scheme is version 19.0, which commenced on 27 April 2018. Due to the requirement under the Planning Act to review a planning scheme every ten (10) years, the current TRC planning scheme is due for review by July 2022.

Given the time since the original preparation of the planning scheme, the change in the regulatory framework, the ongoing commitment to proactive and transparent governance, and the desire to ensure the planning scheme reflects current circumstances and emerging best practice, TRC has resolved to undertake a review of the current planning scheme.

1.2 The Overall Review Programme

The review is envisaged to comprise a comprehensive programme over an 18 month period and include three (3) phases as follows:

- > Phase 1 – Technical Review;
- > Phase 2 – Stakeholder Consultation;
- > Phase 3 – Recommendations and implementation.

Each phase has a number of elements, which breaks down the review into a number of discrete yet related elements. The current review relates to one aspect of Phase 1, being a 'Peer Review' of the planning scheme.

1.3 Purpose of the Peer Review

This report relates to the Peer Review element of the planning scheme review project. The purpose of the Peer Review is to undertake a technical review of the operational aspects of the planning scheme in terms of:

- > Alignment with State Planning Policy drafting principles;
- > Effectiveness of scheme mechanics;
- > Policy alignment - vertical and horizontal;
- > Clarity of vision within the strategic framework;
- > Clarity, consistency and effectiveness of drafting;
- > Effectiveness of the way the planning scheme implements underlying policy positions;
- > Gaps in scheme provisions;

- > Unnecessary or redundant requirements;
- > Conflict / duplication between provisions;
- > Local Plan integration;
- > Unintended consequences of provisions;
- > Appropriate and consistent designation of assessment levels;
- > Integration between the planning scheme and planning scheme policies; and
- > Opportunities for enhancing interpretation through use of graphics.

The Peer Review is not the final element of the overall review programme and is intended to provide a reference for future planning scheme amendment drafting exercises.

1.4 Aims of the Peer Review

The aim of the Peer Review is to provide a series of recommendations for potential improvement of the operational aspects of the planning scheme. These recommendations will inform the final phase of the review project that will culminate in an implementation plan to guide the preparation of a new Toowoomba Regional Planning Scheme.

2 Peer Review - Approach

2.1 Introduction

This section provides a description of the approach the project team has taken to carry out the peer review exercise.

2.2 Scope of the Peer Review

The Peer Review element is intended to have a technical focus, and is limited to a review of the operational or 'mechanical' aspects of the planning scheme.

Planning schemes are by their nature technical and complex documents, and rely on a number of separate parts working together to achieve good development outcomes and meet the strategic land use goals of the region. In this regard, the peer review will focus on such things as:

- > how well the various parts of the scheme relate to each other;
- > whether the drafting of the scheme provisions is clear and precise;
- > whether the higher order strategic provisions of the planning scheme (such as strategic outcomes and overall outcomes) are implemented through the lower order acceptable outcomes and performance outcomes; and
- > whether the planning scheme mapping is consistent across the various elements and reflects the existing situation on the ground.

2.3 Current Planning Scheme Format

The current Toowoomba Planning Scheme was initially prepared in accordance with the (now repealed) Queensland Planning Provisions (the QPP). The QPP were standard planning scheme provisions made under the now repealed *Sustainable Planning Act 2009* that provided for a consistent structure and format for all planning schemes across Queensland.

The QPP provided for a hierarchical scheme format consisting of ten (10) basic parts consisting of:

- > Part 1 – About the planning scheme;
- > Part 2 – State Planning Provisions;
- > Part 3 – Strategic Framework;
- > Part 4 – Local Government Infrastructure Plan;
- > Part 5 – Tables of Assessment;
- > Part 6 – Zones;
- > Part 7 – Local Plans;
- > Part 8 – Overlays;
- > Part 9 – Development Codes;
- > Part 10 – Other Plans.

The QPP scheme was supported by a range of schedules and appendices consisting of:

- > Schedule 1 – Definitions;
- > Schedule 2 – Mapping;

- > Schedule 3 – Local Government Infrastructure Plan Mapping and Supporting Material;
- > Schedule 4 – Notations required under the Sustainable Planning Act 2009;
- > Schedule 5 – Land designated for community infrastructure;
- > Schedule 6 – Planning Scheme Policies;
- > Appendix 1 – Index and glossary of abbreviations; and
- > Appendix 2 – Table of Amendments.

The QPP were based on the principle of ‘vertical integration’. This approach to scheme drafting was intended to accommodate higher order strategic and policy outcomes in Part 3 of the planning scheme, with the implementation framework provided through the lower order codes in Parts 6 and 9 of the scheme.

To aid in the simplification and efficiency of development assessment processes, the QPP also sought to calibrate the level of assessment of development in Part 5 of the scheme such that simple and/or consistent development did not require assessment against a large number of codes or provisions.

Given this scheme construction, the review focuses on:

- > How well the higher order strategic and policy outcomes in Part 3 of the scheme are reflected in the lower order zone and use codes;
- > Whether the levels of assessment in Part 5 are appropriately calibrated to reflect the range of consistent and desired land uses as set out in zone codes;
- > Whether the zone codes (Part 6) and use codes (Part 9) are drafted in a way that is understandable and provide precise and objective assessment parameters;
- > Whether the ‘regulatory’ parts of the scheme that provide detailed assessment/compliance provisions actually work to deliver the strategic land use outcomes set out in the ‘strategic’ parts of the scheme.

2.4 Mapping Review

One of the major issues with a planning scheme is that it is a ‘point in time’ document. As things change over time, the planning scheme may be left behind as land uses change, new development occurs, legislation is adopted, changed or commenced, or other natural events may alter the landscape. This means that the planning scheme may no longer effectively represent the actual conditions on the ground.

The Toowoomba Planning Scheme has been subject to a range of amendments and updates since its adoption and commencement in July 2012, with the current scheme being version 19 (April 2018). Despite the well regarded commitment to rolling amendments, it is likely that given the timeframe and level of development, there will be inconsistencies between the planning scheme mapping and ground conditions. As part of the planning scheme review, a ground truthing exercise will be carried out to compare current scheme strategic framework mapping and zone mapping with available aerial photography. This will identify:

- > Inconsistencies between strategic framework (land use intent) mapping and extent of development; and
- > Inconsistencies between land use zone and actual development.

2.5 Limitations on review

In undertaking a review of the operation of the planning scheme, it is noted that any discrete review cannot identify every instance of potential misalignment. Given the complexity of the document, the potential for multiple interactions between different parts of the scheme, and the sheer volume of text, any review is necessarily unable to be definitive, despite being comprehensive.

On this basis, to provide focus the peer review will concentrate on identifying and considering issues based on:

- > Review of Council Planning Scheme Issues Register to identify known operational issues as reported by Council staff;
- > Engagement with identified stakeholders to identify operational issues experienced by regular users of the scheme;
- > Review of recent appeals (commenced since the adoption of the current QPP planning scheme) to identify common issues and themes
- > A top down review based on key issues to identify vertical integration of higher order strategic and policy positions and how these are filtered through the scheme;
- > A regulatory review of the operational and mechanical aspects of the planning scheme to identify whether the regulatory framework (such as zone code and use codes) provide efficient, consistent and clear guidance that will achieve the desired development outcomes;
- > Review of Tables of Assessment to identify inconsistencies and efficiencies in terms of facilitating desired outcomes and ease of use and interpretation; and
- > Review of mapping and graphical elements to identify inconsistencies between strategic framework mapping, zone mapping, and actual development on the ground.

3 Identification of Key Issues

3.1 Introduction

To carry out the review in a concise and targeted manner, the project approach was to identify key issues with the operation and construction of the planning scheme. The key issues then provided a focus for subsequent review activities. The key issues include identification of specific mechanical deficiencies in the scheme (such as drafting errors or mapping errors), as well as more broad issues relating to the integration of policy positions throughout the planning scheme document.

This section of the report summarises the key issues identified through a range of review processes.

3.2 Review of appeals

Queensland Planning and Environment Court appeals occurring within a local government area can be potentially instructive to a planning scheme review project. Court decisions may unpick where there is planning scheme ambiguity, inadequacy or strength. The presence of appeals may identify where industry expectations or community expectations are misaligned to the planning policy positions or technical drafting outcomes expressed within the planning scheme.

A review of Queensland Planning and Environment Court appeals has been undertaken that relate to the Toowoomba Regional Council area, and that have occurred from the date of the commencement of the planning scheme to the date of this Peer Review project. It is noted that a number of appeals arising (approximately 21 appeals) were in respect of infrastructure-based matters (for example, infrastructure charges disputes and conversion applications) and are accordingly less relevant to this Peer Review project. A remainder of 23 merits-based appeals (including conditions appeals) have been identified as being potentially relevant to this Peer Review project. A list of those appeals is included in Appendix A.

Of those appeals, the following observations and issues arise.

- > None of the appeals resulted in a formal judgement on the merits of the case, as they were either resolved between the parties before any Court hearing, abandoned by one of the parties, or are ongoing. As such, the planning scheme remains somewhat 'untested' by the Court.
- > Some of the appeals relate to superseded planning scheme applications, and therefore have limited relevance to the Peer Review of the current Toowoomba Planning Scheme.
- > The appeals relate to a mixture of rural and urban issues, being somewhat reflective of the spread of development occurring across region. There is no one overwhelming theme, or even variable dominant themes. This is instructive in demonstrating that there is not necessarily a fundamental issue with a singular part of the planning scheme, that all applicants are prepared to take to appeal.
- > Key matters arising in appeals (including in various grounds of appeal, which may not ultimately provide to be 'valid' grounds), for consideration in this Peer Review project, include the following. These are posed as questions, as there are not any court judgements resolving a position on these matters, and are aspects for interrogation in this Peer Review project (refer subsequent sections).
 - Solar farms – as a relatively new form of development, is further clarity required about its preferred locations and potential for land use conflicts?
 - Rural character – there has been some evidence of pressure on rural land for alternate uses, including extractive industry, rifle range, and solar farms. Is there a need to reinforce the established and desired rural character, and what may or may not be compatible?
 - Agricultural land – similarly to the above, do alternate uses affect protection of agricultural land?

- Service stations – does the planning scheme provide sufficient guidance on the preferred location of service stations (noting that often these are location fluid, and rise or fall dependent upon the demonstration of economic and planning need)?
- Neighbourhood character – does the Neighbourhood Character Code adequately control incompatible development?
- Residential development – do the Residential Zone and Development Codes adequately manage desired residential development outcomes, and is there sufficient land (noting that some appeals for residential development pressure a change from industry to residential)?
- Subdivision – are lot sizes adequate and clear, and is there a need for flexibility, in both urban residential and rural residential settings?

3.3 Review of Council Issues Register

A review of Council's Planning Scheme Issues register has been undertaken to inform the nature and type of matters that are being identified for further investigation by both strategic planning and development assessment staff, as they use the Planning Scheme. A total of 39 separate matters have been recorded in the provided register, a copy of which is provided in Appendix B. It is understood the register is a live document that has been continuously used since the commencement of the Planning Scheme.

The issues raised in the register can be generally considered in two distinct categories, policy matters and mechanical matters. Key policy matters raised include:

- > Traffic and transport matters (on-street parking, drop-off areas)
- > Earthworks
- > Street trees
- > Reconfiguration
- > The inclusion of requirements for various technical assessments and associated standards.
- > Changes to mapping including zoning or overlay categories, reflecting changed circumstances.

Mechanical matters primarily related to:

- > linkages to state policies (State Planning Policy and standard definitions);
- > integration of different parts of the Planning Scheme including conflicts between provisions and use of Planning Scheme Policies; and
- > known errors in either provisions or mapping.

The above categories and matters have been used to inform the analysis undertaken as part of the Planning Scheme review and documented in Part 4 of this report.

3.4 Engagement

A number of engagement activities were undertaken in September 2018 as summarised in Table 3.1. The intent of the engagement activities was to identify issues or problems with the planning scheme to assist in focusing the review effort on those aspects of the scheme where potential deficiencies have been encountered by users.

The directions meeting provided an opportunity for key Council staff (including planning, infrastructure, and management staff) to provide input on known operational issues from a Council-side perspective.

The targeted stakeholder engagement was intended to allow regular users of the scheme (such as consultants, landowners and developers) to identify those aspects of the scheme that are problematic from a planning scheme user perspective.

Together, the engagement activities covered a broad range of interests and provided a number of perspectives on which to undertake the review activities.

Table 3-1 Engagement activities

Engagement activity	Description
1. Council Directions Meeting	A meeting was held between Cardno and key Council officers to discuss known operational issues, identify key policy outcomes where implementation has been problematic, and confirm the general approach to the review
2. Targeted stakeholder engagement	Targeted phone interviews were undertaken with ten (10) regular planning scheme users including consultants, landowners and developers active in the Toowoomba region. The interviews were designed to elicit responses specifically relating to operational aspects of the planning scheme and identify common issues and concerns.

3.4.2 Engagement with key stakeholders

Council provided a list of ten (10) regular users of the planning scheme including developers, consultants and landowners. The stakeholders were contacted via phone and email, with a series of common prompts and queries being used to generate consistent responses that could be grouped and categorised.

The queries were open ended questions that were designed to allow for un-structured responses, reflecting the level of interest or interaction each respondent had with the respective parts of the scheme. The queries and consolidated responses are provided in Table 3.2. It is noted that the responses are based on a summary of the issues raised by stakeholders and no identification of respondent is provided.

Table 3-2 Responses from targeted stakeholder engagement

Query	Responses
General useability. Is the current planning scheme easy to use, is it simple, is it understandable?	Generally OK for professional users, however hard for general community. Terminology is difficult to understand Very long and complicated, information is located in multiple parts
Key issues. Are there errors in the scheme, is there inconsistency between scheme provisions, are there information gaps where it is difficult to respond to scheme requirements?	Dual occupancy design guidelines Too many amendments do not allow for confidence in what is required Density expectations are too high for Toowoomba Subdivision design requirements are onerous and do not reflect local expectation (both of market or developers) Identification of the location of centres does not respond to local catchments and demography
Scheme provisions. Is there enough guidance in the scheme provisions to allow you to understand what is required – or is there too much/too many provisions?	Generally OK given that a planning scheme is a technical document Additional guidance on what is required to demonstrate compliance would be useful for some elements Too many provisions relate to specific design requirements, and the scheme should not be concerned with this level of detail
Levels of assessment. Are the current levels of assessment appropriate to provide for an efficient development assessment process, particularly for common and low risk development types?	Dwellings should not be subject to Code assessment, only building approval required Character and heritage overlays make simple development assessable, and therefore more difficult and costly

Query	Responses
Are there any positive aspects of the scheme you would identify?	Fast track process appreciated and recommended to be broadened for more development types Ability to talk to officers is appreciated

The responses did not provide specific reference to scheme provisions, and were more general in nature.

It is also noted that of the ten (10) stakeholders identified, only five (5) responses were received, and there was some resistance by stakeholders to be involved in the project.

In summary, the key issues raised by the external stakeholder group are as follows:

- > The higher density expectations for new development in greenfield areas are not consistent with market demand for larger lots;
- > The identification of specific locations for Local centres interfere with the ability to establish a local centre to meet actual and emerging demand from a local catchment;
- > More graphical elements (including tables and diagrams) would assist in explaining provisions;
- > The design provisions for dwelling houses in character areas are too restrictive and do not allow for innovative and modern design approaches that still remain sympathetic to the character of the locality;
- > The rapid pace of changes/amendments to the scheme reduces certainty for design outcomes;
- > Unit design guidelines (in reference to the TLPI 01/2017 (Dual Occupancy)) are prescriptively enforced, do not respond well to varying site contexts, and do not achieve good design or comfortable living outcomes;
- > The planning scheme should be more concerned with what type and nature of development goes where, and not include detailed design guidance that is too generic to deliver site responsive designs.

The stakeholder respondents in general considered the scheme to be useable, however this position is largely due to their professional role and regular interaction with the scheme such that they have learned to understand the issues and avoid them as necessary. Despite the queries being focused on operational aspects, the issues raised have policy implications and may provide guidance for Council in developing a policy review programme for the future.

3.4.3 Engagement with Council stakeholders

Engagement with Council stakeholders was undertaken as a workshop with technical officers from strategic planning branch, infrastructure and network planning branches, executive managers and elected representatives. The workshop provided an opportunity for Council-side planning scheme users and managers to provide feedback on current operational and implementation issues, as well as raise emerging issues and areas where the current planning scheme provided limited guidance and could be reinforced to aid in infrastructure delivery and asset management.

The key issues raised by the Council stakeholder group are summarised as follows:

- > The efficiency and effectiveness of Planning Scheme Policies to guide development outcomes is queried given that they do not have the statutory power to regulate development;
- > Issues relating to refuse collection are not well catered for in the current scheme;
- > The current parking space standards are problematic and do not reflect the type of larger vehicles that are common in the region;
- > Planning scheme mapping is not legible, contains errors, and does not contain the right information or groups of information in a single place to aid in use of the planning scheme;
- > There is only limited guidance given to applicants relating to what information should be provided by applicants to demonstrate compliance with the planning scheme;

- > The planning scheme does not include provisions relating to renewable energy installations which does not reflect the increasing prominence and controversial nature of this type of development;
- > Lot size provisions do not adequately reflect the sloping topography of parts of the region and lead to requirements for significant earthworks and retaining structures;
- > Dual occupancies are problematic in residential areas as they are not sympathetic to the existing scale and character and introduce potential overshadowing and privacy impacts;
- > Provisions to manage the interface between rural, rural residential and urban development should provide for all uses to co-exist without introducing negative impacts;
- > Local plans are supported however currently do not work well and need improvement to facilitate development.

In many instances the issues raised are technical in nature, and require engineering or other review to provide detailed response. This is likely due to the attendees being key technical officers from Council departments whose focus is on detailed implementation and delivery matters, and not on the operation of the planning scheme. Notwithstanding, the issues raised provide a guide to the areas where the planning scheme review can focus to identify any linkages between scheme operation and technical delivery.

3.5 Review of statutory framework

3.5.1 *Planning Act 2016*

Until recently, the *Sustainable Planning Act 2009* ('SPA') provided the legislative framework for all planning undertaken in Queensland, including the preparation of planning instruments and the assessment of development applications.

On 3 July 2017, Queensland started operating under new planning legislation when the *Planning Act 2016* ('PA') replaced the *Sustainable Planning Act 2009*. The PA provides the new statutory framework for planning in Queensland. In association with the PA, the *Planning Regulation 2017* (the 'PR') provide direction to the content and operation of planning schemes.

The purpose of the PA is reproduced below (Chapter 1, Section 3 of the Planning Act):

"Section 3 Purpose of Act

- (1) *The purpose of this Act is to establish an efficient, effective, transparent, integrated, coordinated, and accountable system of land use planning (planning), development assessment and related matters that facilitates the achievement of ecological sustainability.*
- (2) *Ecological sustainability is a balance that integrates—*
 - (a) *the protection of ecological processes and natural systems at local, regional, State, and wider levels; and*
 - (b) *economic development; and*
 - (c) *the maintenance of the cultural, economic, physical and social wellbeing of people and communities.*

Key elements of the PA relevant to the planning scheme review are the following:-

- > Planning schemes are to set out integrated State, regional and local planning and development assessment policies for all of the local government area to facilitate the achievement of ecological sustainability (Chapter 1, Section 4 of the PA).
- > Advancing the purpose of the Act includes taking account of short and long-term environmental effects of development at local, regional, State and wider levels and promoting sustainable development (Chapter 1, Section 5 of the PA).

- > In comparison to SPA, the PA identifies valuing, protecting and promoting Aboriginal and Torres Strait Islander knowledge, culture and tradition, conserving places of cultural heritage significance, and encouraging investment and economic resilience as matters that advance the purpose of the Act.
- > A local planning instrument should achieve consistency, to the greatest extent possible, with a State planning policy and regional plan (state planning instruments). To the extent of any inconsistency, a State planning policy applies instead of a regional plan or local planning instrument, a regional plan applies instead of a local planning instrument and a planning scheme applies instead of a planning scheme policy (Chapter 2, Part 1 of the PA).

3.5.2 Planning Regulation 2017

The Planning Regulation 2017 is the subordinate legislation that supports the principal planning laws by outlining the mechanics for the operation of the Planning Act. The Planning Regulation documents practical matters such as how developments are categorised, the assessment manager for development applications and state referral triggers.

The Planning Regulation prescribes the regulated requirements for the contents of a planning scheme to provide a consistent form for planning scheme across Queensland. The Planning Regulation replaces the standardised planning scheme requirements created under the Queensland Planning Provisions (QPP). Unlike the QPP, the Planning Regulation does not prescribe the same level of standardised requirements in relation to structure, format, overlays and development assessment codes. The Planning Regulation seeks to provide standardised zones, use terms and administrative definitions, however still provides for flexibility to reflect the context of the local government area, where appropriate.

The Planning Regulation identifies the following mandatory requirements for all planning schemes across Queensland (the regulated requirements) which will be the focus of the planning scheme review:

- > The permitted zones that may be included in the planning scheme, the corresponding zone purpose statement and the corresponding colour for mapping (Schedule 2). The planning scheme may change a purpose statement for a zone only if the Minister considers the change is necessary or desirable having regard to the circumstances in the local government area;
- > The permitted use terms that can be included in the planning scheme and the mandatory definition for the use term (Schedule 3);
- > The mandatory definitions for administrative terms listed in Schedule 4 of the Planning Regulation and which may be included in the planning scheme (Schedule 4). The planning scheme may include an administrative term, other than a term listed in the Planning Regulations, only if the term is consistent with and does not change the effect of the administrative terms and their definitions in schedule 4.

3.5.3 Alignment amendment

The Toowoomba Planning Scheme was prepared and commenced under the superseded SPA. To ensure that planning schemes could operate under the new PA, an 'alignment amendment' process was instituted under section 293 of the PA.

Notice was given on the 26 June 2017 that the Toowoomba Regional Council under the Alignment Amendment Rules and section 293 of the *Planning Act 2016* made an alignment amendment to the Toowoomba Regional Planning Scheme (the alignment amendment). The alignment amendment commenced on 3 July 2017.

The alignment amendment had the purpose and general effect of making the planning scheme consistent with the *Planning Act 2016*, and in particular:

- > Replacing the terminology or language from the superseded SPA with terminology consistent with the PA; and

- > Improving and clarifying the codes of the Toowoomba Regional Planning Scheme to ensure that they operate under the new decision rules of the PA.

In this regard the current planning scheme is considered to be 'aligned' with the PA. However, as part of the review it will be necessary to:

- > Review whether the planning scheme reflects and is consistent with relevant State Planning Policies;
- > Review whether the planning scheme incorporates sufficient consideration of Aboriginal and Torres Strait Islander cultural heritage to advance the purpose of the Act; and
- > Review whether the suite of zones, zone purposes, and definitions are consistent with the regulated requirements under the Regulation.

3.6 State Planning Policy

The State Planning Policy July 2017 (SPP) commenced on the 3 July 2017 and replaced the State Planning Policy April 2016. The revisions to the SPP sought to ensure an improved and more efficient system that clearly delivered on state policies and the broader planning reform agenda under the Planning Act.

The State Planning Policy is a state instrument under the Planning Act and identifies that 17 state interests that must be considered in every planning scheme. These state interests are arranged under five broad themes:

- > Liveable communities and housing
- > Economic growth
- > Environment and heritage
- > Safety and resilience to hazards
- > Infrastructure

The local government must consider how the relevant parts of the SPP apply in their local area and appropriately integrate those parts of the SPP in the planning scheme.

Local government must also have regard to the SPP, including relevant guiding principles, state interest statements and state interest policies contained in the SPP, in order to ensure state interests are not adversely affected.

Previously the State Planning Policies related to individual State interests. Part 2 of the current planning scheme identifies that the current planning scheme reflects (or partially reflects) the following (now superseded) State Planning Policies:

- > SPP1/92 - Development and the conservation of agricultural land
- > SPP1/02 - Development in the vicinity of certain airports and aviation facilities
- > SPP2/07 - Protection of extractive resources
- > SPP3/10 - Acceleration of compliance assessment
- > SPP4/10 - Healthy waters
- > SPP5/10 - Air, noise and hazardous materials; and
- > Partially SPP1/03 – Mitigating the adverse affect of flood, bushfire and landslide (those parts of the policy that relate to bushfire and landslide).

As such the current planning scheme does not technically reflect the current SPP (July 2017 version). While the general intent of many of the former disaggregated policies have been brought forward into the single SPP, there have been a number of refinements and inclusions (refer to Appendix C for a summary of the State Planning Policy and recent

changes to State interests). Based on a review of the single SPP and the current Toowoomba Planning Scheme, the following matters will be required to be addressed in the review:

- > The new SPP requires the protection of Important Agricultural Areas (IAAs) which are identified as part of the SPP mapping;
- > The Toowoomba Airport has been deleted as a State strategic airport since the commencement of the new SPP, with the new Brisbane West Wellcamp Airport now identified as a State strategic airport;
- > The new SPP specifically requires that a planning scheme reflect any state-endorsed tourism plans for the region;
- > The new SPP requires planning schemes to consider the development and supply of renewable energy infrastructure; and
- > The new SPP requires that the outcomes of significant infrastructure plans from all levels of government are reflected in a local planning scheme where relevant.

3.7 Mapping, Graphics, and Definitions

3.7.1 Scheme maps and explanatory diagrams and figures

As a document that guides the spatial arrangement of development within the region, the planning scheme relies heavily on maps, diagrams and figures to provide detailed information and guidance. The mapping is based on a number of scales from broad land use intents in the strategic framework, the location and extent of specific zones to identify a pattern of development, as well as diagrams and figures at a finer grain that provide detailed guidance on matters ranging from location of building envelopes to the location of activated uses within specific centre locations.

Mapping for the planning scheme is only available via Council's online portal. This portal allows for users to select the various mapping elements that relate to:

- > The strategic framework elements including centres hierarchy;
- > Zoning;
- > LGIP;
- > Overlays; and
- > Local Plans.

Based on the review of the planning scheme mapping and diagrams, key issues relate to the following:

- > The online mapping application is difficult to navigate and understand, and does not facilitate ease of access to simple and accurate planning scheme information;
- > There are aspects of misalignment between the land use intent as expressed in the strategic framework mapping and the zone mapping;
- > The designation of zones does not align with the actual land use on the ground;
- > There does not appear to be a use of mapped buffers or separation areas to assist in identifying specific land uses and manage interfaces between potentially incompatible land uses;
- > It is unclear whether the data used to inform mapping is based on latest available information or aligns with State Planning Policy mapping;
- > The use of diagrams and figures is limited in comparison to other schemes;

- > The diagrams are in some instances difficult to decipher and do not enhance the operation and understanding of the planning scheme.

3.7.2 Definitions

A planning scheme is a complex document, and relies on consistency of terms and expressions to ensure that the intended development outcomes are clearly explained and understood by planning scheme users.

In this regard, a planning scheme is required to adopt the land use definitions in Schedule 2 of the regulation (the regulated requirements). These are a common set of use definitions that are intended to simplify the interpretation and understanding of various uses across Queensland. The current planning scheme has undergone an alignment amendment to bring the terminology and references into alignment with the Planning Act, and as such should be largely consistent with the regulated use definitions.

A planning scheme may also include 'administrative' definitions. Administrative definitions are provided as regulated definitions in accordance with Schedule 4 of the Regulation. However, unlike use definitions a local government is able to include additional administrative definitions at their discretion where they assist in the operation and understanding of the planning scheme. Administrative definitions are intended to provide a consistent reference for common terms that are used throughout the planning scheme. This approach allows for certain concepts or large lists of uses to be simplified to a standard and short expression, aiding in the useability and efficiency of the planning scheme. As an example, a local government may seek to create a common term to describe land used for a range of similar purposes, such as residential land or industrial land. The current planning scheme includes a relatively small number of administrative definitions, predominantly relying on the regulated administrative definitions in Schedule 4 of the regulation and including only ten (10) locally contextual defined terms.

Based on a review of the administrative definitions, the use definitions, and the current version of the planning scheme, the key issues for address include the following:

- > Despite having undergone an alignment amendment, a number of inconsistencies between the use definitions in the planning scheme and the regulated requirements remain;
- > The regulatory aspects of the planning scheme (codes etc) use a number of terms to regulate development that are not defined in the administrative definitions and introduce uncertainty into the understanding and operation of the scheme.

3.8 Implications for the planning scheme review

To assist in focusing the review process, the following key issues and themes have been identified. The key issues are based on an holistic overview of the engagement responses and reviews of key documents, and have been consolidated into a series of key 'themes' that seek to capture the intent of the issues and how they are expressed and situated within the planning scheme.

The themes range across policy issues, alignment with the relevant statutory framework, land use conflicts, and issues of housing density. While it is understood that the review process is intended to relate to operational and mechanical aspects of the planning scheme, this approach is considered to be an appropriate way to interrogate the planning scheme in a targeted manner, and allows the linkages between policy and operational elements to be revealed.

3.8.1 Key issues

The key issues that will be used to inform review exercises in subsequent sections relate to the following matters:

- > Management of Dual occupancies;
- > Management of land use conflicts;
- > Facilitating housing density and housing choice;

- > Supporting renewable energy opportunities;
- > Protection of Heritage and traditional character (also relating to built form of historic townships);
- > Rural land, fragmentation, and management of incompatible land uses; and
- > Neighbourhood character building provisions.

4 Peer Review Analysis

4.1 Introduction

This section of the report provides a detailed analysis of the planning scheme. In order to focus on specific aspects of the planning scheme, the analysis includes the following aspects:

- > Effectiveness of Scheme Mechanics - A regulatory review based on detailed editorial review of code content relating to:
 - Clarity, consistency and effectiveness of drafting;
 - Gaps in scheme provisions;
 - Unnecessary or redundant requirements;
 - Conflict or duplication between provisions; and
 - Achievability of outcomes.
- > Policy integration - A top down review based on key issues to identify vertical integration of higher order strategic and policy positions and how these are filtered through the scheme;
- > Appropriate and consistent designation of levels of assessment - Review of Tables of Assessment to identify inconsistencies and efficiencies in terms of facilitating desired outcomes and ease of use and interpretation;
- > Mapping and Graphics - Review of mapping and graphical elements to identify inconsistencies between strategic framework mapping, zone mapping, and actual development on the ground, and benchmarking against similar schemes; and
- > Alignment with State Planning Policy Guiding Principles – based on the detailed review a summary regarding the consistency of the planning scheme with the five guiding principles of the SPP.

4.2 Scheme Mechanics

This section of the report is the basis of the peer review exercise. The review involves a detailed analysis of the scheme in terms of its operational effectiveness. For ease of interpretation and readability, the review has been tabulated, with a summary of the outcomes and findings provided in the body of the report. It is intended that the tables (included in the appendices to the report) are the implantation plan for the scheme review, and provide Council with a line by line guide to undertake the ultimate review and amendment of the planning scheme.

In accordance with the brief, this part of the review focuses on the following aspects:

- > Clarity, consistency and effectiveness of drafting;
- > Gaps in scheme provisions;
- > Unnecessary or redundant requirements;
- > Conflict or duplication between provisions; and
- > Achievability of outcomes.

4.2.1 Construction and Operation

A review of the planning scheme codes has been undertaken focussing on their construction and operation. This review has concentrated on the Performance Outcomes and Acceptable Outcomes of the codes, with specific consideration of:

- > the clarity of the policy outcome being conveyed;

- > the ability of Performance Outcomes to support performance based planning;
- > the ability of Acceptable Outcomes to provide for straightforward assessment;
- > the alignment between Performance Outcomes and Acceptable Outcomes;
- > the sufficiency of supporting material to assist in the interpretation of the outcomes;
- > the organisation of outcomes within specific codes; and
- > any policy or interpretation gaps created by the drafting of the outcomes.

The majority of the review utilises a categorisation approach, whereby various categories and sub-categories have been identified that relate to specific technical areas of review. The categories identified as part of the review are summarised and explained in Table 4.1. Specific findings in relation to zone codes, local plan codes, overlay codes and development codes are provided in the following subsections.

Table 4-1 Categories of review area of focus

Category	Sub-category	Explanation
Consistency of outcome with role	Qualitative	This category identifies instances where an Acceptable Outcome includes substantive or fundamental qualitative components which reduce its ability to be used as part of a straightforward and clear assessment process. The drafting of Acceptable Outcomes as quantitative statements improves the clarity and usefulness of the planning scheme for Council and the community and is a cornerstone of the performance based planning system that the planning scheme is part of.
	Quantitative	This category identifies instances where a Performance Outcome includes quantitative elements that may prevent or reduce the outcomes ability to be used for performance based planning. The category has not identified instances where used of quantitative elements is clearly intended to direct planning outcomes.
Alignment of outcomes	Alignment	This category identifies instances where there is a misalignment between a Performance Outcome and its corresponding Acceptable Outcome/s. This may include level of detail, subject matter or intended policy outcomes.
Wording and construction	Terminology	This category identifies instances where terms are used within outcomes that are subject to interpretation. The absence of further direction or explanation in relation to commonly used terms means that use of the outcome may lead to confusion or variation in interpretation.
	Gap	This category identifies instances where a gap exists in the policy construct conveyed by a series of outcomes, commonly involving situations where a series of outcomes do not consider all potential scenarios that could apply to a development.
	Clarity	This category identifies outcomes that are difficult to understand with respect to their construction, organisation or terminology and where it is considered that improvements could be made to make the intent of the outcomes
	Typographical error	This category identifies instances where a clear error, commonly typographical, exists in the wording or construct of the outcome. Please note that the review undertaken has not involved a comprehensive proof reading of the wording of the reviewed codes and any outcomes included in this category have been identified as a result of the broader review process. It is recommended that Council undertaken a thorough review of all wording to identify an errors.
Organisational characteristics	Organisation	This category identifies outcomes that may be more appropriately organised to effectively and efficiently convey the policy outcome sought. This could include the relocation of outcomes between codes or the combination of outcomes.
	Overlap	This category identifies outcomes that may contain a level of overlap or conflict and may have the potential to be rationalised or revised to more clearly convey the overall policy outcome sought.

In some instances other review methods, which were designed to respond to the specific type and nature of codes and provisions being reviewed, have been utilised. These approaches are discussed in greater detail in the following subsections where applicable to the review.

4.2.1.2 Zone Codes

4.2.1.2.1 Standard Provisions

As an initial exercise, a review of the zone codes of the planning scheme was undertaken. The review identified that a number of codes share substantively similar or identical Performance Outcomes and/or Acceptable Outcomes. There were thirteen standard provisions identified that relate to the following aspects:

- > Caretaker's Accommodation
- > Non-residential uses
- > Hours of operation
- > Non-residential uses
- > Outdoor lighting
- > Water supply
- > Wastewater
- > Energy supply
- > Car parking
- > Wastewater
- > Consistent uses
- > Front setbacks
- > Graffiti prevention

Given this similarity and consistency across multiple codes, it was determined that a review of the 'standardised content' would be an efficient way to review the bulk of the scheme in a timely and effective manner. This 'standardised content' has been reviewed at a whole of planning scheme level, noting that the commentary provided is applicable to each zone code that includes the same standard provisions. It is unclear if Council consciously adopted a standardised approach to scheme drafting.

Appendix D provides a listing of the standardised provisions used for the purposes of this review. Table 4.2 provides commentary in relation to each of these standard provisions.

Table 4-2 Review of standard scheme provisions

ID (refer to Appendix D)	Topic Matter	Sub- category	Specific Commentary
1	Caretaker's Accommodation	Qualitative	Paragraph (a) uses the terminology "significant levels of emissions" providing for a qualitative assessment of emissions.
		Organisation	Outcomes in relation to Caretaker's Accommodation appear in most zone codes. It may be appropriate for the same outcome/s to be centralised to avoid it being repeated in every zone, noting the specialist nature of the use.

ID (refer to Appendix D)	Topic Matter	Sub- category	Specific Commentary
2	Non-residential uses	Alignment	The Performance Outcome provides for the broader consideration of amenity impacts associated with non-residential uses, while the corresponding Acceptable Outcome is limited to the narrow consideration of air conditioning equipment location. Whilst the location of air conditioning equipment is one consideration with regard to amenity there are various other aspects of development design that would need to be incorporated in the Acceptable Outcome for it to reflect the Performance Outcome.
3	Hours of operation	Terminology	The second Acceptable Outcome uses the term “audible” which is open to interpretation noting the variation in conveyance of noise across distances. Guidance in relation to measuring location and quantitative noise levels may be appropriate in further qualifying the intended meaning of the term.
		Gap	The first Acceptable Outcome considers only the hours of operation of a Shop use, leaving other uses without any outcome specifically with regard to operating hours (acknowledging that the second Acceptable Outcome provides for the consideration of noise). In some instances no operating hours are specified for any use.
4	Non-residential uses	Terminology	The outcomes include a variety of terms that are undefined and are open to interpretation including “non-residential use”, “residential boundary”, “residential use”, “residential building” and “direct views”.
		Clarity	The Acceptable Outcomes inconsistently consider the relationship between non-residential and residential development, including references to “residential boundary”, “residential use”, “residential building”. It is noted that zoning is also used in some instances to guide separation/interface requirements. Consistency in the treatment of interfaces may assist in planning scheme users more clearly understanding the policy intent.
		Overlap	The first and second Acceptable Outcomes provide for two different boundary treatments, which have the potential to overlap. Whilst it is acknowledged that compliance could be achieved with both outcomes in the case of overlap, it may be better to ensure consistency.
5	Outdoor lighting	Terminology	The first Acceptable Outcome includes reference to “low level security lighting” which is an undefined term that is open to interpretation.
6	Water supply	Gap	The Acceptable Outcomes do not specifically consider development that is outside a water supply area.
7	Wastewater	Gap	The Acceptable Outcomes do not specifically consider development that is outside a wastewater area.
		Overlap	The outcomes replicate similar or the same content that is included in standard outcome 10 (refer below). Both outcomes apply to assessable development representing an overlap in assessment processes and potential inconsistencies where wording is not replicated.
8	Energy supply	Quantitative	The Performance Outcome replicates the content of the Acceptable Outcome, providing no opportunity for performance based planning due to the quantitative content.

ID (refer to Appendix D)	Topic Matter	Sub- category	Specific Commentary
9	Car parking	Clarity	The Acceptable Outcome states that car parking should be provided in accordance with the Transport, Access and Parking Code. This cross reference is ambiguous as it is unclear what part of the code is being referred to. Noting the code is performance based, a variety of outcomes could be derived from assessment against the code as a whole. If the intent is to require compliance with the Acceptable Outcomes/parking rates, it would be best to state this clearly. It is noted that in the Major Centre Zone Code, the standard Acceptable Outcome is varied to refer specifically to AO12.2.
10	Wastewater	Clarity	The second Acceptable Outcome largely replicates the first Acceptable Outcome and it is unclear what differentiation is intended.
		Gap	The Acceptable Outcomes do not specifically consider development that is outside a wastewater area.
		Overlap	The outcomes replicate similar or the same content that is included in standard outcome 7 (refer above). Both outcomes apply to assessable development representing an overlap in assessment processes and potential inconsistencies where wording is not replicated.
11	Consistent uses	Organisation	The Acceptable Outcomes provide for the identification of consistent and inconsistent uses separately. It is unclear as to why inconsistent uses are separately stated given a use that is not consistent is inconsistent by implication. There is also the possibility that a use could be missed from either list (and therefore not being consistent but also not being inconsistent).
		Alignment	In select instances, the Performance Outcome discusses the scale of land uses, whilst the Acceptable Outcomes are limited to specific land use definitions. This approach means that the Acceptable Outcomes do not reflect the scale consideration of the Performance Outcome.
12	Front setbacks	Clarity	The required setbacks could be clarified in the following ways: <ul style="list-style-type: none"> > the methodology of determining the average setback of adjoining buildings in the first Acceptable Outcome could be further explained, noting the potential for variation in setbacks in a single building; > confirming whether the stated setbacks are minimums, maximum or exact requirements; and > confirming the extent of compliance required with the Queensland Development Code (where referenced) noting it is a performance based document.
		Gap	The setbacks described in the first Acceptable Outcome do not include provision for where a single adjoining building exists.
13	Graffiti prevention	Qualitative	The Acceptable Outcome provides for a qualitative assessment process through a combination of descriptive terms such as "minimal" and "where practical" and the uses of terms that are open to interpretation such as "natural ladders", "unbroken vertical surface areas" and "graffiti-deterrent surface treatments".

4.2.1.2.2 *Non-Standard Provisions*

A detailed review of the balance provisions of the zone codes not considered as part of the standard provisions is provided in Appendix E.

The review has considered the operation and construct of each Performance Outcome and Acceptable Outcome of the zone codes and identified those outcomes that require attention. Due to the extensive number of the zone codes and constituent Acceptable Outcomes and Performance Outcomes, specific commentary for each outcome listed in Appendix E has not been provided. However, the following overarching commentary is provided as further guidance:

- > The outcomes, particularly the Acceptable Outcomes, commonly include terms that, whilst consistently used in some instances, are subject to a level of variation. This variation of use of terminology reduces certainty and ultimately the terms are subject to interpretation due to the absence of administrative definitions. Consistency in terminology and additional guidance in relation to interpretation may be appropriate to aid in consistency of application and certainty of outcome. Common examples of inconsistent terminology that are not defined in the planning scheme include (but are not limited to):
 - Non-residential use
 - Residential use
 - Residential building
 - Residential premises
 - Bulky goods
 - Retail uses
 - Higher density forms of accommodation activities
 - Large format anchor stores
 - Higher order developments
 - Active frontage
 - Large lots
 - Key crossroads
 - Corner buildings
 - Sales area
 - Materials on Site that are capable of generating air contaminants either by wind or when disturbed
 - Potentially contaminating substances
 - Non-industrial zoned land
 - Outdoor work, storage (including bin storage) and servicing areas
 - Community related activity
 - Active outdoor use areas
 - Primary street frontage
 - Secondary street frontage
- > The Principal Centre Zone Code, Major Centre Zone Code, District Centre Zone and Mixed Use Zone Code are supported by a number of structure plan type diagrams intended to guide development in specific centres. In a number of instances these diagrams are detailed and afford limited flexibility in terms of the ability of on-site development to flexibly respond to site constraints or opportunities, noting that many of the centres to which these zones relate are well established with significant improvements. This includes existing internal shopping centres where the ability to provide cross block linkages or activated frontages is limited, and further flexibility regarding how these sites are treated is warranted.
- > The zone codes commonly include regulation of specific land uses, which is often replicated in various other zone codes. Consideration should be given as to the appropriate organisation of this content, to avoid unnecessary duplication and overlap. The centralisation of use specific content would also assist Council in maintaining consistency in policies.
- > In a number of instances distances are expressed in the Acceptable Outcomes, commonly in relation to setbacks. However in certain instances detail is not provided as to whether such a distance is a specific requirement, a maximum, or a minimum. In the absence of this specific discussion, various assumptions could be made by the scheme reader which reduces certainty and efficiency.

- > Each zone code includes two tables, one applying to Accepted Development and Assessable Development (requirements for accepted development and benchmarks for assessable development), and the other applying to Assessable Development (assessment benchmarks) only. As a result of this format, the numbering of outcomes is restarted in the second table, which causes confusion in referring to specific outcomes, where the terminology "AO1.1 in Table 6.3.4:1" must be used (as an example). This construction is inefficient and makes simple and consistent reference of provisions difficult and unwieldy.
- > A number of Performance Outcomes make specific reference to the Overall Outcomes of the zone code. This is not an optimal construction as it begs the question as to whether the provision is a Performance outcome or an Overall outcome. Consideration should be given as to whether the policy constructs of these higher order outcomes can be better conveyed through the Performance Outcomes without specific reference to them.
- > The zone codes incorporate extensive use of standardised content (as noted in Section 4.3.1.1 of this report) which may indicate that more specific drafting is required, to ensure that the intended policy outcomes for each zone are appropriately reflected in the Performance Outcomes and Acceptable Outcomes. This may also indicate that the existing suite of specific zones are not in all cases required, and there may be benefit in reviewing all zone codes to identify opportunities to consolidate and combine zones into more general purpose zones. For instance, the industry zone codes incorporate a range of standardised content, and consolidation of the codes would not significantly alter development outcomes. This would aid in the simplicity and useability of the scheme, subject to maintaining an appropriate framework to deliver Council land use outcomes.
- > The construct of Acceptable Outcomes is often lengthy and convoluted, particularly where involving exceptions and variations for certain circumstances such as precincts or uses. Consideration should be given to the rationalisation and logical construction of outcomes through the use of various drafting mechanisms such as sub-paragraphs, lists, and tables.
- > Some codes, most notably the Principal Centre Zone Code and Mixed Use Zone Code, include Acceptable Outcomes which are noted to 'partially fulfil' the Performance Outcome. Acceptable outcomes are intended to be unequivocal benchmarks where compliance is either achieved or not. To include such a drafting convention reduces the effectiveness and certainty of the scheme outcomes, and reduces confidence that the scheme provisions are solid statements that can be relied upon to achieve the desired land use outcomes.
- > A number of zone codes, for example the Mixed Use Zone Code, replicate similar content in terms of Performance Outcomes and Acceptable outcomes for each zone precinct, with the ultimate policy outcome being the same. Whilst it is acknowledged that different precincts have different intents and purposes, it is queried whether the intents are being achieved through the current scheme given the similarity of provisions that are intended to drive land use and design decision. To achieve the various precinct outcomes variations in a central location of the zone code may be appropriate, rather than the replication of the same or similar content for each precinct. In some instances it is also noted that the current drafting approach significantly lengthens the code.

4.2.1.3 Use Codes

A review of each use code of the planning scheme has been undertaken. For the purposes of this review *Temporary Local Planning Instrument 01/2017* has also been considered to the extent it contains code provisions.

We also note that the Use Codes are not included in Part 1, Section 1.2 of the planning scheme, which identifies the components of the planning scheme. This section functions as a detailed table of contents, and while not including the list of codes here does not impact on the day to day operation of the scheme the use codes should be listed for completeness.

4.2.1.3.1 *Generic/Overlapping Provisions*

A preliminary review of the use codes of the planning scheme identified that they contained a number of provisions that may be more appropriately located within the zone and/or general codes of the planning scheme. A detailed listing of the provisions identified as part of this review is provided as part of Appendix F. In summary, these provisions:

- > relate to a subject matter or policy content that is already included in the zone codes and/or another development code; and/or
- > are applicable to multiple uses and not just the nominal use (or category of uses) that they purport to regulate. As such these generic use code provisions could more efficiently be located within the parts of the planning scheme that apply to development more broadly to avoid duplication and repetition.

It may be appropriate for some of the identified provisions to be retained within the use codes, although noting the overlap between the content and operation of the provisions listed in Appendix F and the provisions within other zone codes, a detailed review of the provisions in Appendix F was not undertaken.

4.2.1.3.2 *Remaining Provisions*

A detailed review of the provisions of the use codes that were not identified as generic provisions (refer to Section 4.2.1.3) was undertaken utilising the categorisation approach discussed in Section 4.2.1. The detailed findings of this review are provided in Appendix E. Many of the comments provided in relation to the zone codes (refer to Section 4.2.1.2.2) are also applicable to the use codes. In addition, the following overarching comments are provided with respect to this review:

- > Many of the Acceptable Outcomes of the use codes provide narrow and restrictive requirements for certain land uses, which appear to be based on the consideration of a likely or common scenario. Whilst it is acknowledged that an alternative outcome may be proposed in relation to any Acceptable Outcome, this approach results in greater work for Council in assessing these alternatives, and also introduces a subjective element of interpretation that may not be consistent across a range of applications. Examples are provided by AO29.1 and AO32.1 of the Centre Activities Code which provide setback and vehicular access requirements for a Service Station use.
- > A number of outcomes within the use codes provide comprehensive requirements, which could be better organised and constructed to make the intended policy outcome clearer to the reader. Use of tables and multi-level lists should be considered.
- > The use codes nominally apply to a range of defined land uses, however, there appears to be limited consideration of specific land uses throughout the codes. Whilst it is acknowledged that multiple land uses may be appropriately regulated by common outcomes, consideration should be given to whether there is a need to expand the use codes to address all land uses to which they relate, particularly those land uses that may have particular or unique impacts and operational characteristics.

4.2.1.4 *Overlay Codes*

It is noted that the overlay codes contained within the planning scheme largely include matters which are required to be considered in the planning scheme by virtue of the State Planning Policy ('the SPP'). Noting the State Government mandated requirements with respect to reflection of the SPP, the review of the overlay codes has been limited to the codes for the Heritage Overlay, Neighbourhood Character Overlay and the Scenic Amenity Overlay, as these represent local overlays.

A detailed review of the construct and operation of the provisions of each of these codes has been conducted and the results of this review are presented in Appendix E. This review utilises the same categorisation methodology employed in the review of the zone codes and use codes. The following specific commentary is provided in relation to the reviewed overlay codes:

- > Both PO1.1/AO1.1 of Table 8.3.1:2 of the Heritage Overlay Code and PO1/AO1 of Table 8.3.2:2 of the Neighbourhood Character Overlay Code provide similar provisions relating to the retention of heritage places and neighbourhood character places respectively. These outcomes raise the following specific concerns:
 - The Performance Outcomes include terminology such as “structurally unsound” and “uneconomically repairable” however further guidance as to the interpretation of these terms is not provided. This is of particular concern with regard to “uneconomically repairable” noting the potential for arguments to be mounted by applicants, on the grounds of economics, for the demolition or removal of a place, in the absence of further guidance. Notations linking to further guidance and recommendations for the preparation of technical studies by suitably qualified persons may be appropriate. Additionally, further guidance in the Planning Scheme Policies (PSP No5 and PSP No6) could be included regarding how these concepts could be demonstrated.
 - Both Acceptable Outcomes use the term “retained”. The outcome is somewhat unclear as it does not contemplate whether “retained” refers to the entire place, or only to the substantive heritage or character components of the place. For example, it could be argued the removal of a small element of a place does not affect the ‘retention’ of a place, when viewed as a whole, as the place still exists, albeit in a slightly modified form. Where the intent is for the place to be retained without alteration, these words could be added to more specifically explain the intended outcome. Where an alternative intent exists, bounds upon the level of alteration should be included as part of the Acceptable Outcome.

Whilst it is acknowledged that for the Neighbourhood Character Overlay Code that Appendix 2 of Planning Scheme Policy 1 provides some additional guidance, this does not wholly cover the abovementioned matters.

- > PO6/AO6.1/AO6.2 of Table 8.3.1:2 of the Heritage Overlay Code and PO9/AO9.1/AO9.2 of Table 8.3.2:2 of the Neighbourhood Character Overlay Code both consider streetscape elements associated with places. The following specific considerations are raised in relation to these outcomes:
 - The Acceptable Outcomes establish a linkage between the character of the place and bluestone kerbing, existing street trees and street furniture. For each place to which the relevant codes are applicable, there may be varying degrees of relationship between streetscape elements and the significance of the place.
 - The Acceptable Outcomes are provided “in partial compliance” with the Performance Outcome. Specific commentary with regard to this construct is provided in Section 4.2.1.2.2 of this report. Noting the above commentary, it is more appropriate for the Acceptable Outcomes to be reconstituted as guidance within the Performance Outcome, given the existing construct still requires assessment of development directly against the Performance Outcome in all circumstances.
 - The Neighbourhood Character Overlay Code includes a typographical error with regard to outcome numbering.
- > Both the Heritage Overlay Code and the Neighbourhood Character Overlay Code could be better organised to include a logical construction and flow that is easier to follow for the reader. Many of the Performance Outcomes of both codes include overlapping or common matters, which could be rationalised and reorganised to ensure efficient and effective operation of the codes. This also includes the consideration of different types of development which may include:
 - demolition or removal of a place;
 - extensions or alterations to an existing place;
 - new development on the site of an existing place;
 - new development adjoining an existing place; and

- specific consideration of Reconfiguring a Lot in the vicinity of an existing place.

A systemic approach to the regulation of each of the above situations in these codes would aid the reader in interpreting and responding to the codes.

- > The Neighbourhood Character Overlay Code could be better organised to clearly address Neighbourhood Character Places and land within the Neighbourhood Character Overlay that is not a Neighbourhood Character Place separately. The existing code includes provisions which overlap between the two concepts, requiring a more detailed reading that can lead to confusion and misinterpretation.
- > PO5/AO5.1 of Table 8.3.2:2 of the Neighbourhood Character Overlay Code consider the setbacks, siting and building height for development. The following is noted with regard to these outcomes:
 - The outcomes are located under the heading “Extensions or Alterations”, whilst both PO5 and AO5.1 also include consideration of “New buildings”. Clarification is required in this instance as to the intent of the provisions.
 - AO5.1 (a) provides for the consideration of existing buildings on the site in determination of an appropriate setback, although PO5 does not explicitly require the consideration of existing buildings on the site, with the broader streetscape being the applicable consideration. This potentially represents a misalignment between the Performance Outcome and the Acceptable Outcome.
 - PO5 discusses the siting and setbacks of development, whilst AO5.1(b) considers building height. Siting and setbacks, relating to the physical arrangement of development on a horizontal plane, do not extend to vertical parameters such as building height. This potentially represents a misalignment between the Performance Outcome and the Acceptable Outcome.
 - AO5.1 (b) does not provide for the consideration of the height of existing buildings on the same site, which is considered to represent a gap in the outcome, particularly when regard is had to the construct of AO5.1(a).
 - The overarching construct and operation of AO5.1 could be clarified through the refinement of the wording utilised.
- > The mapping of the Scenic Amenity Overlay is of limited applicability to the local government area, and in some instances appears to include very small and specific areas that have limited, if any, in situ scenic values. However, the provisions of the corresponding code have been drafted in a manner that consider broader regional scenic amenity and potential impacts. It is considered that a misalignment exists between the mapping and the code. Noting that the mapping is the trigger point for assessment against the code, a clear relationship should exist. Further, investigations and studies to confirm existing areas of scenic amenity and identify any additional areas of scenic amenity should be undertaken to inform revised scenic amenity mapping and ensure that the overlay is a useful tool in managing scenic amenity issues.
- > The outcomes of the Scenic Amenity Overlay rely on the conducting of a complicated and confusing assessment methodology with regard to determining impact on scenic amenity. It is suggested that this methodology be revisited to support a simple and straightforward assessment process. It may be appropriate for a more qualitative assessment methodology to be included, or guidance could be provided in a planning scheme policy to assist applicants in preparing a visual impact assessment.

4.2.1.5 Local Plan Codes

At the outset it is noted that local plan codes commonly are not triggered as requirements for Accepted Development in the Tables of Assessment of the planning scheme. This approach is problematic as it has the potential to allow development to proceed without approval despite it being contrary to or inconsistent with the intent or provisions of a local plan code.

A detailed review of the local plan codes is presented in Appendix E. The following notes provide a summary of the findings of this review:

- > In a number of instances the local plan codes fail to consistently refer to precinct names. Further, the precincts in many instances do not appear to be logically constructed to effectively manage development outcomes. Precincts are spatial elements and should be identified where variations in land use and development outcomes are sought. The local plan codes are also repetitive with similar or identical provisions that apply to multiple precincts. These provisions should be combined where appropriate to apply to multiple precincts. This approach will reduce repetition, shorten the length of the codes, and provide for a code that is easier to navigate and understand.
- > The local plan codes commonly include provisions that do not appear to specifically relate to the local circumstances or areas to which they apply. Such provisions are likely redundant when considered in light of the types of common or standard provisions included in other codes within the planning scheme, particularly zone codes. Local plan codes should be drafted in a manner that provides exceptions to, or extensions of, planning scheme wide provisions, to reflect local circumstances or policy directions. In this regard the intent of the local plan codes to deliver more specific outcomes is in some circumstances ineffective.
- > Both the Highfields, Meringandan and Meringandan West Local Plan Code and the Charlton Wellcamp Enterprise Area Local Plan Code include lengthy provisions, particularly Performance Outcomes. Further, these codes do not appear to follow a clear and logical method of organisation with respect to common policy outcomes / precincts. It would be prudent for the outcomes to be rationalised and reorganised in a logical structure and flow that aids the reader in quickly and easily understanding both the applicability of the provisions, and the intended policy / design / land use outcome/s.
- > The Acceptable Outcomes of the local plan codes commonly rely on qualitative criteria within Acceptable Outcomes. As discussed in other reviews, such an approach is contrary to the fundamental construct of Acceptable Outcomes in a performance based planning system. Consideration should be given as to whether the intended outcomes can be presented in an alternative manner, that is easier for the reader to follow and easier for Council to use in assessment activities. Potential approaches could include a series of clear and concise Performance Outcomes or dedicated design guidance material for each local plan.

4.2.1.6 Other Development Codes

A review of the other development codes of the planning scheme, being those codes contained in Section 9.4 of the planning scheme has been undertaken utilising the categorisation approach. The outcomes of this review are documented in Appendix E.

It is noted that the zone and use codes already consider a number of matters that are also covered, often in more detail, by the other development codes. These include:

- > outdoor lighting design parameters;
- > emissions including dust, noise and odour;
- > car parking design and supply;
- > connection to infrastructure services (including water, sewer, stormwater, electricity and telecommunications);
and

- > urban infrastructure design requirements.

The following other specific comments are made in relation to the 'other' development codes:

- > A number of Acceptable Outcomes in the Environmental Standards Code, most notably AO8.2, AO10.3, AO16.2 and AO23.2/AO23.3, provide the ability for an alternative to an accepted standard to be demonstrated as part of a technical assessment. Such a mechanism is not appropriate as an Acceptable Outcome and should be provided for as part of assessment against the Performance Outcome. The ability for a technical assessment to be considered as demonstrating compliance with the performance outcome should be retained as a directive note to the Performance Outcome.
- > The Environmental Standards Code utilises reference to "nearest sensitive receiver" in a number of instances. The use of this approach is queried, noting that the nearest receiver may not necessarily be the worst affected receiver for the studied emission, given site design, mitigation measures and environmental conditions. It may be more appropriate for multiple receivers to be considered within a nominated potential area of impact, or for a directive note requiring a technical assessment demonstrating impacts and mitigation measures.
- > A number of Acceptable Outcomes in the other development codes include qualitative measures. As discussed in other sections of this report, qualitative measures are intended to be provided by Performance Outcomes, with Acceptable Outcomes to provide a quantitative measure. In the other development codes the use of terms such as frequently, likely, appropriate, minimise, adequate, suitable, significant, reasonable, similar, desirable, and clearly distinguishable require a qualitative assessment that does not deliver consistency of outcomes.
- > The other development codes include extensive references to Planning Scheme Policies (PSP). Reference to the exact section/s of the relevant PSPs would be of benefit to aid the reader. Alternatively, the rationalisation and combination of Performance Outcomes could occur, where these each refer to the same PSP in the corresponding Acceptable Outcomes.
- > A number of provisions of the other development codes include complex and lengthy requirements which are currently difficult to read and understand. Larger provisions may be more appropriate to be broken down into parts or multiple outcomes; presented in tables, dot points or lists; or deferred to a PSP (if appropriate).
- > Other development codes, particularly the Environmental Standards Code and the Reconfiguring a Lot Code include a large number of provisions that are considered to have the capacity to be reorganised and rationalised to more efficiently deal with relevant matters and intended policy outcomes.
- > Overlap exists between multiple other development codes and it is recommended that the division of policy content between codes is clearly identified to maximise the efficiency of the planning scheme by avoiding duplication and potential internal conflicts. Examples include:
 - Road network design elements – included in Reconfiguring a Lot Code, Transport, Access and Parking Code, Works and Services Code.
 - Infrastructure standards elements – included in Integrated Water Cycle Management Code, Reconfiguring a Lot Code, Works and Services Code.
 - Landscaping in traffic areas elements – included in Landscaping Code, Transport, Access and Parking Code.
 - Waste management – Environmental Standards Code, Works and Services Code.

4.3 Policy integration

This section of the review relates to the 'vertical integration' of the planning scheme. Vertical integration is the term used to describe how well the higher order strategic and policy directions of the planning scheme are carried through into the lower order code content that provide the regulatory mechanism to assess and decide development.

Given that the analysis relates to policy alignment and integration, the review takes into account the following two (2) aspects:

1. Categorising the planning scheme issues identified through stakeholder engagement and scheme review exercises into broader 'Key issues', and using these issues to interrogate the linkage between the strategic framework of the planning scheme and the zone code overall outcomes; and
2. Analysing whether the new State Planning Policy is appropriately reflected in the strategic framework.

Table 4-3 provides a detailed analysis of the vertical integration of the scheme in relation to the identified key policy issues.

Table 4-3 A Top Down Analysis – Integration of policy

Key issue	Council Policy Position	Reflected in Strategic Framework/Zone Code/Local Plan Code	Observations and comments
Policy issues arising from engagement activities			
1. Encouraging business and service expansion	Identify and protect the function and operation of a viable hierarchy of centres that address needs across the region	<p>Section 3.3.1(4)(a)(i) - Toowoomba CBD identified as the CBD/Principal Centre</p> <p>Section 3.3.6 – refers to ‘Strategic Framework Map 1 – Settlement Pattern’ to identify local, district, major centres.</p> <p>Section 3.3.7 – provides detail regarding the Toowoomba CBD.</p> <p>Section 3.9.3.1 – refers to a network of activity centres comprising CBD supported by “...<i>district, town neighbourhood and mixed use villages.</i>”</p> <p>A suite of centre zones are included including Principal centre zone, Major centre zone, District centre zone, Local centre zone, Specialised centre zone.</p> <p>Centre zone codes include purpose statements regarding catchment each scale of zone services.</p> <p>Highfields Local Area Plan provides some description of the scale of centre uses envisaged for the Highfields Town Centre.</p>	<p>There are a number of centres identified on the strategic framework mapping, including multiple District centres and Major centres which are in close proximity to each other.</p> <p>The strategic framework does not provide detailed information regarding the relative importance or scale of the multiple centres and how any competitive tension is to be managed or assessed.</p> <p>Terminology used in the strategic framework uses a mixture of defined terms and more conversational terms, making interpretation potentially difficult or arguable.</p> <p>Council may consider including a more detailed description of centres in the strategic framework regarding scale, nature, mix of land uses, and contextual information to better define the role and function of the individual centres and provide greater certainty for impact assessable development.</p> <p>Council may also consider rationalising the number of ‘centres’ – particularly district and local centres which appear to have a large overlap.</p>
2. Housing density	Provision of a compact urban form that provides a range of housing types with good access to services and facilities.	<p>Section 3.3.3(1) – provision of a compact urban form that integrates with centres and public transport.</p> <p>Section 3.3.3.1(3) – significant proportion of growth is through infill and redevelopment.</p> <p>Section 3.3.4.1 (1) – suburban neighbourhoods identified as accommodating a mix of dwelling types including detached dwellings, duplexes and row houses.</p> <p>Section 3.3.6(1) – centres are to provide a range of housing types within 90% of housing within 400m of the central focus of the centre.</p> <p>Section 3.3.7.1(6) – the Toowoomba CBD is the focus for high-density living opportunities.</p>	<p>The planning scheme generally provides good support to facilitating a mix of housing types across the region.</p> <p>Centres are generally described as being mixed use places that include residential uses, and the residential zones support establishment of non-detached housing types.</p> <p>The mixed use zone is essentially a frame around the Toowoomba CBD and provides opportunity for a residential community to establish in close proximity to the higher order services and facilities available within the Principal Centre.</p> <p>Council may consider providing further guidance in the strategic framework that higher density accommodation</p>

Key issue	Council Policy Position	Reflected in Strategic Framework/Zone Code/Local Plan Code	Observations and comments
		<p>Section 3.5.8.1(1) – allowing for higher densities within the Toowoomba CBD, as well as improving the diversity of housing choice in new and existing communities where in close proximity to infrastructure and services.</p> <p>Centre zones identify ‘Accommodation activities’ as a consistent use (except for Dwelling house, Dual occupancy and Tourist park)</p> <p>Low density residential zone code identifies Dual occupancy (except where in the Clifford Park Stables Precinct and Park Residential Precincts) and Multiple dwelling as a consistent use</p> <p>Low medium density residential zone code identifies all accommodation activities as a consistent use.</p> <p>Mixed use zone code includes overall outcomes that identify a mix of residential uses are envisaged within the zone.</p>	<p>activities in residential zones must integrate with the locality and maintain the desired character and amenity.</p>
<p>3. Management of incompatible land uses</p>	<p>The adverse impacts of uses are contained within sites, and the settlement pattern is designed to avoid or mitigate potential impacts in interface areas between potentially incompatible land uses.</p>	<p>Section 3.3.12.1(1) – appropriate separation is achieved between incompatible land uses.</p> <p>Section 3.3.12.1(1)(b) – protect rural activities from incompatible uses including residential and rural residential development;</p> <p>Section 3.3.12.1(d) – prevent the encroachment of sensitive land uses into buffer areas around uses with potential off-site impacts</p> <p>Section 3.3.12(3) – preventing the establishment of sensitive land uses in proximity to existing land uses with potential amenity impacts including industry, landfill and wastewater treatment facilities.</p> <p>Section 3.3.12.2(3) – identification of separation distances between land zoned for industrial development and sensitive development as follows:</p> <ul style="list-style-type: none"> • Medium impact industry – 250m; • High impact industry – 500m; • Noxious and hazardous industry – 1,500m <p>Section 3.8.4.1(3) – waste management and treatment is undertaken in a manner that protects health, safety and amenity of the locality.</p> <p>Industry zone codes include Overall outcomes that advocate appropriate separation to sensitive land uses and require avoidance and mitigation of impacts on adjacent non-industrial land.</p>	<p>The scheme generally provides appropriate policy guidance on preventing and managing incompatible land uses.</p> <p>However, it is noted that:</p> <ul style="list-style-type: none"> • the Low medium density residential code does not include any statements regarding separation to adjoining non-residential land uses, or require any mitigation or consideration of potential impacts; and • the scheme does not include mapped amenity or impact buffers to items such as WWTP or waste management facilities. <p>The more specific separation distances for industry zoned land and sensitive land uses provided in the strategic framework are not specifically followed through in the lower order codes. It is unclear how these separation distances can be enforced for Code assessable or Accepted development.</p> <p>Further, the Industry zones do provide outcomes that relate to sensitive land uses not establishing within the zones, however this is redundant given that sensitive land uses should not be contemplated and trying to regulate land use at this stage of the process is not optimal.</p> <p>The preferred option would be to ensure that sensitive land uses in zones that adjoin or have some interface to industry or other known</p>

Key issue	Council Policy Position	Reflected in Strategic Framework/Zone Code/Local Plan Code	Observations and comments
		<p>Low density residential zone includes Overall outcome that requires development within 250m of land in the Medium impact industry zone to mitigate potential nuisance and amenity impacts.</p> <p>Community facilities zone code includes Overall outcomes that require minimisation/avoidance of adverse impacts on adjoining land.</p> <p>Rural zone code includes Overall outcomes that require adverse impacts of land use on adjoining areas to be avoided or minimised.</p>	<p>offensive or noxious land uses include provisions relating to non-encroachment.</p> <p>Council may consider including further Overall outcomes in the Low medium density residential zone that address amenity and reverse amenity impacts.</p> <p>Council may also consider whether a mapped buffer for specific infrastructure or known high impact uses or sites may be an appropriate mechanism to ensure separation distances and protect the ongoing use of critical assets. This could take the form of an overlay or other mapping element that spatially identifies the extent of influence and impacts.</p> <p>Council may also consider a broader review of spatial distribution of zones and re-align to provide appropriate buffers and separation distances between potentially incompatible land uses – this may be locating uses of progressively lesser impact around zones of highest impacts, or locating other uses between activities that generate emissions and sensitive land uses.</p>
4. Infrastructure provision and land use alignment	Infrastructure and services are planned, delivered and managed in an integrated and coordinated manner to meet demand and ensure sufficient capacity.	<p>Section 3.8.2.1(1) – Sustainable, equitable, efficient and cost-effective infrastructure is supplied by Council, delivery agencies or developed in a coordinated and sequenced manner that meets community needs and enhances the amenity of the locality.</p> <p>Section 3.8.2.1(2) – Existing and planned key sites, corridors and buffers for utility infrastructure is identified and protected across the region (as mapped in the strategic framework mapping).</p> <p>Residential, centre, and Industry zone codes include Overall outcomes that require either ‘access to’ development infrastructure or support from development infrastructure.</p> <p>The Emerging community zone code includes Overall outcomes that require new communities to facilitate the timely and cost efficient provision of infrastructure that supports staged release of land.</p> <p>The Community Facilities Zone Code is the intended zone to accommodate a range of hard and soft infrastructure items. It</p>	<p>The scheme generally provides appropriate guidance relating to infrastructure provision and coordination.</p> <p>The strategic framework contains a number of specific provisions relating to infrastructure provision and protection within the Infrastructure and Services Theme. However, the Settlement Pattern theme that speaks to the form and operation of urban development does not include any specific statements that relate to provision of infrastructure, or how infrastructure is intended to be embedded and operated safely and efficiently within the various townships and city environment.</p> <p>Strategic Framework mapping identifies the various components of infrastructure in the region, including linear infrastructure (pipelines, corridors etc) and point infrastructure such as landfills or water treatment plants. The mapping is simple and does not include buffers or potential areas of influence or protection from potential encroachment.</p>

Key issue	Council Policy Position	Reflected in Strategic Framework/Zone Code/Local Plan Code	Observations and comments
		<p>includes Overall outcomes that manage off-site impacts and protection of public utilities.</p>	<p>Council may consider including additional statements in the Settlement Pattern Theme of the strategic framework that provides guidance regarding provision, location, and operation of hard and soft infrastructure within urban settings across the region.</p> <p>Council may consider reviewing strategic framework mapping to provide more detailed guidance of the type of infrastructure and any zone of influence that should be protected or maintained to ensure the ongoing safe and efficient operation of the infrastructure.</p>
<p>5. Protection of Heritage and traditional character (relating to built form of historic townships)</p>	<p>Places and items of heritage and character significance are conserved. Adaptive re-use is supported where the new use does not irreversibly remove or destroy items of heritage or character significance.</p>	<p>Section 3.5.9 – Communities value and share the diverse cultural heritage and skills that are a feature of the region.</p> <p>Section 3.5.9.1(2)(a) – places of heritage significance are conserved having regard to the character, appearance, location and setting of items of cultural significance, and the impacts of irreversible damage to a place or its setting.</p> <p>Section 3.5.9(3) – the adaptive reuse of places of cultural heritage significance is supported where the use does not irreversibly remove or destroy items of cultural heritage significance or where amenity of adjoining owners is not compromised.</p> <p>The purpose of the Principal centre zone includes retention of the heritage character through reuse of historic buildings. Overall outcomes also envisage development responding to the heritage character of the Centre.</p> <p>The overall outcomes of the Township zone code includes protection of the historic character of a town in a predominantly rural area.</p> <p>The Heritage overlay code and Neighbourhood Character overlay code provide for the conservation and enhancement of heritage places and neighbourhood character. Items of heritage value are not removed or demolished unless they are structurally unsound. Extensions or modification to existing character buildings do not detract from the character of the site or the streetscape.</p>	<p>The scheme generally provides appropriate policy guidance relating to heritage and character values.</p> <p>It is noted that the viability of adaptively re-using heritage buildings may be compromised through the requirement that no ‘irreversible’ impacts are caused by development. While it is acknowledged that items that specifically contribute to the heritage value should be protected, however there may be opportunity for the broader heritage value to be retained while allowing for some modifications to built form to meet a modern context and operation.</p> <p>Council may consider reviewing the utility of provisions in the Heritage overlay code relating to irreversible impacts in terms of encouraging adaptive re-use.</p> <p>It is also noted that in reviewing the heritage and character overlays a review of the scenic amenity overlay was undertaken. The mapping for this overlay is problematic, and appears to identify landscape depressions that have no inherent scenic value. The associated overlay code is also problematic and it is unclear how it is intended to operate or protect scenic amenity.</p> <p>It is suggested that a broader review of the usefulness and operation of the scenic amenity overlay mapping and code be undertaken.</p>

Key issue	Council Policy Position	Reflected in Strategic Framework/Zone Code/Local Plan Code	Observations and comments
6. Maintaining the identity of the various communities across the region	Toowoomba has a range of diverse communities that have a strong sense of place linked to individual local heritage, character, and identity.	<p>Section 3.3.1 – Strategic outcomes for the Settlement Pattern theme provide a description and narrative of the history, identity and character of the seven major urban areas within the region.</p> <p>Section 3.3.2.1(3) – maintenance of defined breaks between urban centres to reinforce the separate identity of smaller townships.</p> <p>Section 3.3.9.1(5) – inter-urban breaks are maintained to promote and enhance community identity.</p> <p>Section 3.4.1(6) – the regional landscape is recognised as contributing to the character and identity of the region.</p> <p>Section 3.5.2.1(1) – the region’s diverse rural communities are recognised as having a strong sense of place linked to individual local character and identity</p> <p>Section 3.5.4(1) – Toowoomba and the rural towns have fundamental features that are intrinsic to their character and design that contribute to their identity and sense of place.</p> <p>The Township Zone Code includes Overall Outcomes that requires development to protect and enhance the unique local or historic character of a town in a predominantly rural area.</p> <p>The Major Centre Zone Code provides Overall outcomes for Oakey, Pittsworth, Crows Nest, Clifton and Millmerran that states development must contribute to the traditional character and heritage values of the streetscape.</p>	<p>The strategic framework provides generally appropriate policy guidance regarding identity and character.</p> <p>The sections that provide description and narrative identify each of the major urban areas and broadly identify the factors that contribute to a sense of place and identity.</p> <p>However, the urban design provisions are more applicable to Toowoomba environs, and do not provide sufficient (if any) detailed guidance regarding identity and character of smaller townships.</p> <p>The residential zone codes do not provide any guidance regarding character and identity for rural townships. It is noted that the larger rural townships that incorporate a ‘Major centre’ do include broad character provisions however this is limited to centre development only – no guidance is provided for development in other parts of the community.</p> <p>Council may consider providing further urban design detail in the strategic framework that relates to the rural townships.</p> <p>Council may consider including Overall outcomes in residential zones that relates to character within rural townships.</p> <p>Council may consider the incorporation of more specific guidance for individual townships within residential or centre zones relating to character and identity, or potentially consider local plans as a way to provide a more graduated and contextual planning framework that responds to the individual communities.</p>
State Planning Policy Alignment			
7. Strategic Airports and Aviation Facilities	The Toowoomba Region is serviced by road, rail and air networks that provide practical transportation options.	<p>Section 3.3.12.2(1) – protect the existing and future operational and service requirements of the Toowoomba and Oakey airport.</p> <p>Section 3.3.12.2(2) – ensure sensitive and incompatible land uses do not impact encroach or negatively impact on the safety and operational efficiency of the Toowoomba and Oakey airports.</p>	The Toowoomba Airport has been deleted as a State significant airport since the commencement of the new SPP, with the new Brisbane West Wellcamp Airport now identified as a State strategic airport.

Key issue	Council Policy Position	Reflected in Strategic Framework/Zone Code/Local Plan Code	Observations and comments
		<p>Section 3.7.1(9) – options to enable larger aircraft to land within the region will be explored with the Army Aviation Airfield at Oakey considered as an option.</p> <p>The Airport Environs Overlay Code has a purpose to protect the existing and future operational requirements of the Toowoomba Airport and the Oakey Army Aviation Centre.</p>	<p>The current scheme does not include any reference to the Brisbane West Wellcamp Airport, and has none of the required mapping overlays to support the protection of the infrastructure.</p> <p>Council should consider:</p> <ul style="list-style-type: none"> > Including statements regarding the importance of Brisbane West Wellcamp Airport in the strategic framework; > Include the Brisbane West Wellcamp Airport in the strategic framework mapping; > Include an overlay that identifies the public safety areas, ANEF contours and other matters that may impact on operational safety and efficiency of the Brisbane West Wellcamp airport; > Consider and provide guidance as to how the Brisbane West Wellcamp Airport aligns with the broader settlement pattern and economic development of the region including integration as a freight hub; and > Consider whether the overlays relating to the Toowoomba Airport are retained.
8.	Agriculture Ensuring that agricultural land is protected from development that leads to its alienation or diminished productivity.	<p>Section 3.6.1(5) – land and energy resources are sustainably managed to meet current and future needs.</p> <p>Section 3.6.1(6) – development in natural resource areas does not interfere with the continued use of that resource.</p> <p>Section 3.6.4(2) – agricultural land is protected from development that leads to alienation, fragmentation or diminished productivity.</p> <p>Section 3.6.4.1(2) – agricultural land is conserved for current and future agricultural purposes, and is not degraded, fragmented, compromised or inhibited through the encroachment of incompatible uses or uses and practices that will result in permanent reduction of its long term productivity.</p> <p>'Agricultural land' is mapped in the strategic framework mapping.</p> <p>The Agricultural land overlay code provides for agricultural land to be protected, with the overlay mapping identifying 'Agricultural Land'.</p>	<p>The new SPP requires the protection of Important Agricultural Areas (IAAs). It is unclear whether the Agricultural land currently mapped in the strategic framework aligns with the mapped IAA in the current SPP mapping.</p> <p>Similarly, overlay mapping associated with the Agricultural land overlay includes a blanket 'Agricultural Land' layer and does not specify between ALC Class A and Class B land.</p> <p>Council should consider:</p> <ul style="list-style-type: none"> > Reviewing the current Agricultural Land mapping and ensuring that the IAA is appropriately mapped within the framework; > Using the term IAA in the strategic framework to specifically align with the SPP;

Key issue	Council Policy Position	Reflected in Strategic Framework/Zone Code/Local Plan Code	Observations and comments
			<ul style="list-style-type: none"> > Provide further strategic outcomes that relate to agri-tourism opportunities; > Include further strategic outcomes in the Economic Development Theme of the strategic framework that support rural production and consistent land uses such as tourism or renewable energy facilities; > Review overlay mapping to either include ALC Class A and Class B or refer to the SPP mapping for further detail.
9. Tourism	Toowoomba is recognised as having a diverse range of attractions including its natural features, parklands, community events and local food and wine, arts and crafts.	Section 3.9.5.1(1) – support for the development of attractions, events and facilities targeting day trippers and overnight stays.	<p>The current planning scheme provides little, if any, specific guidance or support regarding tourism. The new SPP specifically requires that planning scheme reflect any state-endorsed tourism plans (prepared by Q-tourism etc) for the region.</p> <p>Council should consider:</p> <ul style="list-style-type: none"> > Review and implementation of State endorsed tourism plans such as ‘Southern Country Queensland Destination Tourism Plan’ and any other relevant plan; > Specifically identify and leverage events and places (including the heritage built form) that attract and support visitation; > Providing opportunities for tourism to emerge in rural and other areas to diversify rural economy and support rural lifestyles.
10. Energy and water supply	Infrastructure (including for energy and water supply) is planned, delivered and managed to promote efficient development and support the desired quality of life for current and future generations.	<p>Section 3.8.1(2) – the region’s water supply is managed in a holistic water cycle basis.</p> <p>Section 3.8.1(3) – commitment to the securing of community water needs through preservation of Coobty Dam, maintenance of alternative water supplies such as bores, and further implementation of water efficient technologies.</p> <p>Section 3.8.1(7) – energy infrastructure has sufficient capacity to support the needs of the region and considers low emission generation.</p>	<p>While the strategic framework appropriately addresses identification and protection of energy and water infrastructure, the scheme does not appropriately reflect the new SPP which requires planning schemes to consider the development and supply of renewable energy infrastructure. Given the region’s proximity to the Surat Basin, the presence of large overland corridors for transmission of water/electricity etc, and suitable topography there is potential for the region to accommodate renewable energy facilities.</p> <p>To reflect the SPP, Council should consider:</p>

Key issue	Council Policy Position	Reflected in Strategic Framework/Zone Code/Local Plan Code	Observations and comments
		<p>Section 3.8.2.1(2) – infrastructure items, corridors and buffers for utility infrastructure are identified and protected across the region.</p> <p>Energy infrastructure (including corridors, substations, generation equipment) and water supply pipelines and catchments are identified in the strategic framework mapping.</p>	<ul style="list-style-type: none"> > Broader policy position on whether and where renewable energy uses may be appropriate and supported in the region; > How conflicts with rural land may be managed or mitigated; > Identification of any potential sites that can take advantage of proximity to regional transmissions infrastructure; and > Management of potential amenity and character impacts on surrounding land uses. <p>It is noted that the State government has recently released 'Solar Farm Guidelines' which may provide assistance in determining how Council approaches the integration of this State interest into the planning scheme.</p>
11. Infrastructure integration	Major infrastructure projects are incorporated into the settlement pattern of the region and support economic development and diversity	Section 3.9.1(7) – the alignment of the Inland Rail will bring potential benefits to the region.	<p>The planning scheme reflects the planning and documentation that was available at the time in relation to the Inland Rail Project. The strategic framework makes specific reference only to the 'Inland Rail Alignment Study of 2010'. Planning has progressed significantly since that time.</p> <p>The SPP requires that the outcomes of significant infrastructure plans from all levels of government are reflected where relevant. It is noted that the Inland Rail project is now on the Infrastructure Priority List of the 'Australian Infrastructure Plan'. To appropriately reflect this level of planning, the planning scheme should contain provisions that support this delivery.</p> <p>Council should consider:</p> <ul style="list-style-type: none"> > Mapping the alignment of the Inland Rail Corridor in strategic framework mapping and provide further description of the importance of the corridor in the Access and Mobility Theme; > Include further guidance regarding how land use will be arranged and managed to protect the corridor from encroachment in the Settlement Pattern Theme;

Key issue	Council Policy Position	Reflected in Strategic Framework/Zone Code/Local Plan Code	Observations and comments
			<ul style="list-style-type: none"><li data-bbox="1413 240 2096 379">> Explore opportunities to locate industry and other land use zones to take advantage of the rail corridor and access to the coast in the Economic Development Theme;<li data-bbox="1413 379 2096 488">> Refine the relationship between the rail corridor and the Brisbane West Wellcamp Airport in the Economic development Theme.

In general it is considered that the strategic framework of the Toowoomba Planning Scheme provides a consistent and appropriate policy framework for the region. The framework retains the architecture of the Queensland Planning Provisions, and as such addresses the key planning policy elements in an ordered and logical manner.

In particular, the strategic framework seeks to achieve the following:

- > A compact settlement pattern that provides for a range of housing choices and styles;
- > A hierarchy of activity centres that function as a network and meet the needs of the communities they serve across a range of scales;
- > Recognises the historic character and identity of the towns and settlements that make up the broader region;
- > Seeks to retain the heritage values of the region and allow for adaptive re-use where appropriate;
- > Protection and maintenance of rural production as an important economic and landscape asset for the region;
- > Protection of the natural and environmental values of the region;
- > Managing the impacts of climate change and creating resilient communities;
- > Provision of appropriate infrastructure to maintain safe, healthy and active communities; and
- > Facilitating economic growth and development in traditional and emerging sectors.

In this regard the observations and comments provided in Table 4.3 are in many instances a refinement of a current policy position, or identification of aspects where more nuanced or specific guidance can be provided to reflect current and future opportunities, and the changing regulatory landscape. Based on this review, key policy areas for further Council consideration are:

- > Responding to the emerging Charlton Wellcamp Airport. The scale of this infrastructure item has the ability to skew the economic, transport, and industrial focus of the Toowoomba Region away from traditional locations, and will impact significantly on transport networks. The planning scheme must develop a clear policy position that integrates this facility into the broader settlement pattern and leverages the potential economic stimulus to create regional benefits to employment;
- > The alignment of the inland rail has now been confirmed and the planning scheme must ensure that it manages the interface to the corridor appropriately. Review of the settlement pattern and linkages to key industry and transport nodes should be considered at a policy level to generate the greatest benefit from this key infrastructure project;
- > Managing the emerging renewable energy sector. Council must consider how the interaction with the renewables industry and the traditional rural sector is managed to ensure that rural production is maintained while facilitating this emerging industry. A strategic review of the region to explore potential locations to accommodate renewable industries may assist in creating a policy framework that provides strong guidance on locational requirements.

4.4 Regulating and Responding to Specific Aspects

The review exercise in Section 4.2 provides a detailed analysis of all scheme provisions in relation to the scheme mechanics and operation, effectiveness, interpretation, and consistency.

This section of the review focuses on specific regulatory aspects of the scheme and their effectiveness in delivering on policy outcomes. To identify the issues to be explored, the project team has relied on the feedback from stakeholder engagement activities to generate a list of 'key' issues that typically arise in relation to day-to-day interaction with the planning scheme. It is noted that this list of key issues is not exhaustive. The key issues have then been consolidated and categorised where relevant to provide a thematic focus through which to analyse how the planning scheme currently deals with the issue and whether improvements or amendments may be warranted.

This part of the review is limited to identifying those regulatory provisions whose:

- > operation or construction is problematic and interfere with the effectiveness of the scheme in regulating the key issue; and
- > drafting construction does not provide clear and concise guidance to scheme users (both applicants and assessment officers) as to what is required to comply with the individual provisions.

Table 4-4 Review of regulatory framework for specific matters

Key issue	Area of scheme	Observation and comments
Dual occupancy – encouraging higher densities and housing choice while maintaining an appropriate character and amenity.	TLPI 01/2017 (Dual occupancy)	<p>AO1.1/AO1.2 – seeks to limit the proportion of Dual occupancy within a given block. The two provisions do not work well in conjunction and are complicated to understand, and Council should consider using one approach or the other (that is, either a percentage or some form of adjoining limits) to achieve an acceptable mix of residential typologies.</p> <p>AO2.1 – relates to the range of matters dual occupancy design should consider. An acceptable outcome should be a quantitative and objective statement that can be complied with. Currently the AO is simply a requirement to consider certain contextual elements. Council should consider making the Acceptable Outcome a Performance Outcome, or alternatively may include the AO as a note stating that a site context analysis that considers these matters should be provided to demonstrate compliance with the existing PO2.</p> <p>AO4.4 – relates to the transparency proportions required for frontage fences. There is disagreement between the proportions required by AO4.4 and AO7.1 that should be resolved as part of the amendment process.</p> <p>PO12/AO12.1 – relates to the provision of landscaping. The provision should be moved to the section of the code relating to landscaping (currently in the section relating to site access and parking).</p> <p>Further, the table that sets out the required landscape rate is difficult to understand and should be reviewed to more simply address landscaping provision. It is also unclear whether the table is required to consider a 4+ storey dual occupancy as unlikely that dual occupancy uses would exceed 2 storeys without becoming a multiple dwelling use.</p> <p>AO21.3 – relates to impervious area proportions. However it is unclear whether this provision relates to impervious area or site cover more broadly, and Council should review and clarify what this provision refers to.</p>
Management of incompatible land uses – protecting sensitive land uses from encroachment by high impact uses	Low impact industry zone Medium impact industry zone High impact industry zone Low density residential zone Low medium density residential zone	<p>The industrial zones all include an Acceptable Outcome that requires a minimum 6m setback from a boundary to adjoining non-industrial premises. Council should consider reviewing whether this separation distance remains appropriate to avoid, mitigate or minimise potentially adverse impacts, and whether a graduated response is more appropriate to reflect the different levels of potential impact from the hierarchy of industry zones.</p> <p>The residential zone codes include provisions that relate to sensitive land uses within 250m of medium impact industry avoiding exposure to negative amenity impacts. Council should consider whether such a provision should include reference to all industry zones, as well as refer to any other zone (including rural zones or community facility zones) that may accommodate land uses that generate potentially significant off-site impacts.</p>
Rural land, fragmentation, and management of incompatible land uses	Rural zone code Rural uses code Reconfiguring a lot code	<p><u>Rural zone code</u></p> <p>PO11 – relates to adequate buffering to adjoining development. The associated footnote refers to SPP1/92 for guidance on appropriate separation distances. Council should consider updating references to more contemporary guidance material such as the current SPP guidelines.</p>

Key issue	Area of scheme	Observation and comments
		<p>PO8 – relates to protection of rural amenity and character. Council should consider a note stating that a visual impact assessment would demonstrate compliance with the PO.</p> <p><u>Rural uses code</u></p> <p>PO3 – relates to effective separation distances to minimise potential impacts. Council could consider a note stating that an impact assessment (relating to noise, odour, dust etc as required) would demonstrate compliance with the PO.</p> <p><u>Reconfiguring a lot code</u></p> <p>Minimum lot size for rural zone is 100Ha</p>
Building in Neighbourhood character areas – operation of the scheme is restrictive and prevents modern or innovative design approaches that remain sympathetic to the character of a locality.	Neighbourhood character overlay code	<p>PO1 – relates to the retention of a neighbourhood character place. The inclusion of the AO requiring retention is redundant and Council may consider deleting the AO to ensure that unless structurally unsound the character place is retained.</p> <p>AO5.1 – relates to setbacks from an adjoining ‘public place’. It is not clear what a ‘public place’ refers to as it is not otherwise defined. Council may consider including an administrative definition to specify the term, or provide further guidance on setback requirements to adjoining structures or dwellings.</p>
Car parking dimensions – do not reflect the larger typical vehicle size in the region due to the rural and industrial nature of the region.	Transport, access and parking code	<p>The Transport, access and parking code does not specify a specific dimension required for general parking spaces, however it does include provisions (AO15.3) that specify dimensions for PWD parking spaces.</p> <p>Council may consider including reference to a current guideline or Australian Standard, or consider including their own standards that reflect the type and nature of vehicles that are predominantly used in the region.</p>
Lot dimensions and slope responsiveness – lot dimensions do not reflect the steep topography of parts of the region and may restrict design options and require significant earthworks.	Reconfiguring a lot code	<p>Table 9.4.5.4 of the Reconfiguring a lot code provides the minimum lot sizes for subdivision across the Toowoomba region.</p> <p>It is noted that the lot sizes in the Low medium density residential zone and Township zone are graduated to account for slope, with steeper slopes requiring larger lot sizes.</p> <p>Council may consider reviewing the lot sizes in other zones to account for slope. Council may also review whether the larger lot sizes on steeper slopes are appropriate to allow for a building envelope and site infrastructure without requiring significant earthworks and adjust accordingly.</p>

As can be seen from the analysis above, the planning scheme is generally responsive to the key issues, and the potential issues identified are in large part able to be resolved through more precise drafting approaches. However, there are a number of issues that will require further consideration from Council to resolve:

- > Dual occupancy – the TLPI (and ultimately any resultant new code) seeks to limit the proportion of dual occupancy dwellings in any given block. It is unclear how the required proportion has been arrived at, and even more unclear as to whether this measure will mitigate or manage undesirable outcomes. Council should consider further investigation into determining the optimal arrangement of dwelling types in residential areas and develop an objective measure that can be used to assess the impact of increasing density. It is noted that Council of the City of Gold Coast has recently undertaken such an exercise that may provide guidance in how to approach the issue;
- > Managing incompatible land uses – the residential zone codes include setback and separation distances between incompatible land uses, however this approach is relatively arbitrary and may not reflect the actual impacts being experienced. Council may consider including provisions (or a note) that requires technical impact

assessments to identify actual impacts and demonstrate effective mitigation measures. Guidance on the preparation of such technical studies may be included in a relevant planning scheme policy.

As part of the stakeholder engagement process, issues relating to refuse collection and protection of character and identity of rural townships were also raised.

Based on a review of the scheme provisions relating to refuse collection, it is considered that they are generally appropriate and consistent with other similar local governments. The Works and services code includes provisions that require refuse container storage areas to be provided, and pick up points to be able to be accessed in a forward gear etc. A review of technical or engineering matters relating to waste management has not been undertaken, and it may be that there are technical considerations relating to dimensions and standards for swept paths, roof heights, and basement parking etc that could be reviewed to provide for more effective and efficient refuse collection.

Township character protection is not well catered for in the current planning scheme. The Township zone code provides limited guidance relating with Performance Outcomes providing for development to "*...integrate with and enhance the character of the locality, having regard to historic character, built form, open space, landscaping and the public realm.*" This approach is generally consistent across many local government areas, however it is acknowledged that this is a reasonably weak regulatory framework. Notwithstanding, in the absence of specific character studies that identify and quantify the character features and values of individual townships, this approach provides opportunity for Council to consider applications on their merits and make decisions accordingly.

4.5 Categories of Assessment and Development

This section of the review analyses whether the levels of assessment in Part 5 of the planning scheme are appropriate to facilitate the desired land use and settlement pattern for the region.

The zone codes for the planning scheme have been prepared in accordance with the now superseded QPP, and include:

- > a purpose statement that describes the purpose of the zone in terms of land uses; and
- > overall outcomes that further refine the typical and generally supported land uses that are intended to establish in the zone.

The analysis is based on a review of the land use intent for the individual zones as expressed within the purpose statement and overall outcomes, and a comparison with the levels of assessment as expressed in the Tables of Assessment in Part 5. In general terms, the those land uses that are expressly envisaged as being consistent with the land use intent for the zone should be subject to lower levels of assessment (subject to the nature of the use). This exercise will identify whether the tables of assessment have been appropriately calibrated to deliver on the land use intents as expressed in the zone codes.

It is noted that the review is limited to the tables of assessment for zones only. This is on the basis that these elements provide a statement of land use intent and relate to a spatial organisation of land uses. Overlay codes do not expressly relate to the appropriateness of land uses as such, and are more concerned with the management of specific impacts. In this regard, a review of the overlay (or other building and operational works codes) levels of assessment is not considered warranted as part of this exercise.

Table 4-5 Analysis of categories of assessment and development

Zone/LAP	Land use intent	Level of Assessment for primary intended uses	Comment and observation
Low Density Residential Zone	The purpose of the Low Density Residential Zone code is to provide for a variety of low density Dwelling types, including Dwelling houses supported by community uses and small-scale services, facilities and infrastructure that cater for local residents.	Dual occupancy – ASR ¹ and Code Dwelling house – Accepted Multiple dwelling - Code	Review level of assessment for multiple dwelling as this could potentially allow for large scale attached dwellings/townhouses to establish that are more appropriately located in higher density zones such as Low medium density or centre zones.
Low-medium Density Residential Zone	The purpose of the Low-medium Density Residential Zone Code is to provide for a range and mix of Dwelling types including Dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.	Dual occupancy – ASR and Code Dwelling house – Accepted Multiple dwelling – Code (limited to specified precincts)	The levels of assessment for Multiple dwelling are more onerous and specific in the Low-medium density zone than the lower density residential zone code. This appears to be a misalignment as the purpose of the zone code specifically identifies Multiple dwellings as being a preferred use.
Principal Centre Zone	<p>The purpose of the Principal Centre Zone Code is to provide for the largest and most diverse mix of uses and activities that forms the core of an urban settlement.</p> <p>It includes key concentrations of high-order retail, commercial, employment, residential, health services, administrative, civic, community, cultural, recreational and entertainment activities and other uses, which reinforce the primacy of the centre as the heart of Toowoomba and major service centre for the Region, capable of servicing the planning scheme area.</p> <p>The most intense forms of development concentrate to facilitate a compact and sustainable mixed use centre that encourages the efficient use of resources and alternative transport modes, best practice built form and environmental outcomes, and strong social and cultural engagement.</p> <p>Development facilitates a mix of uses that increase the intensity and diversity of activity within the centre throughout the day and night creating an active and people-oriented environment that is safe, vibrant, attractive, connected and inclusive. Diverse and innovative built form outcomes contribute to the creation of the highest quality public realm with improved street facades,</p>	Multiple uses	<p>Food and drink outlet is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR where forming part of a mixed use building which will support active ground plane in mixed-use principal centre.</p> <p>Health care services is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR where forming part of a mixed use building which will support active ground plane in mixed-use principal centre.</p> <p>Nightclub is either ASR or code. Such uses have potentially high levels of impact and could potentially be subject to higher levels of assessment.</p> <p>Office is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR where forming part of a mixed use building which will support active ground plane in mixed-use principal centre and support diversification of economy and work/play/live outcomes.</p> <p>Service industry is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR where forming part of a mixed use building which will support active ground plane in mixed-use principal centre and support diversification of economy and work/play/live outcomes.</p>

¹ Accepted Subject to Requirements

Zone/LAP	Land use intent	Level of Assessment for primary intended uses	Comment and observation
	<p>landscape treatments, and interaction with public spaces that strengthen the identity of Toowoomba City as a 'garden city'.</p> <p>The heritage character of the centre is retained through the reuse of historic buildings and elements to support a rich and interesting environment.</p> <p>Development mitigates the impact of the car, promotes public transport usage and creates an environment where pedestrians and cyclists have priority.</p>		<p>Shop is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR where forming part of a mixed use building which will support active ground plane in mixed-use principal centre and support diversification of economy and work/play/live outcomes.</p>
Major Centre Zone	<p>The purpose of the Major Centre Zone code is to provide for a mix of uses and activities.</p> <p>It includes concentrations of higher order retail, commercial, offices, residential administrative and health services, community, cultural and entertainment facilities and other uses capable of servicing a subregion in the planning scheme area. Development complements, but does not compromise the role and function of the Principal Centre. The centres are highly accessible and well connected to the subregional catchments they serve</p>	Multiple uses	<p>Food and drink outlet is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR where forming part of a mixed use building which will support active ground plane in mixed-use major centre.</p> <p>Health care services is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR where forming part of a mixed use building which will support active ground plane in mixed-use major centre.</p> <p>Home based business does not provide a threshold under which the use is Accepted development.</p> <p>Nightclub is either ASR or code. Such uses have potentially high levels of impact and could potentially be subject to higher levels of assessment.</p> <p>Office is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR where forming part of a mixed use building which will support active ground plane in mixed-use major centre and support diversification of economy and work/play/live outcomes.</p> <p>Service industry is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR where forming part of a mixed use building which will support active ground plane in mixed-use major centre and support diversification of economy and work/play/live outcomes.</p> <p>Shop is either Accepted (where reusing an existing building and not a department store) or Code. Consider including additional threshold</p>

Zone/LAP	Land use intent	Level of Assessment for primary intended uses	Comment and observation
			<p>for ASR where forming part of a mixed use building which will support active ground plane in mixed-use major centre and support diversification of economy and work/play/live outcomes.</p> <p>Shopping centre thresholds refers to the use not being a Department store. The term Shopping centre relates to a group of shops, the threshold should refer to 'not including' a Department store.</p>
<p>District Centre Zone</p>	<p>The purpose of the District Centre Zone Code is to provide for a mix of uses and activities.</p> <p>It includes a concentration of land uses including retail, commercial, residential, offices, administrative and health services, community, small scale entertainment and recreational facilities capable of servicing a district catchment. District centres are highly accessible and well connected to the catchment area and do not compromise the role and function of the Principal Centre or Major Centres.</p>	<p>Multiple uses</p>	<p>Food and drink outlet is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR to facilitate commercial activity.</p> <p>Health care services is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR.</p> <p>Hospital use is Code Assessable. Such a use is a higher order use and location in a District centre zone may not be warranted.</p> <p>Office is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR subject to certain thresholds.</p> <p>Service industry is either Accepted (where reusing an existing building) or Code. Consider including additional threshold for ASR where meeting thresholds.</p> <p>Shop is either ASR (where reusing an existing building and not a department store or discount department store) or Code. Consider including additional threshold for Accepted to allow for re-use of existing tenancy/building to allow for ease of use between tenancies.</p> <p>Shopping centre thresholds refers to the use not being a Department store. The term Shopping centre relates to a group of shops, the threshold should refer to 'not including' a Department store.</p>
<p>Local Centre Zone</p>	<p>The purpose of the zone is to provide for a limited range of retails, commercial and community activities to service local needs.</p> <p>It includes local shopping, local employment nodes, commercial, cafes and dining, entertainment, community services and</p>	<p>Multiple uses</p>	<p>ASR as lowest category for food and drink outlet where reusing an existing premise appears onerous and does not flexibly allow for a tenancy to change over time.</p>

Zone/LAP	Land use intent	Level of Assessment for primary intended uses	Comment and observation
	residential development where it can integrate with and enhance the fabric of the activity centre. Uses do not compromise the role and function of higher order centres.		<p>Hospital use is Code Assessable. Such a use is a higher order use and location in a Local centre zone may not be warranted.</p> <p>Service industry is either ASR(where reusing an existing building) or Code. Consider including additional threshold for Accepted where meeting thresholds.</p> <p>Shop is either ASR (where reusing an existing building and not a department store or discount department store) or Code. Consider including additional threshold for Accepted to allow for re-use of existing tenancy/building to allow for ease of use between tenancies.</p> <p>Shopping centre thresholds refers to the use not being a Department store. The term Shopping centre relates to a group of shops, the threshold should refer to 'not including' a Department store.</p>
Specialised Centre Zone	The purpose of the Specialised Centre Zone Code provides for one (or more) specialised uses and activities, and to facilitate the effective on-going operation of these activities.	Multiple uses	Levels of assessment are generally appropriate.
Low Impact Industry Zone	<p>The purpose of the Low Impact Industry Zone Code is to provide for service and Low impact industry uses.</p> <p>It may include non-industrial and business uses that support the industrial activities where they do not compromise the long term use of the land for industrial purposes.</p> <p>Activities considered appropriate in this zone are defined as Low impact industry or Service industry in the schedule of definitions.</p> <p>The limited supply of land within this zone is not taken up by higher impacting industrial or industry related uses that are more appropriately accommodated in other industry zones. The zone is protected from encroachment by incompatible land uses.</p>	<p>Low impact industry – ASR where reuse of existing building</p> <p>Service industry - ASR where reuse of existing building</p>	<p>Levels of assessment do not support the intent of the zone.</p> <p>Consider Low impact industry as Accepted where in an existing building, ASR when a new premise being established to support industrial development.</p> <p>Medium impact industry is Code Assessable in all circumstances which is essentially identical to Low impact industry. This approach does not facilitate genuine low impact industry uses to establish</p> <p>Query the consistency of a Motor sport facility in a Low impact industry zone.</p> <p>Rural industry is intended to allow for on-site light industrial activity in a Rural zone. Use of this definition the Low impact industry zone is queried regarding applicability and suitability.</p> <p>Consider Service industry as Accepted where in an existing building, ASR when a new premise being established to support industrial development.</p>

Zone/LAP	Land use intent	Level of Assessment for primary intended uses	Comment and observation
Medium Impact Industry Zone	<p>The purpose of the Medium impact industry Zone Code is to provide for Medium impact industry uses:</p> <ul style="list-style-type: none"> (a) it may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes; and (b) activities considered appropriate in this zone are defined as Medium impact industry in the schedule of definitions. <p>The limited supply of land within this zone is not taken up by industrial or industry related uses that are able to be accommodated in other locations and that it is protected from encroachment by incompatible land uses</p>	Medium impact industry – Code assessable	<p>Medium impact industry could be Accepted or ASR where in an existing building to support efficiency of re-use of tenancies.</p> <p>Rural industry is intended to allow for on-site light industrial activity in a Rural zone. Use of this definition the Medium impact industry zone is queried regarding applicability and suitability.</p> <p>Service industry could be Accepted or ASR where in an existing building to support efficiency of re-use of tenancies.</p>
High Impact Industry Zone	<p>The purpose of the High impact industry High impact industry high impact industry means the use of premises for an industrial activity -</p> <p>that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and</p> <p>that a local planning instrument applying to the premises states is a high impact industry; and</p> <p>that complies with any thresholds for the activity stated in the local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.</p> <p>Zone Code is to provide for High impact industry uses:</p> <ul style="list-style-type: none"> (a) it may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes; and (b) activities considered appropriate in this zone are defined as High impact industry in the schedule of definitions. 	High impact industry – Code assessment	Levels of assessment are generally appropriate.

Zone/LAP	Land use intent	Level of Assessment for primary intended uses	Comment and observation
	<p>The limited supply of land within this zone is not taken up by industrial or industry related uses that are able to be accommodated in other locations and that it is protected from encroachment by incompatible land uses.</p>		
<p>Extractive Industry Zone</p>	<p>The purpose of the Extractive industry Zone Code is to provide for the extraction and/or processing of natural resources such as sand, gravel, quarry rock, clay and soil.</p> <p>Development such as the storage, processing, treatment and transportation facilities may be provided in the Extractive Industry Zone where such development is ancillary to the resource extraction.</p> <p>Key Resource Areas under the State Planning Policy December 2013, within the Region are protected from inappropriate development and are protected for future development optimal utilisation of the resource.</p>	<p>Extractive industry – Code assessment</p>	<p>Levels of assessment are generally appropriate.</p> <p>Home based business as Code Assessable not consistent with the intent of the zone and may curtail safe and efficient operation of the zone.</p>
<p>Sport and Recreation Zone</p>	<p>The purpose of the Sport and Recreation Zone Code is to provide for a range of organised activities that includes sport, cultural and educational activities where the uses require a level of built infrastructure.</p> <p>It includes structures, such as clubhouses, gymnasiums, public swimming pools, tennis courts, and infrastructure to support recreational and sporting activities and meet community needs.</p> <p>The code recognises the importance of recreation and open space areas to community liveability and to facilitate the effective operation and optimum accessibility of sport and recreation activities.</p>	<p>Indoor sport and recreation – ASR (where existing premises and not licensed)</p> <p>Outdoor sport and recreation – Code assessment</p> <p>Park - Accepted</p>	<p>Levels of assessment are generally appropriate.</p> <p>Home based business is not intended by zone code and inclusion as Code Assessable is queried.</p>
<p>Open Space Zone</p>	<p>The purpose of the Open Space Zone is to provide for local, district and regional scale parks that serve the recreational needs of a wide range of residents and visitors.</p> <p>Where required to meet community needs, development may include shelters, amenity facilities, picnic tables, and playgrounds and infrastructure to support safe access and essential management.</p>	<p>Outdoor sport and recreation – Code assessment</p> <p>Park – Accepted</p>	<p>Levels of assessment are generally appropriate.</p> <p>Home based business is not intended by zone code and inclusion as Code Assessable is queried.</p>

Zone/LAP	Land use intent	Level of Assessment for primary intended uses	Comment and observation
	<p>The code recognises the importance of recreation and open space areas to community liveability and to facilitate the optimum accessibility of open space networks.</p>		
Community Facilities Zone	<p>The purpose of the Community Facilities Zone Code is to provide for community related activities and facilities whether under public or private ownership. These may include provision of municipal services, public utilities, government installations, hospitals and schools, transport and telecommunication networks and community infrastructure of an artistic, social or cultural nature.</p> <p>The zone facilitates the effective operation and optimum accessibility of community related activities.</p>	<p>Cemetery – ASR where in Government Precinct Community use - ASR where reuse of existing building Crematorium – Code Hospital – ASR if in Hospital Precinct and reusing existing building Park - Accepted Utility installation – Accepted where for local utility services and not for bulk transmission/storage/treatment</p>	<p>Dual occupancy is identified as ASR and Code. Residential uses are not envisaged in the zone and the inclusion is queried as being appropriate or warranted.</p> <p>Dwelling house is identified as ASR and Code. Residential uses are not envisaged in the zone and the inclusion is queried as being appropriate or warranted.</p> <p>Utility installation thresholds are confusing and include distances and imprecise terminology.</p>
Emerging Community Zone	<p>The purpose of the Emerging Community Zone Code is to:</p> <ul style="list-style-type: none"> (a) identify land that is intended for an Urban purpose in the future; and (b) protect land that is identified for an Urban purpose in the future from incompatible uses; and (c) provide for the timely conversion of non-urban land to urban purposes. 	No primary uses	<p>Levels of assessment are generally appropriate.</p> <p>Major electricity infrastructure refers to self-assessment which is a term from the now repealed QPP</p>
Limited Development (Constrained Land) Zone	<p>The purpose of the zone is to identify land known to be significantly affected by one or more development constraints (such as past or future mining activities, flooding, land contamination, defence requirements, historical subdivisions and buffer areas). Such constraints pose severe restrictions on the ability of the land to be developed for urban purposes.</p> <p>This zone and code identifies and limits development on land that is unsuitable for further development as a result of:</p>	No primary uses	Levels of assessment are generally appropriate.

Zone/LAP	Land use intent	Level of Assessment for primary intended uses	Comment and observation
	<p>(a) multiple environmental development constraints (such as slope and soil stability, significant vegetation and bushfire); and</p> <p>(b) historic subdivisions which are remote, lack urban services or are otherwise unsuitable for additional development.</p>		
Township Zone	<p>The purpose of the Township Zone Code is to provide for small to medium-size service centres located within a rural area.</p> <p>Development provides for a mix of uses including residential, retail, business, education, industrial, community purpose, recreation and open space which support the needs of the local rural community.</p> <p>Tourist facilities such as tourist attractions and Short-term accommodation may be appropriate.</p>	All uses	<p>Levels of assessment are generally appropriate.</p> <p>Multiple dwelling is subject to Code Assessment which is the same level of assessment is in larger centres. This could be modified to include a scale threshold to ensure larger multiple dwellings are not unduly facilitated.</p> <p>Rural industry is intended to allow for on-site light industrial activity in a Rural zone. Use of this definition the Township zone is queried regarding applicability and suitability.</p>
Rural Residential Zone	<p>The purpose of the zone is to provide for residential development on large lots where Local Government infrastructure and services may not be provided and where the intensity of residential development is generally dispersed. Development for large residential lots provides for a range of residential housing styles to meet the needs of the community. Development maintains a semi-rural landscape character and expansion of these localities does not occur.</p>	Dwelling house - ASR	<p>Levels of assessment are generally appropriate.</p> <p>It is queried whether Rural Workers Accommodation is appropriate in the zone.</p>
Rural Zone	<p>The purpose of the zone is to:</p> <p>(a) provide for a wide range of rural uses including Cropping, Intensive horticulture, intensive animal industries, Animal husbandry, Animal keeping and other primary production activities;</p> <p>(b) provide opportunities for non rural uses that are compatible with agriculture, the environment, and the landscape character of the rural area where they do not compromise the long term use of the land for rural purposes; and</p> <p>(c) protect or manage significant natural features, resources, and processes, including the capacity for primary production.</p>	<p>Cropping – Accepted (where not forestry/plantation)</p> <p>Intensive horticulture – Code</p> <p>Intensive animal industries – Impact</p> <p>Animal husbandry – Accepted</p> <p>Animal keeping – ASR if not involving catteries or kennels, otherwise Code</p>	<p>Food and drink outlet use as Code assessment where directly associated with a rural use. Rural use is not defined and it is not clear in what circumstance this would occur.</p> <p>Function facility use as Code assessment where directly associated with a rural use. Rural use is not defined and it is not clear in what circumstance this would occur.</p> <p>Renewable energy facility as Impact Assessable, review for alignment with policy direction.</p>

Zone/LAP	Land use intent	Level of Assessment for primary intended uses	Comment and observation
	<p>In addition, the zone code aims to:</p> <ul style="list-style-type: none"> (a) protect the productive capacity of all rural land for rural use; (b) protect water quality and the ecological and hydrological processes of waterways and wetlands; (c) protect the landscape character and its associated visual and scenic amenity; (d) minimise the potential for conflict between rural uses and other uses; (e) provide for the establishment of appropriately scaled agri- and eco-tourism activities that are based on farm life or primary production in the locality, or on the scenic or environmental values of the locality; (f) provide for intensive animal industries including feedlots, piggeries and poultry farms; and (g) protect rural land from fragmentation that diminishes its productive capacity. 		
Mixed Use Zone	<p>The purpose of the zone is to provide a mixture of development including Service industry, business, retail, residential and Low Impact Industrial uses.</p> <p>In addition the code aims to:</p> <ul style="list-style-type: none"> (a) facilitate development that provides a compact urban form; (b) encourage development that contributes to the 'green city image' and integrates with open space and major pedestrian links between the principal centre and surrounding localities; (c) ensure Building height, scale and density assists in the realisation of compact and sustainable development, without compromising the primacy of the principal centre; (d) facilitate a mix of uses that increases the intensity and diversity of activity within the zone; (e) promote a mix of employment opportunities; 	Multiple uses	Levels of assessment are generally appropriate.

Zone/LAP	Land use intent	Level of Assessment for primary intended uses	Comment and observation
	<ul style="list-style-type: none"> (f) facilitate development that activates street frontages where appropriate; (g) promotes safe and efficient public transport use, walking and cycling; (h) ensure new development complements and preserves existing heritage and character of Toowoomba City; and (i) provide residential development at an appropriate scale and integrated with the other uses in the zone. 		

It is noted that the review of levels of assessment is related to policy decisions of Council, and reflects the desired settlement pattern and the level of risk that Council is comfortable in accepting. However, the construction and calibration of the levels of assessment is closely linked to the operation of use codes and zone codes and as such is considered a useful review item to examine these linkages.

In this regard the review has identified that the levels of assessment for the suite of centre zones and the suite of industry zones are very similar. This approach limits the effectiveness of the tables of assessment in driving the differentiated land uses intended within the various scale of the zones. As an example, within the Low impact industry zone and Medium impact industry zone, Medium impact industry is identified as Code Assessable development. It is therefore unclear how Medium impact industry is being facilitated and steered towards establishing in a Medium impact industry zone as opposed to establishing in Low impact industry areas. As a corollary, within the Low impact industry zone, Low impact industry uses are Accepted development subject to requirement only where establishing in an existing building, and is otherwise Code Assessable. This means that there is effectively no difference in level of assessment between a new Low impact industry and a new Medium impact industry in the Low impact industry zone, which cuts across the purpose statement for the zone. This example can be carried across into a number of assessment tables, and demonstrates that the levels of assessment require further review and fine tuning to more accurately reflect the types of land use envisaged for each zone. Alternatively, if Council remains generally satisfied with the levels of assessment it may be warranted to consider the consolidation of the three (3) industry zones into a single General industry zone. Given that the levels of assessment currently do not provide significant variation between the zones, the actual land use outcomes would be similar and the planning scheme operation would be simplified.

The construction of the thresholds for Code Assessment are also problematic. As currently constructed, the tables use a complicated and unwieldy drafting approach that includes the following threshold statements:

Code assessment if:

- (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or*
- (ii) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.*

In our view this construction is hard to interpret and potentially confusing, but is also partially redundant and not required to be included throughout all level of assessment tables.

The first statement (i) is appropriate, as it clearly states that development that does not meet the thresholds or descriptions provided in the Accepted subject to requirements becomes Code assessable. However, the second statement (ii) is confusing and open to interpretation in two ways:

- > Firstly, the preamble to Part 5 states that accepted development subject to requirements becomes code assessable unless otherwise specified, however only against the requirements that it cannot comply with in accordance with Section 5.3.3(4)(b)(i). In this regard, there is no need to include (ii) as it is merely re-stating the rules for determining levels of assessment as set out in Section 5.3.3(2) of the planning scheme;
- > Second, it is unclear if in statement (ii) Council is seeking to overcome the rules as set out in Section 5.3.3(4)(b)(i) and make such a development Code assessable against all assessment benchmarks for a Code assessable use, not just the requirements it could not comply with.

To clarify the operation and intent of the levels of assessment, the construction of the thresholds should be reviewed and revised as necessary to:

- > Consider the necessity of the statement relating to accepted development subject to requirements becoming code assessable, and delete as necessary. This will significantly shorten the tables of assessment and aid in clarity as it appears consistently throughout the tables;

- > Consider whether Council position is for accepted development subject to requirements to become Code Assessable against all Code assessment benchmarks, and not just the requirements it could not comply with.

We would suggest that seeking to make simple and otherwise preferred development subject to unnecessarily high levels of assessment would be a sub-optimal outcome, and it is likely that this reflects a poorly drafted provision as opposed to a Council policy position. Should Council have concerns relating to the transition thresholds of accepted development subject to requirements to code assessment, further review of the respective risks would be required, and thresholds could be devised that appropriately differentiate risk and inform the appropriate levels of assessment

4.6 Mapping and Graphics

4.6.1 General Mapping System Observation

The planning scheme is supported by a range of maps including:

- > Strategic framework maps;
- > Zone maps; and
- > Overlay maps.

Scheme mapping is provided via an online portal, and to our knowledge no individual planning scheme maps are available via the Council website. We note that no hard copy maps were provided to us as part of this review, and our review is based only on the content and operation of on-line mapping.

In general terms, the online mapping portal is adequate to support the scheme. All required mapping elements are available via a drop down menu, with various layers able to be turned on and off to provide a bespoke map that shows the information required by the user.

As with all online portals there are limitations. As an observation for Council consideration, we note the following:

- > While using the mapping portal during the review it was subject to multiple crashes and freezes, and at some stages was unable to be accessed. This is of course not a problem with the scheme, however the back of house IT should be reviewed to ensure the optimum integrity of the system for users;
- > The symbology for centres and other defined activity nodes in the strategic framework layers is not easily discernible and does not reflect the respective scale of these nodes;
- > Layers are only visible at certain scales of zoom. This makes navigating the maps difficult when a macro view is required to locate areas of interest prior to drilling down into further detail;
- > When viewing certain overlay data layers (such as bushfire hazard and agricultural land) they obscure the underlying mapping including cadastre, making interpretation difficult;
- > The Heritage overlay is coloured an orange that is very similar to the Mixed use zone, making interpretation difficult in some circumstances.

4.6.2 Alignment of strategic mapping with zoning

An assessment of the planning scheme mapping to determine its consistency between the higher order strategic elements and the specific land use intent reflected in the applied zoning has been undertaken. This review is important in ensuring that the strategic intent of the Planning Scheme is properly integrated into the operational aspects of the planning scheme.

A summary of the findings is provided below and provide detail of where the strategic planning maps and zone maps do not align.

1. District Centre Zone not identified under the Strategic Framework - Settlement Pattern – District Centre Mapping;

- a. Precinct comprising Lot 8 SP256718 (refer to Figure 1)



Figure 4-1 Example Mapping Excerpt: Precinct comprising Lot 8 SP256718

2. Charlton Wellcamp Enterprise Area - Local Centre Zone not identified under the Strategic Framework - Settlement Pattern – Local District Centre Mapping:

- a. Precinct comprising: Lot 19 SP268924 (refer to Figure 2)



Figure 4-2 Example Mapping Excerpt: Precinct comprising: Lot 19 SP268924

3. Crows Nest - Major Centre under the Strategic Framework - Settlement Pattern Mapping zoned Low-Medium Density Residential (Urban Residential Precinct)

- a. Precinct comprising: Lot 302 SP264485 (refer to Figure 3)

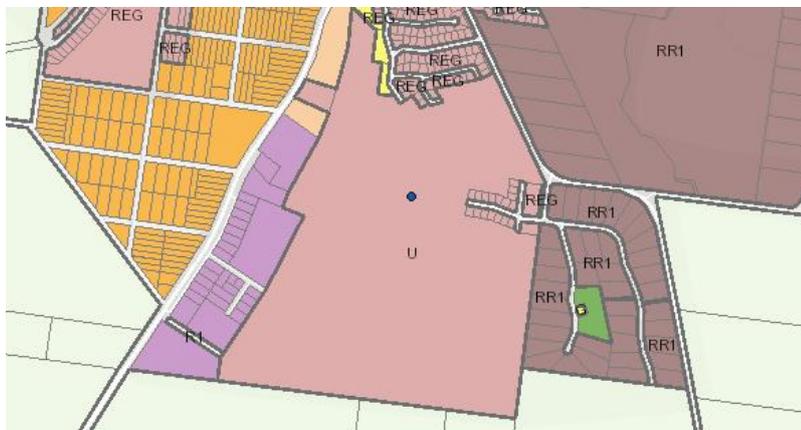


Figure 4-3 Example Mapping Excerpt: Precinct comprising: Lot 302 SP264485

4. Areas of Rural Residential zoned land outside the Rural Residential area identified under Strategic Framework – Settlement Pattern Mapping:
 - a. Highfields, Meringandan and Meringandan West Local Plan Area – comprising Lot 64 SP277089, Lot 2 RP224909, Lot 900 SP263532
 - b. Rangeville locality – comprising Lot 3 SP113881
 - c. Darling Heights (north-west) locality – comprising Lot 20 RP117681
 - d. Darling Heights (south) locality – comprising Lot 2 RP212958
 - e. Millmerran locality – comprising Lot 7 SP202969
5. Low-Medium Density Residential / Low Density Residential zoned land identified as Rural Residential under the Strategic Framework - Settlement Pattern Mapping:
 - a. Oakey (south) locality – comprising Lot 2 AG3900
 - b. Prince Henry Heights locality – comprising Lot 3 SP225158
6. Sport & Recreation zoned land identified as Rural Residential under the Strategic Framework - Settlement Pattern Mapping:
 - a. Highfields site – Lot 54 D349
 - b. Darling Heights (south) locality – comprising Lot 25 SP166683
7. Large areas of Low-Medium Density Residential (Urban Residential Precinct), Emerging Community and Community Facilities zoned land identified as Rural Residential under the Strategic Framework - Settlement Pattern Mapping in Wilsonton / Glenvale (west) (e.g. Lot 7 RP137412, Lot 1 RP197096, Lot 21 A341 etc.)(refer to Figure 4-4)

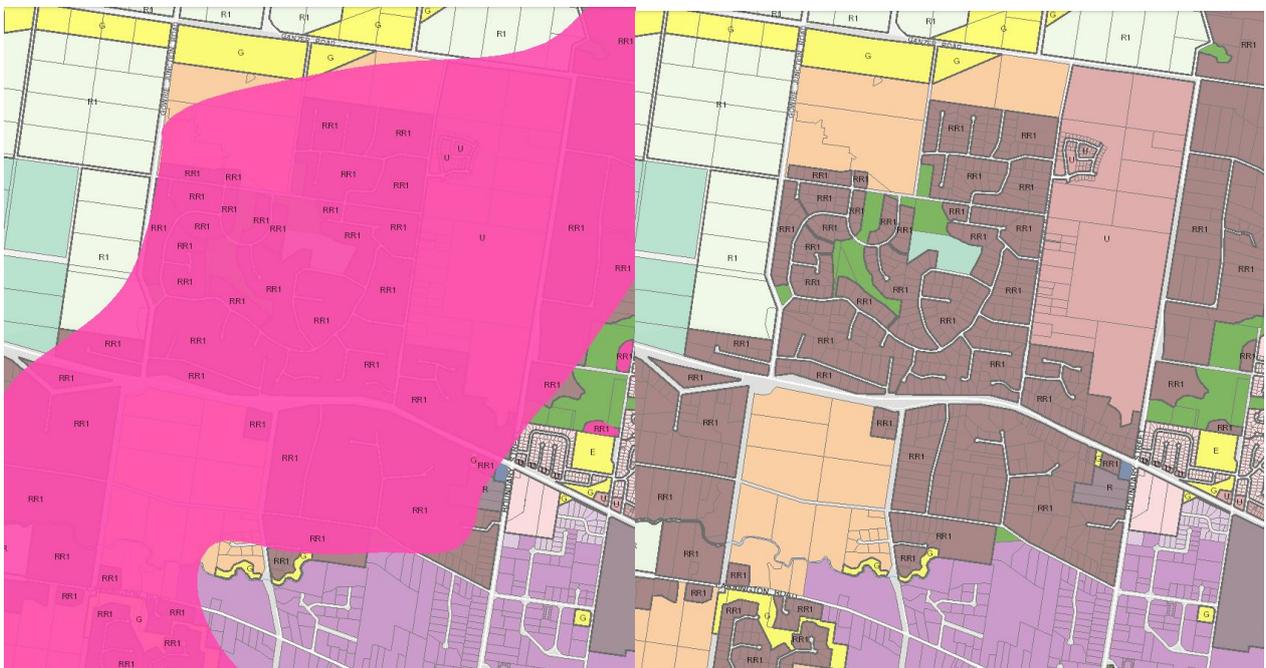


Figure 4-4 Example Mapping Excerpt: Wilsonton / Glenvale (west)

4.6.2.2 Alignment of Urban Extent with zoning

8. Rural zoned land inside 'Urban extent' identified under the Strategic Framework - Settlement Pattern Mapping:
 - a. Hampton site – Lot 1 SP196587
 - b. Highfields – area comprising Lot 22 CH312559
 - c. Meringandan West – area comprising Lot 900 SP263532
 - d. Cooyar – area comprising Lot 559 CSH2098 / Lot 510 SP279237
 - e. Pittsworth site – Lot 65 P2107
 - f. Finnie – area comprising Lot 16 DAR622
9. Low-Medium Density Residential Zoned land outside the 'Urban Extent' identified under the Strategic Framework - Settlement Pattern Mapping.
 - a. Woolmer locality – comprising Lot 1340 A34806 (refer to Figure 5)

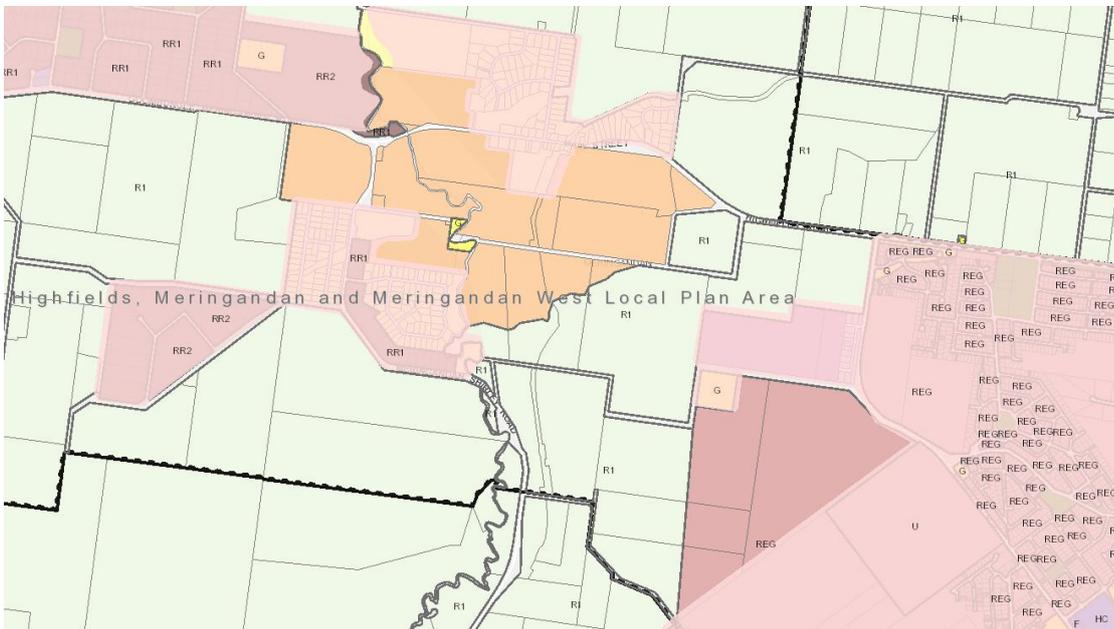


Figure 4-5 Example Mapping Excerpt: Woolmer locality / Meringandan West (north)

10. Large area of Emerging Community Zoned land outside the 'Urban Extent' identified under the Strategic Framework - Settlement Pattern Mapping
 - a. Meringandan locality – area comprising Lot 1 RP27298
 - b. Mount Kynoch – area comprising Lot 2 RP845656
 - c. Finnie – specific site Lot 4 SP204667
11. Large area of Township Zoned land outside the 'Urban Extent' identified under the Strategic Framework - Settlement Pattern Mapping
 - a. Meringandan West (north) – area comprising Lot 27 SP228936 (refer to Figure 6)
 - b. Brookstead (north) – area comprising Lot 80 RP14234
 - c. Cambooya (south – east) – area comprising Lot 13 SP281177
 - d. Wyreema (east) – area comprising Lot 115 SP276471
 - e. Greenmount (west) – specific site Lot 3 RP13816

- f. Nobby (east) – area comprising Lot 2 RP859273

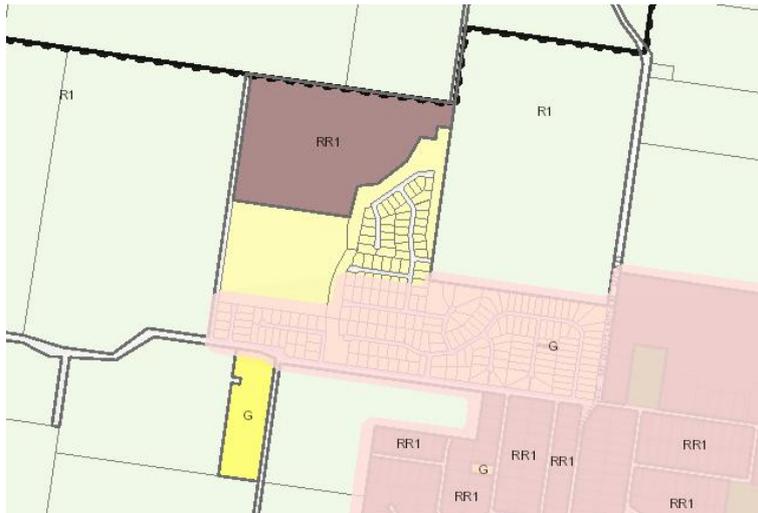


Figure 4-6 Example Mapping Excerpt: Meringandan West (north) – area comprising Lot 27 SP228936

12. Rural Residential Zoned land outside the 'Urban Extent' identified under the Strategic Framework - Settlement Pattern Mapping
- Yarraman (east) – specific site Lot 4 RP861175
 - Cooyar (west) – area comprising Lot 7 RP185285
 - Goombungee (north) – area comprising Lot 6 RP22710
 - Jondaryan (north) – area comprising Lot 3 J13312
 - Millmerran (south) – area comprising Lot 5 SP202969
 - Crows Nest – area comprising Lot 6 RP206031
 - Gowrie Junction – area comprising Lot 45 SP209406
 - Mount Kynoch – area comprising Lot 2 RP845656
13. Medium Impact Industry zoned land outside the 'Urban Extent' identified under the Strategic Framework - Settlement Pattern Mapping
- Yarraman (north) – specific site Lot 3 RP50116
 - Pittsworth – area comprising Lot 23 RP809304/23 / Lot 13 RP208615
 - Clifton – specific site Lot 8 RP228660
 - Charlton Wellcamp Enterprise Area
14. Low Density Residential zoned land outside the 'Urban Extent' identified under the Strategic Framework - Settlement Pattern Mapping
- Mount Kynoch – area comprising Lot 100 SP256697
15. Open Space Zone identified under the Sport and Recreation layer under the Strategic Framework - Settlement Pattern Mapping
- Crows Nest – Lot 23 RP839389 / Lot 39 RP15473 / Lot 212 C2007 / Lot 599 CP839433
 - Meringandan – Lot 152 AG4027
 - Highfields – Lot 1017 SP177919

- d. Highfields – Lot 317 CP889347
 - e. Toowoomba Lot 179 D361160, Lot 1 RP212191, Lot 1 RP145589, Lot 217 CP867555, Lot 3 D10413
 - f. South Toowoomba – Lot 3 RP101010
 - g. Kearneys Spring – Lot 1 RP95988
 - h. Drayton – Lot 101 SP239609
 - i. Darling Heights – Lot 56 RP147199
 - j. Westbrook – Lot 114 W5037
 - k. Vale View – Lot 58 SP131023
 - l. Pittsworth – Lot 106 AG1817
 - m. Millerman Lot 2 RP198785 / Lot 1 RP174138
16. Sport and Recreation Zone outside the Sport and Recreation layer under the Strategic Framework - Settlement Pattern Mapping
- a. Wilsonton east – Lot 12 AG4064
 - b. North Toowoomba – Lot 7 RP16586
 - c. Newtown east – Lot 1 RP52534
 - d. Newtown – Lot 982 AG3831
 - e. South Toowoomba – Lot 1100 AG3580
 - f. South Toowoomba – Lot 2 RP76948
 - g. South Toowoomba – Lot 9 RP88805
 - h. Middle Ridge – Lot 20 RP17707
 - i. Middle Ridge – Lot 2 SP158469
 - j. Rangeville – Lot 110 CC2173/110
 - k. Pittsworth – Lot 115 D36937, Lot 1 RP189813, Lot 1 RP174636
 - l. Millerman – lot 122 DY750, Lot 1 RP166824, Lot 131 DY893, Lot 3 RP197909
17. Mixed Use Zone (West Creek Precinct) identified under the Sport and Recreation layer under the Strategic Framework - Settlement Pattern Mapping – Toowoomba Lot 946 SP144295
18. Community Facilities (Education Precinct) / Mixed Use (Railyards Precinct) identified under the Sport and Recreation layer under the Strategic Framework - Settlement Pattern Mapping - Toowoomba Lot 1 SP274571 & Lot 12 RP16692
19. Pittsworth SP236974/2 zoned Rural and identified 'New Urban Area' under the Strategic Framework - Settlement Pattern Mapping

4.6.2.3 Infrastructure and services strategic framework mapping

- > Electricity Generation in Millmerran on Rural Zones / Low-Medium Density Residential Zoned land
- > Electricity substation in Yarraman on Rural zoned land
- > Electricity substation in Purrawunda on Rural zoned land
- > Electricity substation in Cecil Plains on Rural zoned land
- > Waste management site in Cecil Plains on Rural zoned land
- > Waste management site in Leyburn on Rural zoned land
- > Waste water treatment plant in Westbrook on Rural Residential zoned land
- > Waste water treatment plant in Wyreema on Rural zoned land
- > Waste water treatment plant in Pittsworth on Rural zoned land
- > Waste water treatment plant in Millmerran on Rural zoned land
- > Water treatment plant in Yarraman on Low-medium Density zoned land
- > Water treatment plant in Crows Nest on Rural Residential zoned land

4.6.2.4 Economic Development strategic framework mapping

1. District Centre Zone not identified as a District Centre under the Strategic Framework – Economic Development Mapping:
 - a. Precinct comprising: 101 North Street, Harlaxton (Lot 8 SP256718)
2. Local Centre Zone not identified as a Local District Centre under the Strategic Framework – Economic Development Mapping:
 - a. Precinct comprising: 118 O'Mara Road, Wellcamp (Lot 19 SP268924)
3. Major Centre under the Strategic Framework – Economic Development Mapping zoned Low-Medium Density Residential (Urban Residential Precinct)
 - a. Precinct comprising: (Lot 302 SP264485)

4.6.3 Consistency between land use and zoning

An examination of the existing development pattern as reflected in recent aerial imagery has been undertaken to review consistency with the current Planning Scheme zoning pattern. This exercise is important in ensuring the land use pattern reflected in the Planning Scheme zoning remains an accurate representation of the current 'on ground' pattern of development. It is noted that the planning scheme is a 'point in time' document and in some instances will not be able to reflect all changes to land use at any given time. However, the current review process provides a good opportunity to update zone mapping to reflect current land use as well as provide for future spatial distribution and extent of land uses.

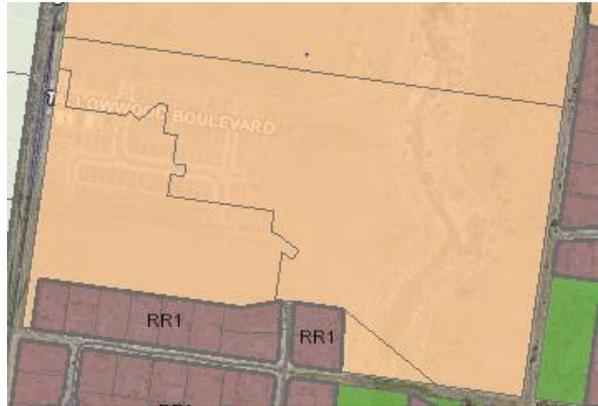
A summary of the findings is provided in Table 4.6.

Table 4-6 Review of consistency between zoning and land use

Comparison of emerging development pattern and Planning Scheme zoning	
Recent Aerial Imagery (31 July 2018)	Current Planning Scheme Zoning
	
<p>Southern Cross Drive – Kingsthorpe (SP277092/500) Medium Impact Industry Zone containing detached Dwelling Houses on Rural Residential sized lots</p>	
	
<p>Queen Street – Oakey (Lot 2 RP172752) Medium Impact Industry lots containing detached dwelling houses</p>	
	
<p>Felix Street – Cranley (Lot 37 SP256664) Rural Residential Zone containing detached Dwelling Houses on low density residential sized lots</p>	

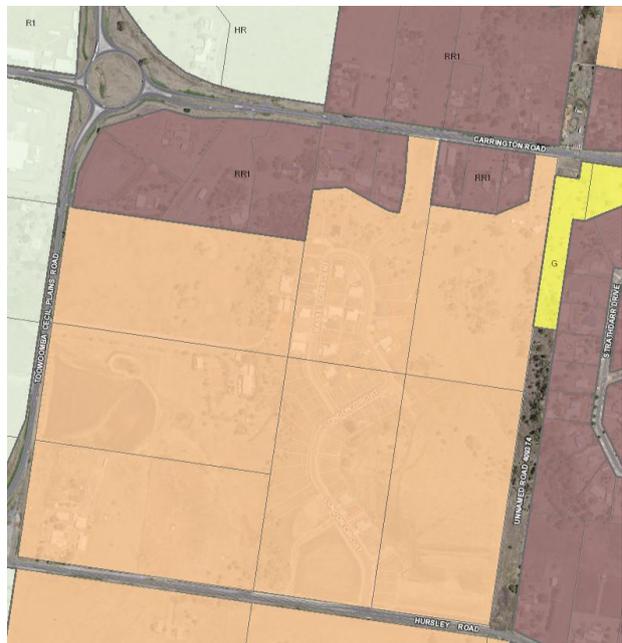
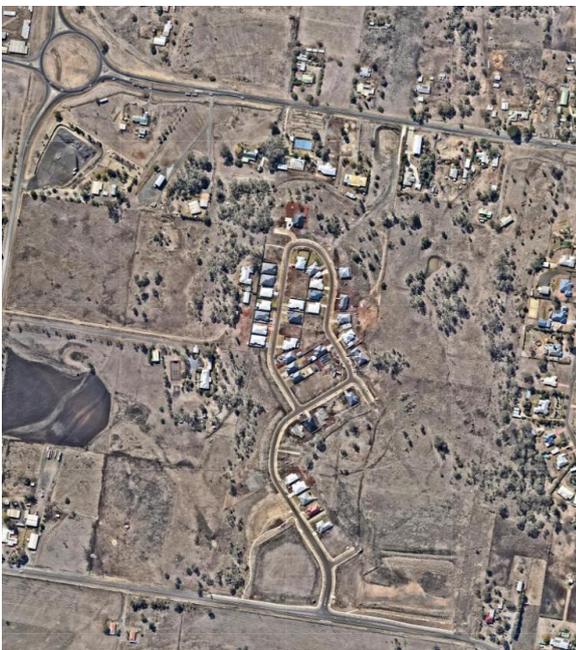
Comparison of emerging development pattern and Planning Scheme zoning

Recent Aerial Imagery (31 July 2018) Current Planning Scheme Zoning



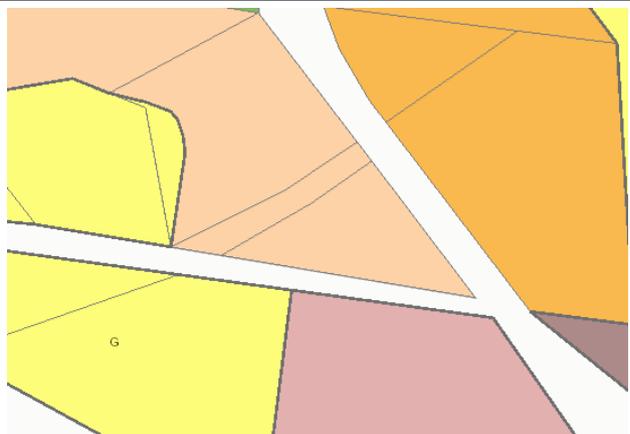
Gowrie Junction Road, Cotswold Hills

Emerging community zone subject to recent low density residential development for detached dwelling houses



Hursley Road, Glensvale

Emerging community zone subject to recent low density residential development for detached dwelling houses



125 New England Highway, Mount Kynoch

Emerging Community Zone containing major infrastructure (Toowoomba Bypass)

It is noted that due to the large site area of the Toowoomba Regional Council area the above review is not exhaustive. However, it is instructive to demonstrate that small errors and inconsistencies can occur over time. It is recommended that Council undertake a full audit of existing development in comparison to ensure the new planning scheme incorporates the most up to date and accurate representation of land use zoning available.

4.7 Planning scheme graphics

4.7.1 Evaluation of graphics with comparable schemes

Graphics within local planning instruments are an effective way to visually represent and convey concepts. Planning Schemes in Queensland are progressively integrating additional and better quality graphics. Graphics generally serve to demonstrate either a Strategic or Regulatory concept i.e. spatial growth patterns or building envelopes respectively.

There is an opportunity to creatively use graphics to improve community accessibility and understanding of the planning scheme.

An assessment of the use of graphics in the Planning Scheme has been undertaken by way of a comparison with other similar local planning instruments in Queensland, including:

- > Brisbane City Plan 2014
- > Sunshine Coast Planning Scheme 2014
- > Gold Coast City Plan Version 6
- > Rockhampton Region Planning Scheme (2015)
- > Townsville City Plan

4.7.1.1 Strategic Graphics

The graphics associated with the strategic framework of each Planning Scheme was compared.

A summary of findings is provided in Table 4.7.

Table 4-7 Summary of strategic framework graphical elements (not including maps)

Local Planning Instrument	Number of Graphics	Type of Graphics	Brief Description
Toowoomba Regional Planning Scheme	0	N/A	N/A
Brisbane City Plan 2014	4	Chart Diagram Maps	Strategic framework chart City Shape maps / diagrams – context / connectivity
Sunshine Coast Planning Scheme 2014	4	Map Diagram Charts	Spatial functions map Activity centres diagram Implementation programs and projects chart Future steps chart
Gold Coast City Plan Version 6	15	Chart Diagrams Maps Concept / example imagery	Strategic framework structure chart Centres hierarchy, coastal transects, centre transformation images, urban transformation corridors Lots of concept / example imagery included Diagrams demonstrating building form and massing Diagrams demonstrating layout and design of new communities

Local Planning Instrument	Number of Graphics	Type of Graphics	Brief Description
Rockhampton Region Planning Scheme (2015)	10	Diagrams Aerial imagery	Settlement pattern diagrams with aerial imagery - these diagrams indicate each place type, the future expected form and layout to be achieved within the Planning Scheme extent
Townsville City Plan	6	Diagram Maps	Regional context diagram Theme 1 'Shaping Townsville' - Centres strategy plans (5)

Based on the review it is noted:

- > The Strategic Framework under the Toowoomba Regional Planning Scheme does not currently incorporate graphics to assist in demonstrating strategic themes and concepts. From a review of comparative schemes, spatial / contextual maps or diagrams of the anticipated pattern of development are common.
- > A chart which provides an overview of the policy direction of the Planning Scheme is also common, for the purpose of demonstrating the structure of the strategic framework, and relationship between the elements, themes and overall Planning Scheme intent.
- > Diagrams which demonstrate the strategic functions and relationships between centres are also common.
- > Visioning imagery of exemplar development, place making outcomes etc. are provided in the Gold Coast City Plan to visually represent the intended outcomes to the reader.

Council may consider incorporating a range of graphical elements into the strategic framework to support the readability and interpretation of the document.

4.7.1.2 Regulatory Graphics

For the purposes of this exercise, the codes within each planning scheme relating to low - medium density residential development were chosen for the comparison of regulatory graphics.

A summary of findings is provided in Table 4.8.

Table 4-8 Summary of regulatory graphics

Local Planning Instrument	Number of Graphics	Type of Graphics	Brief Description
Toowoomba Regional Planning Scheme (Low-medium Density Residential Zone Code Medium Density Residential Code)	2	Black and White 2D Diagrams	Graphics integrated throughout code Building envelope - QDC Vehicle manoeuvring (Some building massing in Zone Codes)
Brisbane City Plan (2014) (Low-medium Density Residential Zone Code Multiple Dwelling Code)	23	Black and White Colour 2D / 3D Diagrams 3D Models	Graphics referred to in text and included at the end of the code Large-scale multiple dwelling integration with context Building envelope Built to boundary walls / setbacks Building height transition Building separation Privacy Building length, articulation, variations Roof form

Local Planning Instrument	Number of Graphics	Type of Graphics	Brief Description
			Cross-ventilation Car parking Street interface
Sunshine Coast Planning Scheme (2014) (Medium Density Residential Zone Code Multi-unit Residential Uses Code)	0	N/A	N/A
Gold Coast City Plan (Version 6) (Medium Density Residential Zone Code Multiple Accommodation Code)	13	Colour 2D / 3D Diagrams 3D Models	Figures integrated throughout code Orientation / interface with street Articulation, design, materials Building caps and roof form Privacy outcomes Private open space Communal open space Townhouse outcomes Pedestrian access Sight lines
Rockhampton Region Planning Scheme (2015) (Low-medium Density Residential Zone Code No relevant use code)	-2	Black and White 2D Diagrams	Figures integrated throughout code Developable area (envelope and massing) Front building setbacks
Townsville City Plan (2014) (Medium Density Residential Zone Code No relevant use code)	-13	Colour 2D Diagrams	Figures integrated throughout code Casual surveillance Modulation and design elements Developable area (envelope and massing) Parking concealment Building setbacks Indicative built form outcomes

Based on the review the following is noted:

- > The Toowoomba Regional Planning Scheme provides a limited number of graphics which demonstrate regulatory concepts. The graphics provided are 2D, black and whites images.
- > 3D graphics (models etc.) are used throughout the Brisbane City Plan and Gold Cost City Plan to demonstrate building massing and built form outcomes in a clear manner which is simple for the reader to interpret and understand.
- > Few images / photos are provided to convey regulatory matters – diagrams and 3D models dominate.
- > Graphics integrated throughout a particular code tends to be easier to interpret and is more likely to be utilised by the reader as they are easy to access when required.

It is noted that the planning scheme does incorporate significant graphics in certain codes including the centre zone codes and local plan codes. These graphical elements are considered to be a good example of using graphics to support

the planning scheme content, and it is recommended that these types of graphics are included in other typical codes to better explain the operation of the scheme provisions to users.

5 Conclusion and Recommendations

Cardno has been engaged by Toowoomba Regional Council to undertake a 'Peer Review' of the current planning scheme. The purpose of the Peer Review is to undertake a technical review of the operational aspects of the planning scheme in terms of:

- > Alignment with State Planning Policy drafting principles;
- > Effectiveness of scheme mechanics;
- > Policy alignment - vertical and horizontal;
- > Clarity of vision within the strategic framework;
- > Clarity, consistency and effectiveness of drafting;
- > Effectiveness of the way the planning scheme implements underlying policy positions;
- > Gaps in scheme provisions;
- > Unnecessary or redundant requirements;
- > Conflict / duplication between provisions;
- > Local Plan integration;
- > Unintended consequences of provisions;
- > Appropriate and consistent designation of assessment levels;
- > Integration between the planning scheme and planning scheme policies; and
- > Opportunities for enhancing interpretation through use of graphics.

The aim of the Peer Review is to provide a series of recommendations for potential improvement of the operational aspects of the planning scheme. These recommendations will inform the final phase of the review project that will culminate in an implementation plan to guide the preparation of a new Toowoomba Regional Planning Scheme.

Based on the review, it is considered that the Toowoomba Regional Planning Scheme generally operates appropriately to regulate development within the region. Having regard to the State Planning Policy guiding principles, it is considered that:

- > The planning scheme is generally outcome focused, and provides generally appropriate performance outcomes and acceptable outcomes;
- > The planning scheme is integrated, and reflects State and local policy intentions for land use and development; and
- > The planning scheme is generally accountable, and Council is mindful of responding to community concerns and enabling a planning framework that delivers on community views and aspirations.

However, the planning scheme review has revealed that there is opportunity for improvement in relation to the following SPP guiding principles:

- > Efficiency – in terms of supporting the efficient determination of development through setting appropriate levels of assessment and regulating only to the extent necessary; and

- > Positive – in terms of ensuring that the scheme is drafted using clear, concise and precise language that supports performance based planning.

5.1 Recommendations

Having regard to the Peer Review exercise, the following recommendations² are made:

Scheme mechanics and operation

1. Review and update the planning scheme in accordance with the findings of the code review and expressed in Appendix D, Appendix E, and Appendix F;

Vertical integration

2. Consider including a more detailed description of centres in the strategic framework regarding scale, nature, mix of land uses, and contextual information to better define the role and function of the individual centres and provide greater certainty for impact assessable development.
3. Consider rationalising the number of activity 'centres' – particularly district and local centres which appear to have a large overlap in function and catchment.
4. Consider providing further detailed guidance in the strategic framework that higher density accommodation activities in residential zones must integrate with the locality and maintain the desired character and amenity. This may also include identification of preferred density areas or precincts.
5. Consider including additional statements in the Settlement Pattern Theme of the strategic framework that provides guidance regarding provision, location, and operation of hard and soft infrastructure within urban settings across the region.
6. Consider reviewing strategic framework mapping to provide more detailed guidance of the type of infrastructure and any zone of influence that should be protected or maintained to ensure the ongoing safe and efficient operation of the infrastructure.
7. Consider providing further urban design detail in the strategic framework that relates to the rural townships to reinforce individual character and amenity.
8. Consider include the Brisbane West Wellcamp Airport in the strategic framework mapping.
9. Consider including statements regarding the importance of Brisbane West Wellcamp Airport in the strategic framework providing guidance as to how the Brisbane West Wellcamp Airport aligns with the broader settlement pattern and economic development of the region including integration as a freight hub.
10. Review the current Agricultural Land mapping in the strategic framework mapping and ensure that the Important Agricultural Area (IAA) is appropriately mapped within the framework;
11. Amend and use the term IAA in the strategic framework to specifically align with the SPP;
12. Consider provision of further strategic outcomes that relate to agri-tourism opportunities;
13. Consider inclusion of further strategic outcomes in the Economic Development Theme of the strategic framework that support rural production and consistent land uses such as tourism or renewable energy facilities;
14. Consider the inclusion of State endorsed tourism plans such as 'Southern Country Queensland Destination Tourism Plan' and any other relevant plan into the strategic framework;

² Due to the technical nature of the review, the recommendations are summary statements of the type and nature of considerations during future scheme drafting exercises. The recommendations should be read in conjunction with the discussions and commentary provided in the analysis section of the peer review report to fully determine the scope and context of the recommended actions.

15. Consider the broader policy position on whether and where renewable energy uses may be appropriate and supported in the region;
16. Consider identification of any potential sites for renewable energy infrastructure that can take advantage of proximity to regional transmissions infrastructure;
17. Consider inclusion of statements relating to the management of potential amenity and character impacts of renewable energy infrastructure on surrounding land uses.
18. Consider mapping the alignment of the Inland Rail Corridor in strategic framework mapping and provide further description of the importance of the corridor in the Access and Mobility Theme;
19. Consider inclusion of further guidance regarding how land use will be arranged and managed to protect the inland rail corridor from encroachment in the Settlement Pattern Theme;
20. Consider refining the relationship between the rail corridor and the Brisbane West Wellcamp Airport in the Economic Development Theme.

Regulatory responses to specific issues

21. Dual occupancy - Consider further investigation into determining the optimal arrangement (in terms of location, density, proportions etc) of dwelling types in residential areas and develop an objective measure that can be used to assess the impact of increasing density.
22. Incompatible land uses - Consider including provisions that require technical impact assessments to identify actual impacts and demonstrate effective mitigation measures. Guidance on the preparation of such technical studies may be included in a relevant planning scheme policy.
23. Protecting individual township character – Consider development of specific character studies for the relevant townships to determine character features and appropriate design responses.

Levels of Assessment

24. Consider reviewing the levels of assessment for all zones (Centre and Industry Zones in particular) to ensure that the scheme adopts the lowest level of assessment required to efficiently and effectively address impacts.
25. Consider reviewing the levels of assessment for Centre and Industry Zones to better reflect and differentiate between the scale and nature of uses intended to establish in the respective zones.
26. Consider reviewing the construction of assessment level threshold statements to enhance consistency and ease of interpretation.

Mapping and graphics

27. Consider reviewing and upgrading the operation and stability of the online mapping portal to facilitate ease of access and use.
28. Review alignment of strategic framework mapping and zone mapping in accordance with the outcomes of the review in Section 4.6.2 of the report.
29. Review alignment of zone mapping with existing development in accordance with the outcomes of the review in Section 4.6.3 of the report.
30. Consider preparation of graphical elements to support the planning scheme in accordance with the outcomes of the review of Section 4.7 of the report.

Thank you for the opportunity to provide Toowoomba Regional Council with this Planning Scheme Review. Should you require any further information please do not hesitate to contact the undersigned on (07) 3100 2248, or via email at Morgan.Wilson@cardno.com.au.

Yours faithfully,



Morgan Wilson
Strategic Planning Lead



APPENDIX

A

List of Relevant Appeals

List of Relevant Appeals

1. 4137/17 COLLINS -V- TOOWOOMBA REGIONAL COUNCIL
2. 34/17 BERIGAN -V- TOOWOOMBA REGIONAL COUNCIL
3. 2761/17 CANTO -V- TOOWOOMBA REGIONAL COUNCIL
4. 2082/17 THE AVENUES HIGHFIELDS PTY LTD -V- TOOWOOMBA REGIONAL COUNCIL
5. 1790/17 HUTCHISON QUARRIES PTY LTD -V- TOOWOOMBA REGIONAL COUNCIL
6. 1735/17 WOOROOLAH GRAZING COMPANY -V- TOOWOOMBA REGIONAL COUNCIL & anor
7. 3896/16 BLUEPOINT HIGHFIELDS PTY LTD -V- TOOWOOMBA REGIONAL COUNCIL
8. 125/16 WAGNERS PROPERTIES PTY LTD -V- TOOWOOMBA REGIONAL COUNCIL
9. 4089/15 INVEST & GROW PTY LTD -V- TOOWOOMBA REGIONAL COUNCIL
10. 3364/15 KIPPBROOK PTY LTD & others -V- TOOWOOMBA REGIONAL COUNCIL
11. 3204/15 DREAM PROPERTIES P/L -V- TOOWOOMBA REGIONAL COUNCIL
12. 2259/15 ERGON ENERGY CORPORATION LIMITED -V- TOOWOOMBA REGIONAL COUNCIL
13. 2165/15 FORDE -V- TOOWOOMBA REGIONAL COUNCIL
14. 325/15 WITMACK INDUSTRIAL PTY LTD -V- TOOWOOMBA REGIONAL COUNCIL
15. 306/15 CHURCHES OF CHRIST IN QUEENSLAND -V- TOOWOOMBA REGIONAL COUNCIL
16. 3760/14 HARMONY GLADES PTY LTD -V- TOOWOOMBA REGIONAL COUNCIL
17. 3571/13 THE BAPTIST UNION OF QUEENSLAND -V- TOOWOOMBA REGIONAL COUNCIL
18. 3358/13 GINGERCAT PTY LTD -V- TOOWOOMBA REGIONAL COUNCIL
19. 3164/13 MCNAB DEVELOPMENTS PTY LTD -V- TOOWOOMBA REGIONAL COUNCIL
20. 413/13 POWELL & others -V- TOOWOOMBA REGIONAL COUNCIL [Superseded Planning Scheme]
21. 80/12 CRABB -V- TOOWOOMBA REGIONAL COUNCIL [Superseded Planning Scheme]



APPENDIX

B

Toowoomba Regional
Planning Scheme
Issues Register

Toowoomba Regional Planning Scheme Issues Register (SEPTEMBER 2017-)

Matters for Potential Inclusion in a Planning Scheme Amendment

TRPS Issues Register Use Guide:

All Staff:

Use the table below to enter your issues/concerns regarding the planning scheme, mapping or planning scheme policies. Ensure the relevant part of the scheme/policy is identified (e.g. "Part 5.3.3" or "Schedule 2 Mapping").

If including an item on someone's behalf, include their name as well.

Where additional information is available (e.g. email or PDF file) include these items as attachments or DM references.

Any questions, please contact Stephanie Clement on x6460

LUC Officer Only:

Review issues listed and make recommendation in box provided. Include your initials and date in box provided.

LUC Use Only:

Under Consideration	
Not to be Amended	Amendment In Progress
PSRT Review	Amendment Adopted

The following items have been raised and will be considered for potential inclusion in future batch amendment/s:

Land Use & Community Officer Use Only

#	Officer Name	Date	Part/s of Scheme Affected	Issue / Comments	Recommendation from LUC	LUC Officer & Date	Amend Y/N	Amendment No.	Final Review Officer & Date
1	Stephanie Clement	27/09/17	Entire scheme	The State Planning Policy has been updated. The scheme is consistent with SPPs released prior to 2012.	A scheme-wide review and gaps analysis is being undertaken. Amendments to be confirmed from this.	SC 27/09/17			
2	Michelle Milton	23/07/13	Part 7, CWEA Local Plan	Review of the precinct application – a number of uses permitted in the local centre zone were elevated to impact in the CWEA LP.					
3	Heath Martin	09/09/13	Part 9, TAP Code	Consider whether the planning scheme should specifically require the replacement of on-street parking lost as a result of development.					
4	Natalie Plumbe	23/4/15	All Commercial /Centre Zones	<p>There is nothing currently in the RAL code or these zone codes that talk about the importance of not fragmenting lots in these types of zones to ensure an integrated, orderly and efficient development outcome is achieved.</p> <p>When you fragment some sites, you compromise achievement of the desired form of development, in particular the opportunity for an integrated centre including integrated car parking areas, integrated service delivery areas and efficient access points.</p> <p>Consideration should include impact of RAL on:</p> <ul style="list-style-type: none"> the safe and efficient operation of the external road network; multiple access points along external roads; integrated pedestrian and vehicle movements within the site including service vehicle, car parking areas and circulation; and an integrated and coordinated built form. 	A comprehensive review of the RAL code is required, and proposed for a future amendment.	SC 27/09/17	Y		
5	Hayley Seears	5/10/17	Strategic Framework 3.3.1 4a ii	<p>Easterfest no longer happens. Should it be taken out?</p> <p>Known as the 'Garden City', Toowoomba City hosts the Carnival of Flowers - the longest running floral event of its kind in Australia - each September and annual Easterfest music festival over the Easter weekend. There are more than 150 public parks and gardens in Toowoomba, including state heritage listed Queens Park and Picnic Point.</p>				20	
6	Hayley Seears	5/10/17	Table 8.2.2:1 Bushfire Hazard Overlay Code	<p>AO1.1 a) being connected to a reticulated water supply with a minimum Bushfire Hazard Overlay Code flow of 10 litres per seconds at 200kPA</p> <p>The highlighted words seem like they shouldn't be there?</p>	This should be corrected in Amendment NO.11 – will need to confirm.	SC 17/10/17			
7	Mary Partridge	23/10/17	RAL Code AO32.1	AO references section 4.5.5 of the planning scheme in relation to park requirements. The LGIP (part 4 of the scheme) does not extend to 4.5.5.				20	

#	Officer Name	Date	Part/s of Scheme Affected	Issue / Comments	Recommendation from LUC	LUC Officer & Date	Amend Y/N	Amendment No.	Final Review Officer & Date
8	Krys den Hertog	13/11/17	Zone map omits 15A Warwick St Harristown		GIS error. GIS have been contacted and will correct error asap.  FW Please check.msg	SC 20/11/17			
9	Heath Martin c/- Stephanie Clement	15/11/17	Sch 2 Zone Maps	Request to amend zoning of 114-122 Gorman Street. Currently Emerging Communities Zone. Suggestion would be to rezone to residential. Property is covered by the Environmental Significance overlay and Bushfire Hazard Overlay. It has 5 LGIP networks available. Review of vegetation should be undertaken to confirm relevance / quality and if it should be retained.  FW Rezoning.msg 					
10	Heath Martin c/- Stephanie Clement	20/11/17	Sch 2 Zone Maps Part 6 – LDR Zone Code	Request to remove Clifford Parks Stable precinct from property at 11 Tancred Ave, Newtown. HM supports request and identified at the Precinct needs to undergo review to see if it is still applicable and appropriate today.  FW Clifford Park Stables Precinct.msg SC – should consider surrounding properties and overall appropriateness of this precinct.	Remove precinct from 11 Tancred Avenue, Newtown. Review LDR, Clifford Park Stable Precinct for suitability and application  RE Clifford Park Stables Precinct.msg	SC 20/11/17			
11	Linda Tait c/- Stephanie Clement	21/11/17	TAP code, new PSP?	Desired standards of service for set-down / pick-up of passengers, seating facilities, taxi requirements, etc. for centre activities (and beyond?). Related to PO9 in TAP code, as it doesn't have set requirements for when and what to provide. This could also be incorporated into the LGIP perhaps?	This would be a useful tool to have as a PSP or similar. Could run along with the City Centre Design Guidelines that are being developed, or urban design requirements for roads, etc.	SC 21/11/17			
12	Matthew	23/11/17	SC6.2.9.5.2	Standard Drawings are poor quality, text, figures & dimensions illegible in some cases. Requests for higher quality	PSP2 review. Council can	SC 4/12/17		PSP2	

#	Officer Name	Date	Part/s of Scheme Affected	Issue / Comments	Recommendation from LUC	LUC Officer & Date	Amend Y/N	Amendment No.	Final Review Officer & Date
	Sturley			standard drawings are received regularly from industry. Suggestion that the drawings are replaced with better quality copies.	provide these on request to applicants, or just put them up on the website.				
13	Matthew Sturley	23/11/17	SC6.2.9.5.2	Grammatical error in Disclaimer 1: Persons must not rely on these Standard Drawings are the equivalent of, or a substitute for, project-specific design...	PSP3 Review			3 to PSP3	
14	Mark Westaway	28/11/17		Planning Services has received a number of applications where Operational Works have been lodged and approved for Bulk Earthworks on site (or even unauthorised work). This has subsequently given incentive for the developer to develop the site to reflect how they have altered the natural ground level of the site rather than the original topography of the site (putting the bulk earthworks cart before the MCU or RAL horse). It can make it difficult for officers to push back in MCU or RAL applications when there is little direction in the planning scheme. (The old better to seek forgiveness than ask permission principle.) Examples – Aldi Highfields, Tunney at Rielly St.	Not sure how the planning scheme can help with this? We call up OW for non-building related works, but we can't do much else.	SC 4/12/17			
15	Peter Swan	1/12/2017	Transport, Access and Parking Code	In Version 17 & 18 of the TRPS 2012 Table 9.4.6:1 is titled 'Transport, Access and Parking Code – Assessment benchmarks for assessable development' the table should read 'Transport, Access and Parking Code – requirements for accepted development and assessment benchmarks for assessable development'. This is particularly important as the TLPI 01/2017 (Dual Occupancy) references the Transport, Access and Parking Code for requirements for accepted development.	This will be changed as part of Amendment 11 I think.	SC 4/12/17			
16	James Juhasz c/- Stephanie Clement	4/12/17		Request for rezoning of 9-17 Herries Street (Eastville)  FW 9 – 17 Herries Street East Toowoor	The current zoning (LMDR) should not impact on the use of the land as the approval has been finalised and enacted. We will consider this rezoning as part of the 10 year review of the TRPS.	SC 4/12/17	N		
17	Cameron Barrie	11/12/17	Multiple Locations (refer to next column)	Grammatical Error – There are a number of locations with the TRPS that use the wrong term “distributer” instead of the correct term “distributor”. The Road Hierarchy specifically identifies the term “distributor” to denote the applicable road type – TMR also uses “distributor” to identify the relevant road type. The term is also incorrectly applied within road hierarchy diagram (<i>Figure SC6.2.1 – Functional hierarchy of roads</i>) The incorrect term “Distributer” can be found in the following parts of the TRPS: <u>Part 6 Zones</u> 6.2.1.2 Purpose and overall outcomes 6.2.1.3 Requirements for accepted development and assessment benchmarks for assessable development 6.2.2 Purpose and overall outcomes 6.2.2.2 Purpose and overall outcomes 6.2.2.3 Requirements for accepted development and assessment benchmarks for assessable development <u>Schedule 6 Planning scheme policies (PSP2)</u> SC6.2.2.2.4 Distributer roads SC6.2.2.2.5 Collector roads SC.6.2.2.3.7 Kerbing and channelling, swale drains SC6.2.4.4.3 Minor and major systems see QUDM 2008 7.02, 7.03)				20	
18	Nadia McLeod	14/12/2017	SC6.7.2	Please place 208 Herries Street to the list of Neighbourhood Character Place.	Heritage citation needed. Document in DM from 2013 indicates no individual significance. Have requested additional information from Nadia.	SC 18/12/17			

#	Officer Name	Date	Part/s of Scheme Affected	Issue / Comments	Recommendation from LUC	LUC Officer & Date	Amend Y/N	Amendment No.	Final Review Officer & Date																																																										
					 DOCS-6737220.PDF. DRF																																																														
19	Craig Thompson	19/12/2017	SC6.3.2.7 SC6.3.3.7	<p>Earlier versions of PSP No 3 (up to and including version 16) included an inspection and test plan for water and sewerage works. These have been omitted from the most recent planning scheme versions. These documents are relevant, referenced in OW approvals and should be reinstated in PSP No 3.</p> <p> Print per 001</p> <p style="text-align: center;">TOOWOOMBA REGIONAL COUNCIL WATER RETICULATION</p> <p style="text-align: right;">Annexure 1 for TRC Addendum for WSA </p> <p>Job Name and Description:- Job Number:- Site Forman</p> <table border="1"> <thead> <tr> <th rowspan="3">No</th> <th rowspan="3">Activity</th> <th rowspan="3">Method</th> <th rowspan="3">Frequency</th> <th rowspan="3">Quality Requirements</th> <th colspan="4">Test Confirmation</th> <th rowspan="3">Remarks by Contractor or Engineer</th> </tr> <tr> <th colspan="2">Contractor</th> <th colspan="2">Supervising Engineer</th> </tr> <tr> <th>Sign</th> <th>Date</th> <th>Sign</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Prestart Meeting</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>Set out works</td> <td>Survey</td> <td>Each Section</td> <td>to be approved by Engineer</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td>Cut existing Pavement Surface (if any)</td> <td>Concrete saw cutting wheel</td> <td>Existing Paved Areas</td> <td>Depth of cut to exceed depth of seal or asphalt</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td>Order & Receive Pipes</td> <td>Visual Inspection</td> <td>Each Section</td> <td>All pipes undamaged, correct class etc. retain</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	No	Activity	Method	Frequency	Quality Requirements	Test Confirmation				Remarks by Contractor or Engineer	Contractor		Supervising Engineer		Sign	Date	Sign	Date	1	Prestart Meeting									2	Set out works	Survey	Each Section	to be approved by Engineer						3	Cut existing Pavement Surface (if any)	Concrete saw cutting wheel	Existing Paved Areas	Depth of cut to exceed depth of seal or asphalt						4	Order & Receive Pipes	Visual Inspection	Each Section	All pipes undamaged, correct class etc. retain						W&W Engineering have advised this will be reviewed in upcoming policy review in Nov2018	SC 08/02/2018			
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20	Nikki Morrison	2/01/18	Table 7.2.3:3 of CWLAPC	The standard of road construction is inconsistent with the mapped road hierarchy (i.e. Nass Road is identified as a Collector under the mapping, however is identified as being constructed as a '2 lane industrial distributor' under the table). ISG have confirmed that Nass Road is to be constructed to a Collector standard so in this instance the table is incorrect.																																																															
21	Hayley Seears	9/01/18	Zoning	Rezoning request for 7 Nass Road, Preston. From Rural to Rural Residential.  DOCS-7846283.PDF. DRF	Rezoning is not recommended. Property owner has been advised by letter.	SC 5/2/18	N		SC 5/2/18																																																										
22	Cameron Barrie	22/01/18	Strategic Framework 3.3.3.1 (4) – Settlement Pattern	<p>Grammatical Error –</p> <ul style="list-style-type: none"> Segment SIC in red, correct spelling in green <p>EXISTING: “The growing diversity in housing needs of residents in the Region are <i>meet</i> by providing opportunities to provide a broader spectrum of lot sizes, land tenure and housing types.”</p> <p>FIXED: “The growing diversity in housing needs of residents in the Region are <i>meet-meet</i> by providing opportunities to provide a broader spectrum of lot sizes, land tenures and housing types.”</p>				20																																																											
23	Stephanie Clement	05/02/2018	SC 2 Mapping	<p>28 Willis Road, Meringandan West. Request to amend zone from Rural, 100ha to Rural Residential. SEQR has included the property in the Rural Living category.</p> <p> DOCS-7889616.wps. DRF</p> <p>Neighbouring property to south is Rural Residential, RR2 (8000m2 min) which would be suitable for this 'break' area between Meringandan and Meringandan West.</p>	Rezone to Rural Res, RR2 recommended, but RR1 could be considered.	SC 5/2/18		20																																																											
24	Craig Thompson	12/2/2018	Centre Activities Code AO13.1	The reference to Austroads is incorrect, section 7.8.5 is about phone apps not bicycle parking. Austroads was updated in 2017 and that may be why there is a discrepancy. Also 2890.3:1993 has been superseded by AS 2890.3:2015.																																																															
25	Dan Savill C/- Stephanie Clement	26/06/18	New PSP	Council doesn't have requirements for Acoustic modelling. Could we consider making a new PSP to address this? It would incorporate our standards and assessment requirements. Need to also consider Air quality and bushfire reports. Consider BCC PSP6.2: http://eplan.brisbane.qld.gov.au/#	Undertake new PSP drafting for Air Quality PSP	SC 26/02/18																																																													
26	Peter Swann and Krysen Hertog	9 March 2018	Site Cover	<p>We use the defined term 'site cover' as a critical threshold for units. For example Low-medium Density Residential Zone Code Table 6.2.2:2 AO16.1 says: "Site cover does not exceed 50% of the Site area."</p> <p>State Government has redefined the term 'site cover' twice in the last 2 years (QPP4 and PA), and each time it has</p>	Where a term is provided by the State, it should be used. Advice was received from	SC 10/07/2018																																																													

#	Officer Name	Date	Part/s of Scheme Affected	Issue / Comments	Recommendation from LUC	LUC Officer & Date	Amend Y/N	Amendment No.	Final Review Officer & Date
				increased the intensity of unit developments complying with this AO. We should consider changing 'site cover' to a term within our control. For example, Medium Density Residential Code Table 9.3.7:1 AO3.1 for Dual Occupancies says: "The maximum area covered by all buildings and structures roofed with impervious materials, does not exceed 50% of the lot area."	DSDMIP about the interpretation of this definition, and it is considered that the definition itself does not increase what can be considered as site cover. For example, roofed POS should be considered as site cover as they meet the definition and do not meet the exclusions.				
27	Nikki Morrison	22/03/18	Road Hierarchy	The road hierarchy mapping nominated the internal drive to the Wellcamp Airport site as a sub arterial road. This road is not public road and the hierarchy should be removed from this location.					
28	Callum Edwards C/- Stephanie Clement	10/05/2018	PSP8 – Street Trees	A review of this PSP is required, especially in light of changes proposed to be made to PSP2.	Agree. Callum to lead review and consult with LUC.	SC 10/05/2018			
29	Sarah Fuller	24/05/2018	PSP7 – Neighbourhood Character Places	72 West Street (Lot 5 SP173938) is still listed as a neighbourhood character place in PSP7, however this house burnt down in 2017 and has now been cleared and vacated. Is it appropriate to still have this on the list.					
30	Sarah Fuller	14/06/2018	6.6.7 Rural Residential Zone Code	PO8 of the Rural Residential zone code just says 'No acceptable outcome nominated': <input type="text" value="PO8 No acceptable outcome is nominated."/> <input type="text" value="No acceptable outcome is nominated."/>					
31	Sarah Fuller	26/06/2017	PSP7 – Neighbourhood Character Places	11 Helen Street, Newtown (Lot 5 RP16929) is listed as a Neighbourhood Character Place in PSP7, however was demolished around the time of commencement of the TRPS. It was not listed as a Place of Cultural Heritage Significance in the TPS and it appears approvals for demolition were issued just prior to commencement of TRPS. The house has been replaced with a duplex and is probably not appropriate to include on this list anymore.					
32	Peter Freeman	27/06/2017	PSP6 – Heritage Places	131 Margaret Street (AKA Amigo's Bar and Grill) is listed as a Heritage Place in PSP6, however incurred a fire and has been demolished. Therefore should be removed from this list.					
33	Sarah Fuller	2/07/2018	PSP6 – Heritage Places	Downlands College has a State Heritage listed place, Tyson House, heritage documentation is DM#3763647 and 3763646. A planning consultant has advised me that Tyson House is located on Lot 1 RP17507 however the Planning Scheme lists it at Lot 4 RP213113. The documentation in DM seems to support the planning consultants view that the planning scheme has the incorrect lot and plan description listed. The consultant will be approaching the state government to change it on their mapping.					

#	Officer Name	Date	Part/s of Scheme Affected	Issue / Comments	Recommendation from LUC	LUC Officer & Date	Amend Y/N	Amendment No.	Final Review Officer & Date
									
34	Peter Freeman	2/07/2018	PSP6 – Heritage Places, DM and Mapping	<p>5 Keefe Street AKA 38-40 Russell Street is a local heritage place. In DM files are under 5 Keefe Street, note initial heritage citation was under 5 Keefe Street. However in the Planning Scheme lists as 38-40 Russell Street. Is 38-40 Russell Street correct and the files should be migrated from Keefe Street to this address? Also the mapping does not show the heritage overlay.</p> 					
35	Stephanie Clement	10/07/2018	PSPs	<p>PSPs need to be reviewed for consistency and relevancy. In particular, PSP1 is not used and not referenced in the body of the TRPS. This PSP should be reviewed and amended to become a document that can assist in development application writing and assessing. There is need for an urban design PSP and a street tree PSP review.</p>					
36	K den Hertog	17/7/18	Mapping	<p>Council's community garden at Goggs and West Street is mapped as Non-statutory Aerodrome Layers Council controlled lease area.</p>					

#	Officer Name	Date	Part/s of Scheme Affected	Issue / Comments	Recommendation from LUC	LUC Officer & Date	Amend Y/N	Amendment No.	Final Review Officer & Date
									
37	Richard Tomlinson	17/7/18	Industry Uses Code PO3 AO3.1 (a) and Medium Impact Industry Zone Code AO15.1 (a)	Possible code conflict in landscape buffer width between two codes. The lesser code identifies a greater width (5m) to that of the higher code (3m) on a regional arterial road. Industry Uses Code AO3.1 (a) 5m along any other regional arterial or sub-arterial roads; Medium Impact Industry Zone Code AO15.1 Landscaping is provided along all road frontages of the Site, for a minimum width of: (a) 3m along any other regional arterial or sub-arterial roads;					
38	Richard Tomlinson	1/08/18	9.4.3 Integrated Water Cycle Management Code 9.4.4 Landscaping Code 9.4.6 Transport, Access and Parking Code	<p>ISSUE: AO20.1 of the Transport Access and Parking Code contradicts or contravenes the outcomes of higher order codes by requiring a specific design i.e. impervious surfaces within car parks. Recommend amendment to AO20.1 Car parking areas include durable pervious surface treatments that emit no dust. Car park access and any other vehicle access/manoeuvring areas are imperviously sealed but provides for WSUD outcomes where required in other codes.</p> <p>Integrated Water Cycle Management Code PO11 The design and management of the development integrates water cycle elements so that: (a) water is used efficiently and potable water demand is reduced; (c) stormwater peak discharges and runoff volumes are not worsened; (e) large, uninterrupted impervious surfaces are minimised; (f) reuse of stormwater and grey-water is encouraged where public health and safety will not be compromised; and (g) water is used efficiently.</p> <p>Landscaping Code PO9 On-Site stormwater harvesting is to be maximised for irrigating landscaping in development with reuse measures and amelioration of stormwater impacts provided. AO9.2 Landscaping is used to help maximise opportunities for on-Site stormwater infiltration by: (a) minimising impervious surfaces and incorporating semi-permeable paving products;</p> <p>9.4.6 Transport, Access and Parking Code PO19 Landscaping is provided to soften the visual impact of car parking areas and to provide shading and protection from glare. AO19.1 Aesthetics, glare, heat absorption and re-radiation. (a) Landscaping is provided throughout the car Park in the manner and at the rate indicated in the Landscaping Code; and</p> PO20 Any parking, access and any other vehicle access/manoeuvring areas incorporate design measures to avoid dust nuisance to surrounding properties. AO20.1 Car parking, access and any other vehicle access/manoeuvring areas vehicle manoeuvring areas are					

#	Officer Name	Date	Part/s of Scheme Affected	Issue / Comments	Recommendation from LUC	LUC Officer & Date	Amend Y/N	Amendment No.	Final Review Officer & Date
				imperviously sealed.					
39	Cameron Barrie	10/09/2018	Part 8.2.2.3 Table 8.2.2.1	AO 1.1 Development within a water supply area involving the creation of a new lot/s or involving proposed and existing buildings with a combined Gross floor area greater than 50m ² , is connected to Council's reticulated water supply system It will be readily available at all time for fire fighting vehicles and a water supply outlet located within the road reserve is within 40m ² of the following: The measurement is expressed as 40m², - this is incorrect it should be expressed as '40m' to indicate distance not area.					
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APPENDIX

C

Comparison of State
Planning Policy
Changes

State interest	Version of State Planning Policy		
	Changes between December 2013 and July 2014	Changes between July 2014 and April 2016	Changes between April 2016 and July 2017
Housing supply and diversity	No amendments were made.	No amendments were made.	<ul style="list-style-type: none"> Amended state interest statement requiring that affordable housing outcomes are supported. Amended state interest policy and new state interest policy to emphasise the need for housing options to cater for low to moderate incomes and people requiring assisted living (Policy 2 and 3b). A new state interest policy requiring diverse, affordable and comprehensive housing options through various means – including appropriate zoning, mixed lot sizes and dwelling types, and considering incentives to promote affordable and social housing (Policy 3). Amended definition of affordable housing to align with the Planning Regulation 2017. Inclusion of a new definition for social housing.
Liveable communities	New state interest policy and interim development assessment provisions added regarding the provision of fire services in common private title.	No amendments were made.	<ul style="list-style-type: none"> Amended state interest policy to emphasise the need to facilitate high-quality urban design and place making, and promote affordable living, sustainable and complete communities, inclusive of built environments and legible spaces (Policy 1). Amended state interest policy to facilitate higher density development in accessible and well-serviced locations (Policy 2). Amended state interest policy regarding fire services in development accessed by common private title as a performance outcome to clarify appropriate outcomes for the installation of fire hydrants and emergency service vehicle access (Policy 7). Amended state interest policy regarding the design of development to maintain and enhance important cultural landscapes, as well as visual amenity (Policy 3b). Inclusion of new definitions for affordable living and sustainable and complete communities. Amended assessment benchmark in relation to road widths and construction being adequate for fire

State interest	Version of State Planning Policy		
	Changes between December 2013 and July 2014	Changes between July 2014 and April 2016	Changes between April 2016 and July 2017
			emergency vehicles to gain access close to buildings (not just 'dwellings').
Agriculture	No amendments were made.	No amendments were made.	<ul style="list-style-type: none"> Amended state interest policy to enhance agricultural development opportunities in Important Agricultural Areas (Policy 1). Amended state interest policy to protect Agricultural Land Classification Classes A and B from irreversible impacts (Policy 2b). Amended state interest policies to protect and promote aquaculture (Policies 4a and 4b).
Development and construction	No amendments were made.	No amendments were made.	<ul style="list-style-type: none"> Amended state interest policy to ensure that there is sufficient supply of land for development based on existing and anticipated demand and surrounding land uses (Policies 1a and 1c). Amended state interest policy to extend the requirement to provide a mix of lot sizes and configurations to also include residential, retail and mixed-use development, not just industrial and commercial development (Policy 4). Amended state interest policy to extend the requirement to adopt the lowest level of assessment to all uses, not just industrial and commercial uses (Policy 5). Amended state interest policy to remove the emphasis on redevelopment of government land and shift the focus to public benefit outcomes (see Policy 8).
Mining and extractive resources	<ul style="list-style-type: none"> Amended state interest policy to clarify that potentially incompatible development in a key resource area (KRA) must be assessed against provisions that ensure development does not constrain the potential future extractions of resources from a KRA. 	No amendments were made.	<ul style="list-style-type: none"> Amended state interest statement to emphasise the need to protect extractive resources. Amended state interest policy to ensure land uses within KRAs and along transport routes that could impede the extraction and/or transport of the resource are avoided (Policy 2). Amended assessment benchmark relating to development within a resource/processing area of a KRA to clarify that it should not impede (as opposed to 'significantly impede') the undertaking of an existing

State interest	Version of State Planning Policy		
	Changes between December 2013 and July 2014	Changes between July 2014 and April 2016	Changes between April 2016 and July 2017
			or future extractive industry development (Assessment benchmark 1). <ul style="list-style-type: none"> Amended assessment benchmark relating to the development of <i>sensitive and other potentially incompatible land uses</i> needing to avoid the separation area to ensure this occurs only <i>if it could impeded the extraction of the resource</i> (Assessment benchmark 2). Additions to this assessment benchmark are in italics. Amended assessment benchmark to ensure that development <i>not associated with extractive industry</i> does not increase in the number of people working in the transport route separation area of a KRA <i>unless the development mitigates the impacts generated by the haulage of extractive materials</i> (Assessment benchmark 3). Additions to this assessment benchmark are in italics.
Tourism	No amendments were made.	No amendments were made.	<ul style="list-style-type: none"> Amended state interest policy to clarify that state-endorsed tourism plans are to be reflected in local planning instruments where appropriate (Policy 1).
Biodiversity	Amended state interest policies in response to the <i>Environmental Offsets Act 2014</i> .	No amendments were made.	<ul style="list-style-type: none"> Amended state interest policies to clarify that development that impacts on matters of national and local environmental significance should be avoided (Policies 1 and 3). Amended state interest policies to ensure that where adverse impacts on matters of state and local environmental significance cannot be reasonably avoided, they are minimised (Policies 2 and 3). Amended state interest policy to require the enhancement of ecological processes and connectivity (Policy 4). Amended state interest policy to ensure that viable koala populations in SEQ are protected by conserving and enhancing koala habitat extent and condition (Policy 5). Amended definition of matters of state environmental significance (MSES) to more closely align with the

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			<p><i>Environmental Offsets Act 2014</i> (with addition of Category C and R vegetation under the <i>Vegetation Management Act 1999</i> to maintain policy effect) and refer directly to the statutory head of power for each matter.</p> <ul style="list-style-type: none"> Amended definition of matters of local environmental significance (MLES) to more clearly identify that a regional plan may identify natural values or areas for investigation and refinement by local government as MLES.
Coastal environment	No amendments were made.	No amendments were made.	<ul style="list-style-type: none"> Amended state interest statement to maintain public use of and access 'to and along state coastal land', rather than the 'coast'. Amended state interest policy to include specific reference to the Great Barrier Reef Catchment and its protection (Policy 1). Amended state interest policy to clarify that landforms, wetlands and native vegetation should be conserved in the coastal management district (Policy 1b). New state interest policy requiring the development of canals, dry-land marinas, artificial waterways or marine infrastructure avoid adverse impacts on coastal resources and processes (Policy 2). New state interest policy requiring the reclamation of land under tidal water avoided, other than for certain uses and circumstances (Policy 3). Amended state interest policy to clarify that it is access to, and along, state coastal land that is to be maintained or enhanced (Policy 5).
Cultural heritage (non-Indigenous)	No amendments were made.	Amended state interest policy to clarify that it is 'detrimental' impacts that are to be avoided (Policy 6).	<ul style="list-style-type: none"> Amended state interest policies for world, national and state heritage places to ensure that adverse impacts should be avoided (Policies 2 and 3). Amended state interest policy to require that local heritage place and local heritage areas include a statement of local cultural heritage significance of the place or area is included (Policy 4).

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Water quality	Amended state interest policy to clarify which local governments are required to address policies and assessment requirements relating to acid sulfate soils (including removal of Table 4: Acid sulfate soils-affected local government areas from Part E: Interim development assessment requirements, and inclusion of new glossary term 'acid sulfate soil affected area'.)		<ul style="list-style-type: none"> Amended state interest policy to require that development enhances environmental values and the achievement of water quality objectives for Queensland waters (Policy 1). Amended state interest policy to require land zoned for urban purposes also avoids high ecological value aquatic ecosystems (Policy 2). Amended state interest policy relating to environmental values of receiving waters to expand its application to all development, not just development for urban purposes (Policy 3). Amended construction phase design objectives to align with <i>Environmental Protection Act 1994</i> requirements (Appendix 2). Amended state interest policy to ensure off-site stormwater solutions achieve an equivalent or improved water quality outcome post construction in line with the relevant stormwater management design objectives (Policy 5). Amended state interest policy to apply water supply buffer area policies beyond SEQ-only scope (Policy 6). All assessment benchmarks amended to ensure they apply beyond SEQ-only scope. Amended assessment benchmark to ensure development additionally avoids the release and mobilisation of nutrients and sediment (Assessment benchmark 1). Amended assessment benchmark to require development at the construction and post-construction phase achieve applicable stormwater management design objectives set out in Appendix 2 of the SPP (Assessment benchmark 2).
Emissions and hazardous activities	No amendments were made.	No amendments were made.	<ul style="list-style-type: none"> Amended state interest policy to include major gas, waste and sewerage infrastructure. This policy has also been amended to include consideration of the design of development and the impact on the natural environment (Policy 1).

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			<ul style="list-style-type: none"> Amended state interest policy to protect hazardous chemical facilities from encroachment, (which includes major hazard facilities) (Policy 5). Amended state interest policy to include high pressure gas pipelines (Policy 5). New state interest policy to ensure development that is incompatible with existing industrial, sport and recreation uses is located to avoid adverse impacts (Policy 6).
Natural hazards, risk and resilience	<p>Amended state interest policies to align with the Australian Standard for risk management and national guidance including:</p> <ul style="list-style-type: none"> <i>National strategy for disaster resilience</i> <i>National emergency risk assessment guidelines</i> <i>Managing the floodplain: A guide to best practice in flood risk management in Australia.</i> 	No amendments were made.	<ul style="list-style-type: none"> Amended state interest statement to include climate change considerations. Amended SPP definitions for each natural hazard to require the consideration of projected climate change impacts when identifying these areas, to reflect a consistent approach to climate change. New state interest policy ensuring that land in an erosion-prone area is not identified for future urban purposes except in certain circumstances (Policy 3). Removal of assessment benchmark relating to coastal protection work and relocation of these requirements to a new state interest policy relating to coastal protection work to only be undertaken as a last resort where there is an imminent threat to public safety (Policy 7). Amended assessment benchmark to add essential community infrastructure and minor redevelopment of an existing permanent building or structure as being allowable development that cannot be feasibly located elsewhere in an erosion prone area within the coastal management district (Assessment benchmark 1). New assessment benchmark requiring that development permitted in an erosion prone area of a coastal management district mitigates the risks to people and property to an acceptable or tolerable level (Assessment benchmark 2).
Energy and water supply	No amendments were made.	No amendments were made.	<ul style="list-style-type: none"> Amended state interest statement to emphasise the expectation that renewable energy development is

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			enabled. <ul style="list-style-type: none"> • New state interest policy requiring major electricity infrastructure and bulk water supply infrastructure to avoid or minimise adverse impacts on surrounding land uses and the natural environment (Policy 3). • New state interest policy to enable the development and supply of renewable energy (Policy 4).
Infrastructure integration	Did not exist.	Did not exist.	<ul style="list-style-type: none"> • New state interest to provide a clear link between the statewide planning policy and the statewide infrastructure plan. Most policies already broadly exist within the SPP in a number of state interests; however, these have now been consolidated into one state interest to emphasise their importance as a government priority.
Transport infrastructure	No amendments were made.	No amendments were made.	<ul style="list-style-type: none"> • Amended state interest policies to capture both state and local transport infrastructure, not just state-owned or state-operated transport infrastructure (Policies 1, 3,4). • Amended state interest policy to require all development to be located and designed to mitigate environmental emissions generated by transport infrastructure (not just sensitive land uses) (Policy 4). • Amended definition of 'future state transport corridor' to recognise light rail and busways.
Strategic airports and aviation facilities	Amended state interest policy to clarify that the obstacle limitation surface or height restriction zone is required to be identified in a planning scheme.	Amended state interest policy to include Brisbane West Wellcamp Airport (Toowoomba Regional Council) and Whitsunday Coast Airport – Proserpine (Whitsunday Regional Council) in the list of strategic airports.	<ul style="list-style-type: none"> • Removal of Toowoomba Airport (Toowoomba Regional Council) as a strategic airport. • New state interest policy ensuring the safety, efficiency and operational integrity of strategic airports is to be protected (Policy 2). • New state interest policy ensuring that development complements the role of a strategic airport as an economic, freight and logistics hub and enhances the economic opportunities that are available in proximity to a strategic airport (Policy 3). • Amended assessment benchmark to allow intrusion into operational airspace where it is approved in accordance with the relevant federal legislation

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			<p>(Assessment benchmark 1).</p> <ul style="list-style-type: none"> • Amended assessment benchmark to clarify that wildlife hazard provisions are applicable in a wildlife hazard buffer zone (Assessment benchmark 4). • Amended assessment benchmark to extend noise provision to all development within the 20 ANEF, not just sensitive land uses (Assessment benchmark 7).
Strategic ports	No amendments were made.	No amendments were made.	<ul style="list-style-type: none"> • Amended state interest policy requiring all development be located and designed to mitigate adverse impacts generated by port operations, not just sensitive land uses (Policy 4). • New state interest policy for priority ports relating to priority port master plans and priority port overlays approved under the <i>Sustainable Ports Development Act 2015</i>.



APPENDIX

D

Zone Code Standard
Provisions

Table 1 provides a listing of the “standard provisions” identified as part of the review of the planning scheme’s zone codes. These provisions commonly appear in multiple zone codes. The provisions outlined below represent examples taken from select planning scheme codes, with some zone codes include small areas of variation in wording or construction.

Table 1 – Zone Code Standard Provisions

ID	Performance Outcome	Acceptable Outcomes
1	<p>PO1 Development provides for the accommodation of a caretaker, and their family members, involved in the running of a non-residential use, in a manner that:</p> <ul style="list-style-type: none"> (a) does not compromise the productivity of the use; (b) is safe and comfortable for the amenity of residents; and (c) has regard to the landscape and private recreation needs of the residents. 	<p>AO1.1 A Caretaker's accommodation is:</p> <ul style="list-style-type: none"> (a) separated from significant levels of emissions (adverse to human health or amenity) generated by the non-residential use/s of the Site by at least 6m; (b) provided with a private landscape and recreation area which: <ul style="list-style-type: none"> (i) is directly accessible from a habitable room; (ii) if at Ground level, has a minimum area of 16m² with minimum dimensions of 4m; and (iii) where provided as a balcony, verandah or deck has a minimum area of 8m² with a minimum dimension of 2.4m <p>AO1.2 No more than one (1) Caretaker's accommodation is established per non-residential use.</p>
2	<p>PO4 The non-residential use does not adversely impact on the amenity of the surrounding residential land uses and/or the intended residential streetscape character.</p>	<p>AO4.1 New building plant or air-conditioning equipment is located central to the building and screened from view of the street or adjoining residential uses.</p>
3a	<p>PO5 Hours of operation are controlled so that the non-residential use does not impact on the amenity or privacy of adjoining residential uses.</p>	<p>AO5.1 Where involving a Shop the use does not operate outside the hours of 6:00 am to 7:00 pm.</p> <p>AO5.2 Non-residential uses do not create audible noise between the hours of 7:00 pm and 6:00 am.</p>
3b	<p>PO4 Hours of operation are controlled so that the non-residential use does not impact on the amenity or privacy of adjoining residential uses.</p>	<p>AO4.1 Non-residential uses do not create audible noise between the hours of 7:00 pm and 6:00 am.</p>
4	<p>PO6 Non-residential uses provide adequate separation, buffering and screening from adjoining residential premises so that the privacy and amenity of residential premises is protected.</p>	<p>AO6.1 A 2m wide vegetated buffer is provided to any vehicle movement and parking areas that adjoin a residential boundary.</p> <p>AO6.2 A 1.8m high solid screen fence and 1.5m wide strip of screen landscaping are provided along all boundaries shared with an adjoining residential use.</p> <p>AO6.3 Windows that have direct views into adjoining residential buildings are provided with fixed screening that is a maximum of 75% transparent to obscure views into the adjoining residential building and maintain privacy for those residents.</p>
5	<p>PO8 Outdoor lighting for non-residential uses maintains the amenity of the surrounding</p>	<p>AO8.1 Outdoor lighting for non-residential uses is restricted to low level security lighting only.</p>

ID	Performance Outcome	Acceptable Outcomes
	residential area and does not adversely impact the safety for vehicles or pedestrians on the adjoining street as a result of light emissions, either directly or by reflection.	AO8.2 Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.
6	PO10 A water supply is provided that is adequate for the current and future needs of the intended use.	AO10.1 Where within a water supply area, the development is connected to Council's reticulated water supply system in accordance with SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure.
7	PO11 Wastewater treatment and disposal is provided that is appropriate for the level of demand generated, protects public health and avoids environmental harm.	AO11.1 Where within a wastewater area, the development is connected to the Council's reticulated wastewater system in accordance with SC6.3 PSP No. 3 Engineering Standards – Water and Wastewater Infrastructure.
8	PO12 The development is equipped with an adequate energy supply approved by and installed in accordance with the standards of the relevant energy regulatory authority.	AO12.1 Premises are connected to an electricity supply approved by the relevant energy regulatory authority.
9	PO14 Provision is made for on-Site vehicle parking to meet the demand likely to be generated by the development and to avoid on-street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.	AO14.1 Car parking is provided in accordance with the Transport, Access and Parking Code.
10	PO17 Wastewater treatment and disposal is provided that is appropriate for the level of demand generated, protects public health and avoids environmental harm.	<p>AO17.1 Where within a wastewater area, the development is connected to the Council's reticulated wastewater system in accordance with SC6.3 PSP No.3 Engineering Standards – Water and Wastewater Infrastructure.</p> <p>OR</p> <p>AO17.2 Waste water systems and connections are designed and constructed in accordance with SC6.3 PSP No.3 Engineering Standards - Water and Wastewater Infrastructure.</p>
11	<p>PO1 The zone accommodates:</p> <p>(a) predominantly Dwelling houses and other housing forms at a low density scale and intensity; and</p> <p>(b) other small-scale community and non-residential uses that are compatible with residential amenity and service only the day to day needs of local residents.</p>	<p>AO1.1 Uses which are consistent with the intent of the zone include:</p> <p>(a) Animal keeping, being only stables in the Clifford Park Stables Precinct;</p> <p>(b) Caretaker's accommodation;</p> <p>(c) child care centre;</p> <p>(d) club;</p> <p>(e) community care centre;</p> <p>(f) Community residence;</p> <p>(g) Community use;</p> <p>(h) Dwelling house;</p> <p>(i) Dual occupancy, except where located in the Clifford Park Stables and Park Residential Precincts;</p> <p>(j) educational establishment;</p> <p>(k) Emergency services;</p> <p>(l) health care services;</p>

ID	Performance Outcome	Acceptable Outcomes
		<p>(m) home based business;</p> <p>(n) Major electricity infrastructure;</p> <p>(o) Multiple dwelling;</p> <p>(p) place of worship;</p> <p>(q) retirement facilities;</p> <p>(r) shop;</p> <p>(s) Short-term accommodation;</p> <p>(t) substation; and</p> <p>(u) veterinary services.</p> <p>AO1.2 Uses which are inconsistent with the intent of the zone include:</p> <p>(a) accommodation activities other than caretakers accommodation, Community residence, Dwelling house, Dual occupancy, Multiple dwelling and retirement facility;</p> <p>(b) business activities (other than those listed in AO1.1);</p> <p>(c) rural activities (other than Animal keeping, being stables in the Clifford Park Stables Precinct);</p> <p>(d) entertainment activities;</p> <p>(e) industry activities; and</p> <p>(f) recreation activities.</p>
12	PO8 The front building Setback is consistent with the prevailing front setbacks in the street.	<p>AO8.1 Where the Site has frontage to a collector or local road, buildings are set back from that frontage:</p> <p>(a) within 20% of the average front Setback of adjoining buildings; or</p> <p>(b) where there are no adjoining buildings, 4m.</p> <p>AO8.2 Where the Site has frontage to a road other than a collector or local road:</p> <p>(a) residential buildings are set back from that frontage in accordance with the requirements of the Queensland Development Code.</p> <p>(b) non-residential buildings are set back from that frontage 6m.</p>
13	PO15 Development is designed to incorporate graffiti-prevention measures.	<p>AO15.1 Building design and layout incorporates the following features where practical:</p> <p>(a) designs with an absence of 'natural ladders';</p> <p>(b) minimal unbroken vertical surface areas; and</p> <p>(c) graffiti-deterrent surface treatments.⁹</p>

Table 2 outlines the applicability of each standard provision to each zone code.

Table 2 – Applicability of Standard Provisions

Code	Table	1	2	3	4	5	6	7	8	9	10	11	12	13
6.2.1 Low Density Residential Zone	6.2.1:1	PO1, AO1.1, AO1.2	PO4, AO4.1	PO5, AO5.1, AO5.2	PO6, AO6.1, AO6.2, AO6.3	PO8, AO8.1, AO8.2	PO10, AO10.1	PO11, AO11.1	PO12, AO12.1	PO14, AO14.1	PO17, AO17.1, AO17.2	-	-	-
	6.2.1:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	PO8, AO8.1, AO8.2	PO15, AO15.1
6.2.2 Low-Medium Density Residential Zone	6.2.2:1	PO1, AO1.1, AO1.2	PO4, AO4.1	PO5, AO5.1, AO5.2	PO6, AO6.1, AO6.2, AO6.3	PO8, AO8.1, AO8.2	PO10, AO10.1	PO11, AO11.1	PO12, AO12.1	PO14, AO14.1	PO17, AO17.1, AO17.2	-	-	-
	6.2.2:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	PO6, AO6.1, AO6.2	PO12, AO12.1
6.3.1 Principal Centre Zone	6.3.1:1	PO1, AO1.1, AO1.2	-	-	-	-	-	-	-	PO2, AO2.1	PO5, AO5.1, AO5.2	-	-	-
	6.3.1:2	-	-	-	-	-	-	-	-	-	-	-	-	-
6.3.2 Major Centre Zone	6.3.2:1	PO1, AO1.1, AO1.2	-	-	-	-	-	-	-	PO2, AO2.1	PO5, AO5.1, AO5.2	-	-	-
	6.3.2:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	PO14, AO14.3	-
6.3.3 District Centre Zone	6.3.3:1	PO1, AO1.1, AO1.2	PO3, AO3.1	PO4, AO4.1	PO5, AO5.1, AO5.2	PO7, AO7.1, AO7.2	PO8, AO8.1	PO9, AO9.1	PO10, AO10.1	PO12, AO12.1	PO15, AO15.1, AO15.2	-	-	-
	6.3.3:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	-	-
6.3.4 Local Centre Zone	6.3.4:1	PO1, AO1.1, AO1.2	PO3, AO3.1	PO4, AO4.1	PO5, AO5.1, AO5.2	PO7, AO7.1, AO7.2	PO8, AO8.1	PO9, AO9.1	PO10, AO10.1	PO12, AO12.1	PO15, AO15.1, AO15.2	-	-	-
	6.3.4:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	PO6, AO6.1	PO14, AO14.1

Code	Table	1	2	3	4	5	6	7	8	9	10	11	12	13
6.4.1 Sport and Recreation Zone	6.4.1:1	PO1, AO1.1, AO1.2	PO2, AO2.1	PO3, AO3.1	PO4, AO4.1, AO4.2	PO6, AO6.1, AO6.2	PO7, AO7.1	PO8, AO8.1	PO9, AO9.1	PO11, AO11.1	PO14, AO14.1, AO14.2	-	-	-
	6.4.1:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	PO6, AO6.1, AO6.2	PO10, AO10.1
6.4.2 Open Space Zone	6.4.2:1	PO1, AO1.1, AO1.2	PO2, AO2.1	PO3, AO3.1	PO4, AO4.1, AO4.2	PO6, AO6.1, AO6.2	PO7, AO7.1	PO8, AO8.1	PO9, AO9.1	PO11, AO11.1	PO14, AO14.1, AO14.2	-	-	-
	6.4.2:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	-	PO9, AO9.1
6.5.1 Low Impact Industry Zone Code	6.5.1:1	PO1, AO1.1, AO1.2	PO2, AO2.1	PO3, AO3.1	PO4, AO4.1, AO4.2	PO6, AO6.1, AO6.2	PO7, AO7.1	PO8, AO8.1	PO9, AO9.1	PO11, AO11.1	PO14, AO14.1, AO14.2	-	-	-
	6.5.1:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	-	PO10, AO10.1
6.5.2 Medium Impact Industry Zone Code	6.5.2:1	PO1, AO1.1, AO1.2	-	-	-	-	-	-	-	PO2, AO2.1	PO5, AO5.1, AO5.2	-	-	-
	6.5.2:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	-	PO10, AO10.1
6.5.3 High Impact Industry Zone Code	6.5.3:1	PO1, AO1.1, AO1.2	-	-	-	-	-	-	-	PO2, AO2.1	PO5, AO5.1, AO5.2	-	-	-
	6.5.3:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	-	PO10, AO10.1
6.6.1 Community Facilities Zone Code	6.6.1:1	PO4, AO4.1, AO4.2	PO6, AO6.1	PO7, AO7.1	PO8, AO8.1, AO8.2, AO8.3	PO10, AO10.1, AO10.2	-	-	-	PO12, AO12.1	PO15, AO15.1, AO15.2	-	-	-
	6.6.1:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	PO7, AO7.1, AO7.2	PO11, AO11.1
6.6.2 Emerging Community Zone Code	6.6.2:1	PO3, AO3.1, AO3.2	-	-	-	-	-	-	-	PO8, AO8.1	PO11, AO11.1, AO11.2	-	-	-

Code	Table	1	2	3	4	5	6	7	8	9	10	11	12	13
	6.6.2:2	-	-	-	-	-	-	-	-	-	-	PO2, AO2.1, AO2.2	-	-
6.6.3 Extractive Industry Zone Code	6.6.3:1	PO1, AO1.1, AO1.2	-	-	-	-	-	-	-	PO2, AO2.1	PO5, AO5.1, AO5.2	-	-	-
	6.6.3:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	-	-
6.6.4 Limited Development (Constrained Land) Zone Code	6.6.4:1	-	-	-	-	-	-	-	-	PO4, AO4.1	PO7, AO7.1, AO7.2	-	-	-
	6.6.4:2	-	-	-	-	-	-	-	-	-	-	PO4, AO4.1, AO4.2	-	-
6.6.5 Mixed Use Zone Code	6.6.5:1	-	PO2, AO2.1	PO3, AO3.1	PO4, AO4.1	PO6, AO6.1, AO6.2	-	-	-	PO7, AO7.1	PO10, AO10.1, AO10.2	-	-	-
	6.6.5:2	-	-	-	-	-	-	-	-	-	-	-	-	-
6.6.6 Rural Zone Code	6.6.6:1	PO8, AO8.1, AO8.2	PO9, AO9.1	-	-	PO10, AO10.1, AO10.2	-	-	-	PO11, AO11.1	PO14, AO14.1, AO14.2	-	-	-
	6.6.6:2	-	-	-	-	-	-	-	-	-	-	PO4, AO4.1, AO4.2	-	-
6.6.7 Rural Residential Zone Code	6.6.7:1	PO8, AO8.1, AO8.2	PO10, AO10.1	PO11, AO11.1, AO11.2	PO12, AO12.1, AO12.2, AO12.3	PO14, AO14.1, AO14.2	-	-	-	PO16, AO16.1	PO19, AO19.1, AO19.2	-	-	-
	6.6.7:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	-	-
6.6.8 Specialised Centre Zone Code	6.6.8:1	PO1, AO1.1, AO1.2	-	-	-	-	-	-	-	PO5, AO5.1	PO8, AO8.1, AO8.2	-	-	-
	6.6.8:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2, AO1.3, AO1.4,	PO8, AO8.1, AO8.2	PO5, AO5.1

Code	Table	1	2	3	4	5	6	7	8	9	10	11	12	13
												AO1.5, AO1.6		
6.6.9 Township Zone Code	6.6.9:1	PO1, AO1.1, AO1.2	PO9, AO9.1	PO10, AO10.1	PO11, AO11.1, AO11.2, AO11.3	PO13, AO13.1, AO13.2	-	-	-	PO16, AO16.1	PO19, AO19.1, AO19.2	-	-	-
	6.6.9:2	-	-	-	-	-	-	-	-	-	-	PO1, AO1.1, AO1.2	PO6, AO6.1, AO6.2	PO12, AO12.1



APPENDIX

E

Review of Codes

Review of Codes

Code	Table	Qualitative	Quantitative	Alignment	Terminology	Gap	Clarity	Typographical error	Organisation	Overlap
Zone Codes (Non-Standard Provisions)										
6.2.1 Low Density Residential Zone	6.2.1:1	AO2.3	-	PO2	-	-	-	-	-	AO1.1(b)/AO2.5
	6.2.1:2	AO19.3	PO2(b)	PO7/AO7.1	PO5 AO19.6	-	AO6.1 PO9 AO9.1 AO9.2 PO11	PO2(d) PO4(d) PO4(e) PO18	-	-
6.2.2 Low-Medium Density Residential Zone	6.2.2:1	-	-	PO2/AOs	-	-	-	-	-	AO1.2(b)/AO2.5
	6.2.2:2	AO27.1	PO4	PO24/AO24.1/AO2 4.3 PO28/AO28.1/AO2 8.2	-	-	AO17.1 AO17.2 AO20.2 AO24.1	AO28.1	PO16/PO17/PO19/ PO20 PO6/PO20 PO17/PO20/PO26	AO20.1/AO20.2
6.3.1 Principal Centre Zone	6.3.1:1	-	-	-	-	-	-	-	-	-
	6.3.1:2	AO7.1 AO8.1 AO10.5 AO11.5 AO13.1 AO23.1/AO23.2 AO26.2 AO29.1 AO29.3		PO3/AO3.1 PO5/AO5.1 PO10/AO10.1 PO22/AOs PO24/AO24.1 PO31/AO31.1	AO1.1-AO1.6 PO4 PO6 PO7/AO7.1 PO8 AO10.3 AO10.4 PO11 AO11.2 AO11.4 PO12 AO22.1 PO29 PO30 PO31/AO31.1	AO1.6 AO22.1(a)	PO1 AO1.1-AO1.6 AO2.1 AO3.1 AO5.1 AO7.1 AO9.2 AO11.3 AO19.2 AO21.1/AO21.2 AO24.1 AO25.3 AO26.1 AO28.1/AO28.2	AO1.6 AO7.1 AO10.2 AO10.6	-	PO13/PO14

Code	Table	Qualitative	Quantitative	Alignment	Terminology	Gap	Clarity	Typographical error	Organisation	Overlap
6.3.2 Major Centre Zone	6.3.2:1	-	-	-	-	-	-	-	-	-
	6.3.2:2	-	-	PO18/AOs	PO2 PO3/AO3.1 AO5.2(b) AO5.3 PO17 PO19	AO18.1/AO18.2	AO5.2 AO17.3	PO5 AO5.2	PO6/PO7/PO11/P O13	-
6.3.3 District Centre Zone	6.3.3:1	-	-	-	-	-	-	-	-	-
	6.3.3:2	AO7.1 AO14.1 AO18.1	-	PO4/AOs PO5/AO5.1 PO7/AO7.1	AO2.1/AO2.2 PO4/AO4.1/AO4.2 PO8 PO9 PO10 AO15.1 AO17.1	AO7.1 AO9.1/AO9.2	AO6.1-AO6.3 PO12 AO14.1 AO17.2	-	AO6.1-AO6.3	PO2/PO3
6.3.4 Local Centre Zone	6.3.4:1	-	-	-	-	-	-	-	-	-
	6.3.4:2	-	-	PO2/AO2.1 PO7/AO7.3/AO7.4 PO11/AO11.1	AO2.1 AO10.1	AO7.1/AO7.2	-	AO2.1	-	PO2/PO3
6.4.1 Sport and Recreation Zone	6.4.1:1	-	-	-	-	-	-	-	-	-
	6.4.1:2	-	-	-	AO5.4	-	PO4	-	-	-
6.4.2 Open Space Zone	6.4.2:1	-	-	-	-	-	-	-	-	-
	6.4.2:2	AO9.1	-	-	AO5.4	-	-	-	-	-
6.5.1 Low Impact Industry Zone Code	6.5.1:1	-	-	-	-	-	-	-	-	-
	6.5.1:2	AO17.1 AO17.2	-	PO9/AO9.1 PO13/AOs PO17/AOs	AO2.2 AO4.2 AO7.1 PO12/AOs AO13.3(c) AO15.2	-	AO12.1 AO13.1/AO13.2 PO14/AO14.1 PO16	AO12.3 AO15.1(a)	-	PO6 (and PO6 of Table 6.5.1:1)

Code	Table	Qualitative	Quantitative	Alignment	Terminology	Gap	Clarity	Typographical error	Organisation	Overlap
6.5.2 Medium Impact Industry Zone Code	6.5.2:1	-	-	-	-	-	-	-	-	-
	6.5.2:2	AO17.1 AO17.2	-	PO9/AO9.1 PO13/AOs PO17/AOs	AO2.2 AO4.2 AO7.1 PO12/AOs AO13.3(c) AO15.2	-	AO12.1 AO13.1/AO13.2 PO14/AO14.1 PO16	AO12.3 AO15.1(a)	-	-
6.5.3 High Impact Industry Zone Code	6.5.3:1	-	-	-	-	-	-	-	-	-
	6.5.3:2	AO17.1 AO17.2	-	PO9/AO9.1 PO13/AOs PO17/AOs	AO2.2 AO4.2 AO7.1 PO12/AOs AO13.3(c) AO15.2	-	AO12.1 AO14.1 PO16	AO15.1(a)	-	-
6.6.1 Community Facilities Zone Code	6.6.1:1	-	-	PO1/AOs	AO2.2	-	-	-	AO1.1-AO1.3	-
	6.6.1:2	-	-	-	PO2 PO3 PO4 AO6.2	-	-	-	-	PO6/AOs and PO2/AOs of Table 6.6.1:2
6.6.2 Emerging Community Zone Code	6.6.2:1	AO6.1	-	PO7/AOs	AO1.1 AO2.1 AO2.2 AO7.2	AO2.2	AO1.1	-	PO4-PO6 PO7	-
	6.6.2:2	-	-	-	-	-	-	-	-	-
6.6.3 Extractive Industry Zone Code	6.6.3:1	-	-	-	-	-	-	-	-	-
	6.6.3:2	AO6.1	-	-	AO3.1	-	-	-	-	-
6.6.4 Limited Development (Constrained Land) Zone Code	6.6.4:1	-	-	PO3/AOs	AO1.1 AO3.2	-	AO1.1	-	PO3	-
	6.6.4:2	AO3.1	-	-	-	-	PO5 PO6	-	PO1-PO3	-

Code	Table	Qualitative	Quantitative	Alignment	Terminology	Gap	Clarity	Typographical error	Organisation	Overlap
6.6.5 Mixed Use Zone Code	6.6.5:1	-	-	-	-	-	-	-	-	-
	6.6.5:2	AO5.1 AO8.3 AO8.4 AO8.5 AO8.6 AO9.1 AO11.1 AO13.1-AO13.3 AO15.1-AO15.5 AO26.1 AO31.1 AO35.1 AO35.2 AO40.1		PO7/AO7.1 PO8/AOs PO16/AOs	AO4.1 AO8.1 AO14.1 AO16.1 PO17 AO20.1 AO20.3 PO22/AO22.1 AO32.1 AO35.3	AO3.1 PO4/AOs	PO2 AO3.1 AO4.1 AO4.2(b) AO4.2(c) AO4.3 AO11.1 AO13.1-AO13.3 AO13.2 AO14.1-AO14.2 AO19.1 AO24.1 AO27.1 AO27.1(c) AO28.1 AO29.1 AO31.1	AO35.2	AO21.1	PO13/PO15 AO26.1/AO31.1/AO35.1/AO40.1 AO24.1/AO28.1/AO32.1/AO36.1/AO39.1
6.6.6 Rural Zone Code	6.6.6:1	-	-	PO3/AOs	AO1.1 AO2.1 AO3.2 AO4.1	-	AO1.1 AO7.3	-	PO3/AOs PO4-PO7/AOs	-
	6.6.6:2	-	-	-	PO6 AO7.1	PO7	-	-	PO1-PO3/AOs PO13/PO14	PO7 and PO2 of Table 6.6.6:1
6.6.7 Rural Residential Zone Code	6.6.7:1	-	-	PO3/AO3.1	AO1.1 AO4.1	-	AO1.1	-	PO4-PO7	-
	6.6.7:2	-	-	-	-	-	-	PO8	PO6/PO7	-
6.6.8 Specialised Centre Zone Code	6.6.8:1	-	-	-	AO2.1 AO3.1 AO4.1	-	AO2.1	-	PO4/AOs	-
	6.6.8:2	-	-	PO9/AOs	AO2.2 AO2.4	-	-	-	AO9.1/AO9.2	PO2/PO9/AOs

Code	Table	Qualitative	Quantitative	Alignment	Terminology	Gap	Clarity	Typographical error	Organisation	Overlap
6.6.9 Township Zone Code	6.6.9:1	-	-	PO3/AOs	AO3.1 AO7.1 AO15.1 AO15.3	-	AO15.1	-	-	PO3/PO15/AOs
	6.6.9:2	-	-	-	-	AO3.1	AO7.1 AO7.2	-	AO3./1/AO3.2	-
Use Codes (Non Generic Provisions)										
9.3.1 Centre Activities Code	9.3.1:1	AO12.5 AO23.1 AO32.1(d)	-	PO12/AOs PO16/AOs PO23/AO23.1 PO29/AO29.1 PO34/AOs	PO7 AO11.1 AO12.1 AO12.2 AO12.3 AO12.5 AO16.1 AO16.2 AO27.1/AO27.2 AO29.1 AO34.2	AO29.1 (b)(c)(d)	PO9 AO12.1 AO12.4/AO12.5 PO23 AO27.1 AO29.1 AO32.1	-	AO31.1/AO31.2	PO16/PO27
9.3.2 Community and Recreation Uses Code	9.3.2:1	-	-	-	AO4.2 PO9	-	AO4.1	-	-	-
9.3.3 Extractive Industry Code	9.3.3:1	AO12.1 AO12.2 AO12.3	-	-	AO2.1 AO3.4	-	AO7.2	-	-	AO1.1(a)(b)(c)
9.3.4 Home Based Business Use Code	9.3.4:1	AO5.1	-	-	AO3.1 AO7.1/AO7.4 PO9/PO10/PO11/AOs PO12	-	AO2.2 AO6.1 AO7.1/AO7.4 AO9.3	-	-	-
9.3.5 Industry Uses Code	9.3.5:1	-	-	-	-	-	-	-	-	-

Code	Table	Qualitative	Quantitative	Alignment	Terminology	Gap	Clarity	Typographical error	Organisation	Overlap
9.3.6 Markets Code	9.3.6:1	AO9.3 AO9.4(b) AO9.5	-	PO6/AO6.1	AO6.1 AO7.2	-	-	-	-	-
	9.3.6:2	AO8.1	-	-	AO2.1	-	AO10.1	-	-	PO4/AO4.1/AO4.2 and PO2/AO2.1/AO2.2/ AO2.3 of Table 9.3.6:1 PO7/AO7.1 and PO6/AO6.1 of Table 9.3.6:1 PO8/AO8.2/AO8.3 and PO7/AO7.1/AO7.2 of Table 9.3.6:1 PO9/AOs and PO9/AOs of Table 9.3.6:1
9.3.7 Medium Density Residential Code	9.3.7:1	-	-	PO3/AO3.1 PO7/AO7.1	AO2.1 AO8.1	AO1.2 and Figure 1	PO1 AO2.1/AO2.2	-	-	AO2.1/AO2.2/AO6.1
	9.3.7:2	-	PO5	PO10/AO10.1	AO8.1(c) AO8.2(c) AO14.1/AO14.2	AO14.1/AO14.2	AO4.1/AO4.2 AO8.1(d) PO12	-	-	-
9.3.8 Rural Uses Code	9.3.8:1	-	-	-	AO9.3	AO9.1 AO1.1	-	-	PO7 AO8.1 – table	-
9.3.9 Sales Office Code	9.3.9:1	-	-	-	-	-	-	-	-	-
9.3.10 Telecommunications Facility Code	9.3.10:1	AO1.5 AO9.2	PO9	PO3/AO3.1	AO1.4 AO5.1	AO1.2	AO8.2	-	AO4.1	AO1.2/AO2.1

Code	Table	Qualitative	Quantitative	Alignment	Terminology	Gap	Clarity	Typographical error	Organisation	Overlap
TLPI 01/2017		AO2.1 AO4.3 AO6.1(a) AO14.2(b) AO17.2 AO19.2	PO20	PO16/AOs	AO5.1 AO6.1(b) AO9.1 AO9.2 PO11/AO11.1 AO19.2	AO8.1-AO8.3 AO19.1	AO1.2 Note for AO4.1-AO4.4 AO6.1(c) AO6.1(d) AO8.2 AO8.3 Note AO9./AO9.3 AO10.1(c) AO10.2 AO10.4 AO12.1 AO14.3 AO17.2 AO18.1 AO19.2	AO14.1	-	AO4.2/AO4.4/AO7.1 AO2.2/AO5.1
Overlay Codes										
Heritage Overlay Code	8.3.1:1	-	-	-	AO1.1	-	-	AO1.1 – diagrams	-	-
	8.3.1:2	-	-	-	PO1 AO1.1	AO1.1 AO8.1	PO6/AO6.1/AO6.2	-	-	AO2.1/AO3.1
Neighbourhood Character Overlay	8.3.2:1	-	-	-	AO1.1		-	-	-	-
	8.3.2:2	-	-	PO5/AOs	PO1 AO1.1	AO1.1 AO5.1(b)	PO4 PO5/AO5.1 PO9/AO9.1/AO9.2	AO9.1/AO9.2	-	PO6/PO7(b)
Scenic Amenity Overlay	8.3.3:1	AO1.2 AO2.1	-	-	AO1.1	-	AO1.1 and notes	-	-	-

Code	Table	Qualitative	Quantitative	Alignment	Terminology	Gap	Clarity	Typographical error	Organisation	Overlap
Local Plan Codes										
Highfields, Meringandan and Meringandan West Local Plan Code	7.2.1:1	AO6.1 AO12.1 AO13.1 AO13.5 AO13.6 AO17.1 AO17.2 AO18.1 AO19.1 AO21.2 AO22.1 AO23.1 AO24.2 AO25.3 AO26.1 AO27.1 AO28.2 AO29.2 AO30.1-AO30.4 AO31.1	-	PO7/AO7.1 PO9/AO9.1 PO16/AOs PO17/AOs PO22/AO22.1 PO31/AOs	AO1.1 PO7 PO9 AO11.1 AO11.2 AO14.2 AO14.3 AO14.4 AO17.2 PO19/AO19.1/AO19.2 AO20.2 AO20.3 AO21.3 AO25.3 AO25.4 AO26.1 PO29 AO29.2(b) PO30 AO30.1-AO30.4	AO11.1/AO11.2 PO13/AOs	AO2.1 AO13.2 AO13.3 AO13.4 AO18.1 AO19.2 AO20.1 AO20.2 AO20.4 AO24.3 AO25.1/AO25.2	PO11/AO11.1/AO11.2	AO6.1/AO6.2 PO12/AO12.1 AO14.1/AO14.5 PO25/AOs AO28.1/AO28.2 PO29/AOs	-
Glenvale Local Plan Code	7.2.2:1	AO2.3 AO3.2 AO4.3 AO6.1	-	-	PO2 AO2.4 AO3.1	-	AO1.1 AO2.1 AO2.2 AO4.1	-	-	-
Charlton Wellcamp Enterprise Area Local Plan Code	7.2.3:1	AO1.1 AO9.1 AO10.1 AO15.2 AO16.1/AO16.2 AO17.2 AO18.1 AO19.1 AO20.1 AO23.1 AO25.1(c) AO26.1	-	PO16/AOs PO17/AOs PO19/AOs PO21/AO21.1 PO25/AOs	AO4.1 AO4.2 AO14.1(a) AO17.1 AO18.1 PO20/AO20.1 AO25.1(a)(i) AO25.1(b) AO25.2 AO33.1 AO37.1 PO39	AO4.1	AO3.1 AO4.2 PO6 PO7 AO14.1(b) AO14.1(c) PO23 AO25.1(a)(vi) AO25.2 AO34.1 PO38 AO42.3	-	PO3/AO3.1 PO5 PO7 PO8 PO9/AO9.1 PO22 PO23 PO24 PO26/AOs PO27/AOs PO28/AOs PO29/AOs	AO25.1(a)(ii)/AO25.1(a)(iv)

Code	Table	Qualitative	Quantitative	Alignment	Terminology	Gap	Clarity	Typographical error	Organisation	Overlap
		AO26.2 AO26.3 AO26.5 AO27.1 AO27.2 AO29.2 AO34.2 AO35.1 AO41.1 AO42.1 AO42.2 AO42.6 AO42.8 AO43.1					AO42.4 AO42.5		PO30/AO30.1 PO31 AO42.7	
Other Development Codes										
Advertising Devices Code	9.4.1:1	AO3.2 AO3.3 AO3.5 AO4.1	-	-	AO1.3 Headings	-	AO4.2 AO5.1-AO9.1	-	PO2/AO2.1 AO3.6/AO3.7 PO5-PO9	AO1.2/AO3.4/AO4.3
Environmental Standards Code	9.4.2:1	AO1.6 AO4.1 AO5.3 AO7.1 AO13.1/AO13.2 AO14.2 AO16.2 AO17.2 AO17.4 AO18.1 AO20.1 AO20.2 AO20.3 AO20.4 AO28.1-AO28.4 AO29.1 AO30.1 AO33.1 AO34.1	-	PO8/AO8.2	AO1.5 AO5.1 PO6/AO6.1/AO6.2 PO10 AO10.3 PO11 AO15.2 AO16.1 AO17.3 AO27.1 AO28.1-AO28.4 Table 9.4.2:2	AO28.1-AO28.4	AO1.4 AO8.1 PO12/AO12.1 AO17.1 AO23.2 AO27.3 AO28.1-AO28.4	-	AO3.1 PO26	AO6.1/AO6.2 PO21/PO25

Code	Table	Qualitative	Quantitative	Alignment	Terminology	Gap	Clarity	Typographical error	Organisation	Overlap
Integrated Water Cycle Management Code	9.4.3:1	-	-	-	-	-	-	-	-	-
Landscaping Code	9.4.4:1	AO3.1 AO3.2 AO3.3 AO4.2 AO6.1 AO7.1 AO8.1/AO8.2 AO9.1 AO9.2 AO9.3 AO12.1-AO12.4	-	PO11/AO11.1	AO3.4 AO6.4 AO9.4	Table 9.4.4:2	AO5.1/AO5.2	-	-	-
Reconfiguring a Lot Code	9.4.5:1	-	-	-	-	-	AO3.1	AO2.1	-	-
	9.4.5:2	AO42.1	-	PO3/AO3.1 PO5/AO5.1 PO32/AO32.1	AO30.1 PO36	-	AO2.1 AO4.1 AO4.1-AO4.3 AO5.1 AO24.1 AO26.1 AO42.1-AO42.2	AO26.1	AO5.1 PO9/AO9.1 PO40 PO41 PO43 AO44.1/AO44.2	AO12.3/AO12.4/AO12.5/AO13.2/AO14.1/AO15.1 AO21.1
Transport, Access and Parking Code	9.4.6:1	-	-	-	-	-	AO1.2	-	-	AO1.2 (a)(iii) and AO1.2 (c)(iii)
	9.4.6:2	AO10.1/AO10.2 AO11.2 AO14.1 AO14.3 AO14.5 AO15.2 AO18.1	-	PO19/AO19.1(b)	AO13.1 AO14.4 PO16/AOs AO21.1	AO11.3	PO2 AO15.6 AO16.2 AO26.1	AO23.2	-	AO10.1/AO10.2 AO19.1
Works and Services Code	9.4.7:1	AO22.1 AO24.1	PO3 PO4	-	-	-	-	-	AO11.1 PO13/AOs AO25.1 AO26.1 AO27.1	AO1.2/AO1.3 AO2.2/AO2.3



APPENDIX

F

Use Code Provisions
Recommended for
Reorganisation

Use Code Provisions Recommended for Reorganisation

The following table lists provisions currently contained within the use codes of the planning scheme which are considered to be more appropriately located in zone and/or general development codes, as they contain content / subject matters that are already contained in these types of codes and/or are applicable to a broad range of land uses.

Use Code		Provisions Recommended for Reorganisation
Centre Activities Code		PO1, PO2/AO2.1, PO3, PO4/AO4.1, PO5/AO5.1/AO5.2, PO6/AO6.1, PO8, PO10, PO13/AO13.1, PO14/AO14.1, PO15, PO17, PO18/AO18.1/AO18.2/AO18.3, PO19, PO20, PO21/AO21.1/AO21.2/AO21.3, PO22, PO26/AO26.1, AO30.2, PO35/AO35.1/AO35.2/AO35.3, PO36/AO36.1, PO37/AO37.1
Community and Recreation Uses Code		PO1, PO2/AO2.1/AO2.2, PO3, PO6
Extractive Industry Code		PO4, PO5/AO5.1, PO6/AO6.1, PO8
Home Based Business Use Code		-
Industry Uses Code		PO2/AO2.1/AO2.2/AO2.3, PO3/AO3.1/AO3.2/AO3.3, PO5, PO6/AO6.1, PO7/AO7.1/AO7.2, PO8/AO8.1, PO9/AO9.1/AO9.2, PO10/AO10.1/AO10.2/AO10.3
Markets Code	Table 9.3.6:1	PO1/AO1.1/AO1.2, PO3/AO3.1, PO4/AO4.1, PO5/AO5.1/AO5.2/AO5.3, PO8/AO8.1
	Table 9.3.6:2	AO1.2, PO3/AO3.1/AO3.2, PO5/AO5.1
Medium Density Residential Code	Table 9.3.7:1	-
	Table 9.3.7:2	PO1, PO2, PO3, PO11/AO11.1, PO13/AO13.1/AO13.2/AO13.3/AO13.4, PO16
Rural Uses Code		PO2, PO3, PO4, PO5
Sales Office Code		PO4/AO4.1/AO4.2
Telecommunications Facility Code		PO6/AO6.1, PO7/AO7.1
TLPI 01/2017		-

Cardno's Commitment to Zero Harm

Safety is a core value at Cardno and our Zero Harm safety program fosters an environment of clear accountability, shared responsibility, risk awareness and effective communication. Our program underpins all operations and is responsive to the needs of our clients. We are focussed on continually improving our safety culture and the management systems that reinforce our commitment to zero harm. Cardno operates an occupational health and safety management system that has been certified to AS4801 and OHSAS18001.

Cardno
ZERO
HARM
EVERY JOB. EVERY DAY.

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Cardno is an ASX-listed professional infrastructure and environmental services company, with expertise in the development and improvement of physical and social infrastructure for communities around the world. Cardno's team includes leading professionals who plan, design, manage and deliver sustainable projects and community programs. Cardno is an international company listed on the Australian Securities Exchange [ASX:CDD].



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