
Planning Act 2016

**TOOWOOMBA REGIONAL COUNCIL
TEMPORARY LOCAL PLANNING INSTRUMENT 01/2018
(DUAL OCCUPANCY)**

1. Purpose of the Temporary Local Planning Instrument

- 1.1 The purpose of Temporary Local Planning Instrument 01/2018 (Dual Occupancy) is to ensure that development which is a dual occupancy creates pleasant, safe and attractive living environments while facilitating a range of housing types that sensitively blend with existing streetscapes and neighbourhoods and facilitate increased population within proximity to major centres.

2. Duration of the Temporary Local Planning Instrument

- 2.1 This temporary local planning instrument 01/2018 (Dual Occupancy) will have effect in accordance with the *Planning Act 2016* for a period not exceeding two (2) years from 21 December 2018 or until proposed Toowoomba Regional Planning Scheme Amendment No.16 comes into effect, whichever occurs first.

3. Application of the Temporary Local Planning Instrument

- 3.1 This temporary local planning instrument applies to the whole of the Toowoomba Regional Council planning scheme area.

- 3.2 This temporary local planning instrument suspends the operation of the following provisions of the Toowoomba Regional Planning Scheme:

- Section 5.5 Table 5.5:1 Low Density Residential Zone,
- Section 5.5 Table 5.5:2 Low-medium Density Residential Zone,
- Section 5.5 Table 5.5:17 Township Zone
- Section 5.10 Table 5.10:1 Assessment criteria for overlays, and
- Section 9.3.7 Medium Density Residential Code,

to the extent these provisions relate to the development use type 'Dual Occupancy'.

4. Definitions

- 4.1 A term in this instrument has the meaning given it by the Toowoomba Regional Planning Scheme.

5. Dual Occupancy

- 5.1 For the purposes of administering Section 5.5 Table 5.5:1 Low Density Residential Zone of the Toowoomba Regional Planning Scheme, to the extent it relates to the development use type 'Dual Occupancy', the following shall apply in addition to any other provisions of that Section not suspended by this temporary local planning instrument:

Categories of development and assessment	Assessment benchmarks for assessable development and requirements for acceptable development
Accepted development subject to requirements	
If: (i) the site has an area of at least 700m ² ; (ii) the site is not a hatchet lot; (iii) the building height does not exceed 8.5m; and (iv) not on land located in the Clifford Park Stables Precinct or the Park Residential Precinct.	Medium Density Residential Code Transport, Access and Parking Code
Code assessment	
If: (i) the site is not a hatchet lot and the building height does not exceed 8.5m; 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.	Low Density Residential Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code 'State Planning Policy 4/10 Healthy Waters — Appendix 1 Development Assessment Code' Highfields District Local Plan Code (where in the Highfields district local plan area) Glenvale Local Plan Code (where in the Glenvale local plan area) Charlton Wellcamp Enterprise Area Local Plan Code (where in the Charlton Wellcamp Enterprise Area local plan area)
Impact assessment	
If not meeting the description listed in the categories of development and assessment column.	The planning scheme

- 5.2 For the purposes of administering Section 5.5 Table 5.5:2 Low-medium Density Residential Zone of the Toowoomba Regional Planning Scheme, to the extent it relates to the development use type 'Dual Occupancy', the following shall apply in addition to any other provisions of that Section not suspended by this temporary local planning instrument:

Categories of development and assessment	Assessment benchmarks for assessable development and requirements for acceptable development
Accepted development subject to requirements	
If: (i) the site has an area of at least 500m ² ; (ii) the site is not a hatchet lot; and (iii) the building height does not exceed 8.5m.	Medium Density Residential Code Transport, Access and Parking Code
Code assessment	
If: (i) the site is not a hatchet lot and the building height does not exceed 8.5m; 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.	Low-medium Density Residential Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code 'State Planning Policy 4/10 Healthy Waters — Appendix 1 Development Assessment Code' Highfields District Local Plan Code (where in the Highfields district local plan area) Glenvale Local Plan Code (where in the Glenvale local plan area) Charlton Wellcamp Enterprise Area Local Plan Code (where in the Charlton Wellcamp Enterprise Area local plan area)
Impact assessment	
If not meeting the description listed in the categories of development and assessment column.	The planning scheme

- 5.3 For the purposes of administering Section 5.5 Table 5.5:17 Township Zone of the Toowoomba Regional Planning Scheme, to the extent it relates to the development use type 'Dual Occupancy', the following shall apply in addition to any other provisions of that Section not suspended by this temporary local planning instrument:

Categories of development and assessment	Assessment benchmarks for assessable development and requirements for acceptable development
Accepted development subject to requirements	
If in a seweraged area and: <ul style="list-style-type: none"> (i) the site has an area of at least 700m²; (ii) the site is not a hatchet lot; and (iii) the building height does not exceed 8.5m. 	Medium Density Residential Code Transport, Access and Parking Code
Code assessment	
If: <ul style="list-style-type: none"> (i) not in a seweraged area; or (ii) if in a seweraged area and <ul style="list-style-type: none"> (a) the site is not a hatchet lot and the building height does not exceed 8.5m; or (b) 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. 	Township Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code 'State Planning Policy 4/10 Healthy Waters — Appendix 1 Development Assessment Code' Highfields District Local Plan Code (where in the Highfields district local plan area) Glenvale Local Plan Code (where in the Glenvale local plan area) Charlton Wellcamp Enterprise Area Local Plan Code (where in the Charlton Wellcamp Enterprise Area local plan area)
Impact assessment	
If not meeting the description listed in the categories of development and assessment column.	The planning scheme

- 5.4 For the purposes of administering Section 5.10 Table 5.10:1 Assessment criteria for overlays of the Toowoomba Regional Planning Scheme, to the extent it relates to the development 'Dual Occupancy', the following shall apply in addition to any other provisions of that Section not suspended by this temporary local planning instrument:

Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Airport Environs Overlay		
Dual Occupancy If: (i) within ANEF contour 20 and above; and (ii) accepted development or development subject to requirements within the corresponding zone.	Code Assessable	Airport Environs Overlay Code
Extractive Resources Overlay		
Dual Occupancy If: (i) within the separation area or 100m of a designated Haulage Route; and (ii) accepted development or development subject to requirements within the corresponding zone.	Code Assessable	Extractive Resources Overlay Code
Heritage Overlay		
Dual Occupancy	Impact Assessable	The Planning Scheme
Neighbourhood Character Overlay		
Dual Occupancy	Impact Assessable	The Planning Scheme

- 5.5 For the purposes of administering Section 9.3.7 Medium Density Residential Code of the Toowoomba Regional Planning Scheme, to the extent it relates to the development 'Dual Occupancy', the following shall apply in addition to any other provisions of that Section not suspended by this temporary local planning instrument:

Medium Density Residential Code


APPLICATION

- (1) This code applies to assessable development identified as requiring assessment against the Medium Density Residential Code by the categories of development and assessment tables in Part 5 – Tables of Assessment.

PURPOSE

- (1) The purpose of the Medium Density Residential Code is to guide the development of dual occupancy to ensure that it creates pleasant, safe and attractive living environments while facilitating a range of housing types that sensitively blend with existing streetscapes and neighbourhoods and facilitate increased population within proximity to major centres.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- a. The character, scale and density of development are commensurate with the purpose and overall outcomes of the zone and (where applicable) zone precinct in which the development is proposed;
 - b. The design and layout of the development:
 - i. enhances access to housing diversity, offering choice to different household types and individuals to suit residents through different life-cycle stages;
 - ii. reflects and contributes to the qualities of the local streetscape and Toowoomba's Garden City character;
 - iii. responds to the site's natural and built context, such as orientation, topography, vegetation and climate and nearby buildings' aesthetic qualities such as their scale, form and materials;
 - iv. has a density appropriate for a site and its context in keeping with existing or preferred transitional neighbourhood character;
 - v. provides design elements that reflect and enhance local character and identity and strengthens site features such as views, heritage values and significant vegetation;
 - vi. provides an appropriate scale in terms of the bulk and height relative to the scale of the street and surrounding buildings (in keeping with existing or preferred transitional neighbourhood character);
 - vii. maintains neighbourhood amenity and does not create unacceptable impacts on surrounding premises;
 - viii. achieves an appropriate built form for a site and building in terms of building alignment and proportions;
 - ix. provides safe and equitable access for pedestrians and vehicles;
 - x. facilitates a high level of residential amenity, including provision of adequate safety, privacy, access to sunlight and open space within the site and to adjacent properties;
 - xi. incorporates high-quality landscaping that contributes to the desired character of the area and recognises that landscape and buildings operate as an integrated and sustainable system; and
 - xii. optimises safety and security for internal and public space.

Table 0:1 – Medium Density Residential Code – Requirements for accepted development and assessment benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Housing Choice	
<p>PO₁ Development:</p> <ul style="list-style-type: none"> (a) contributes to housing choice; and (b) does not result in dual occupancies dominating the housing form; within the street in which it is located. 	<p>AO_{1.1} Not more than 20 percent of the properties within the street block are occupied by a dual occupancy or multiple dwelling development.</p> <p>AO_{1.2} Not more than three (3) adjoining or opposite properties within the street block are occupied by a dual occupancy or multiple dwelling development.</p> <p>Note: A street block consists of each property abutting the same side of the street on which the development is proposed and between the two nearest intersecting streets. Where a cul-de-sac, all properties abutting the cul-de-sac are within the street block.</p>  <p>Each red line in the figure above defines the extent of a street block.</p>

Performance outcomes	Acceptable outcomes
Site Design and Urban Context	
<p>PO₂ Development demonstrates consideration of opportunities and constraints to achieve site specific outcomes, considering the features of the site, existing house on the lot and its immediate surrounds.</p>	<p>AO_{2.1} The design of the development considers and responds to site specific qualities including:</p> <ul style="list-style-type: none"> a) site topography and slope (contours at a minimum of 1m intervals); b) Views c) solar aspect and access; d) prevailing breezes e) existing buildings on the site; f) site access g) services h) identification of buildings to be demolished; i) existing vegetation j) proposed position of new buildings overlaid k) Nearby features including: <ul style="list-style-type: none"> i) opportunities for on street visitor car parking; ii) buildings on adjoining land iii) important views from neighbouring properties iv) features and character of adjoining land and buildings including doors & windows v) street fixtures; l) Local qualities and amenities including: <ul style="list-style-type: none"> i) available public transport; ii) nearby amenities such as parks, shops. <p>AO_{2.2} Site design retains all existing street trees.</p> <p>Note: See figures 1, 2 and 3 below for examples of site analysis and nearby feature plans.</p>

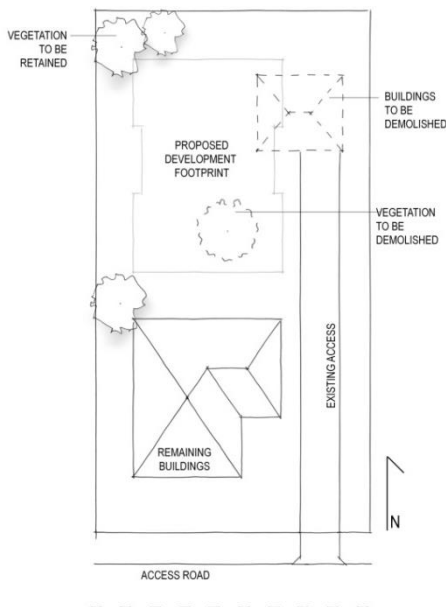


Figure 1

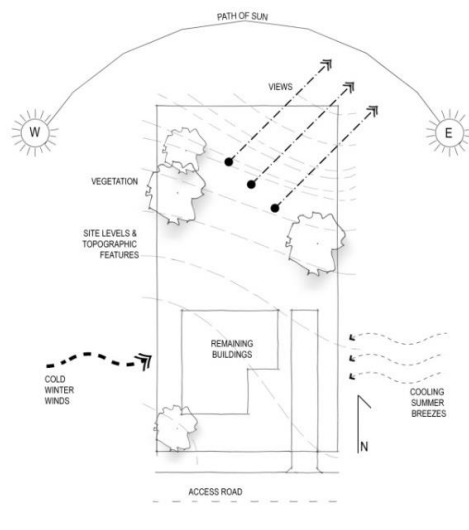
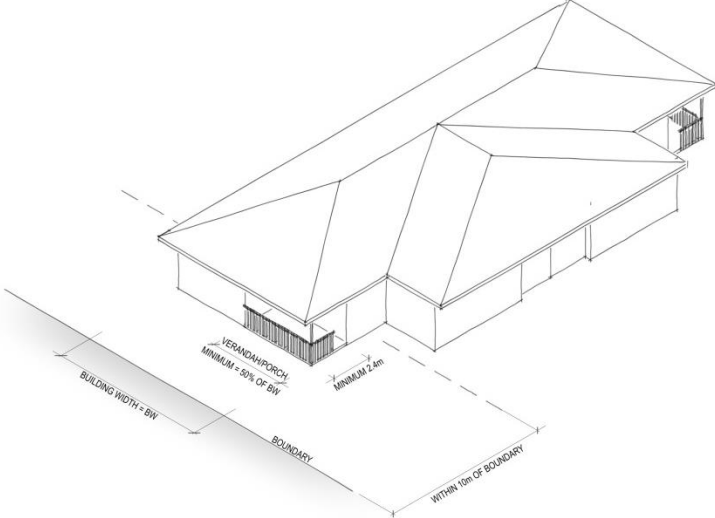


Figure 2

Performance outcomes	Acceptable outcomes
<p>PO₃ Development responds to the slope of the land in the siting, design and form of buildings and structures to minimise requirements for cut and fill.</p>	<p>AO_{3.1} Cut and fill beyond natural ground level does not exceed a vertical distance of 1m, unless contained within building walls and in accordance with the requirements outlined in SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p> <p>AO_{3.2} Batters and earth-retaining structures are constructed in accordance with SC6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure.</p>

Performance outcomes	Acceptable outcomes
<p>PO₄ The treatment of fencing and retaining walls in all situations reinforces the high quality, amenity and safety of the development.</p>	<p>AO_{4.1} The maximum total height of a combined fence and retaining wall is 2.1m, as measured from the base of the retaining wall to the top of the fence.</p> <p>AO_{4.2} Where a combined fence and retaining wall is located on the front boundary, the fence has a minimum transparency of 30% when viewed from in front of the fence (at 90 degree angle to the fence).</p> <p>AO_{4.3} Retaining walls and fences are constructed of high quality materials and contribute to residential amenity.</p> <p>AO_{4.4} Any fence on the front boundary has a minimum 50% transparency when viewed from any public vantage point.</p> <p>Note: Where retaining walls are set off the property boundary by a minimum of 600mm, they are not considered to be combined with the fencing.</p>
<p>PO₅ Development is designed to incorporate existing site and street features or provides for the replacement of any feature which is removed.</p>	<p>AO_{5.1} Development does not compromise or require the removal of any street tree.</p>
Streetscape Amenity, Street Edge Quality and façade Treatment	
<p>PO₆ Buildings are designed to a high aesthetic standard providing:</p> <ul style="list-style-type: none"> (a) prominent features towards the street frontage; (b) detailing and finishes appropriate to the scale, quality and character of the street and to help differentiate between dwellings (c) opportunities for informal surveillance of the street and other public spaces; (d) clear and visible entries; and elements that complement or enhance the character of the local neighbourhood. 	<p>AO_{6.1} Buildings:</p> <ul style="list-style-type: none"> (a) are oriented to and address the street frontage; (b) have front entries that provide full weather protection and where within 10m of any street, have clearly defined front entries that are visible from the street; (c) where within 10m of any street; have one or more habitable rooms facing the street boundary that have windows or doors with a minimum area of clear glazing of 0.25m² for each linear metre of street frontage; and (d) are designed to deliver depth in the façade facing the street or public space with a variation not less than 2m deep for a minimum 50% of the building frontage. <p>Note: See Figure 4,</p>

Performance outcomes	Acceptable outcomes
 <p style="text-align: center;">Figure 4</p>	
<p>PO₇ Frontage fencing contributes to privacy, screening, security, and street character while maintaining a visual relationship between dwellings and public spaces.</p>	<p>AO_{7.1} Fences located on a front property boundary or a common boundary with an adjacent park or within the front setback area:</p> <ul style="list-style-type: none"> (a) have a maximum height of 1.2 metres; or (b) have a maximum height of 1.5 metres and a minimum transparency of 30% when viewed from in front of the fence (at 90 degree angle to the fence).

Performance outcomes	Acceptable outcomes										
Setbacks, Neighbours and Building Envelope											
<p>PO₈ The front building setback is consistent with the prevailing front setbacks of other buildings in the street.</p>	<p>AO_{8.1} Where there are existing dwellings on both adjoining lots and at least one of the dwellings is setback from the road less than 4 metres the minimum street setback is the average of the street setbacks of the two adjoining dwellings.</p> <p>AO_{8.2} Where there is an existing dwelling on only one adjoining lot the minimum street setback is within 10% of the street setback of the adjoining dwelling.</p> <p>AO_{8.3} If there are no neighbouring buildings the front setback is provided in accordance with Table 1.</p> <table border="1" data-bbox="842 808 1385 1093"> <thead> <tr> <th colspan="2" data-bbox="842 808 1385 837">Table 1</th> </tr> <tr> <th data-bbox="842 837 1157 866">Building element</th> <th data-bbox="1157 837 1385 866">Minimum setback</th> </tr> </thead> <tbody> <tr> <td data-bbox="842 866 1157 920">Solid building wall (other than a garage)</td> <td data-bbox="1157 866 1385 920">4.0m</td> </tr> <tr> <td data-bbox="842 920 1157 974">Solid building wall (where for a garage)</td> <td data-bbox="1157 920 1385 974">5.5m</td> </tr> <tr> <td data-bbox="842 974 1157 1093">Permeable or non-enclosed elements (e.g. porch, verandah, balcony or carport)</td> <td data-bbox="1157 974 1385 1093">3.5m (or 3m where secondary road frontage)</td> </tr> </tbody> </table> <p>Note: See figure 5 and 6 below. Eaves and window hoods (or a portion thereof) may encroach into the above setbacks by a maximum of 600mm.</p>	Table 1		Building element	Minimum setback	Solid building wall (other than a garage)	4.0m	Solid building wall (where for a garage)	5.5m	Permeable or non-enclosed elements (e.g. porch, verandah, balcony or carport)	3.5m (or 3m where secondary road frontage)
Table 1											
Building element	Minimum setback										
Solid building wall (other than a garage)	4.0m										
Solid building wall (where for a garage)	5.5m										
Permeable or non-enclosed elements (e.g. porch, verandah, balcony or carport)	3.5m (or 3m where secondary road frontage)										

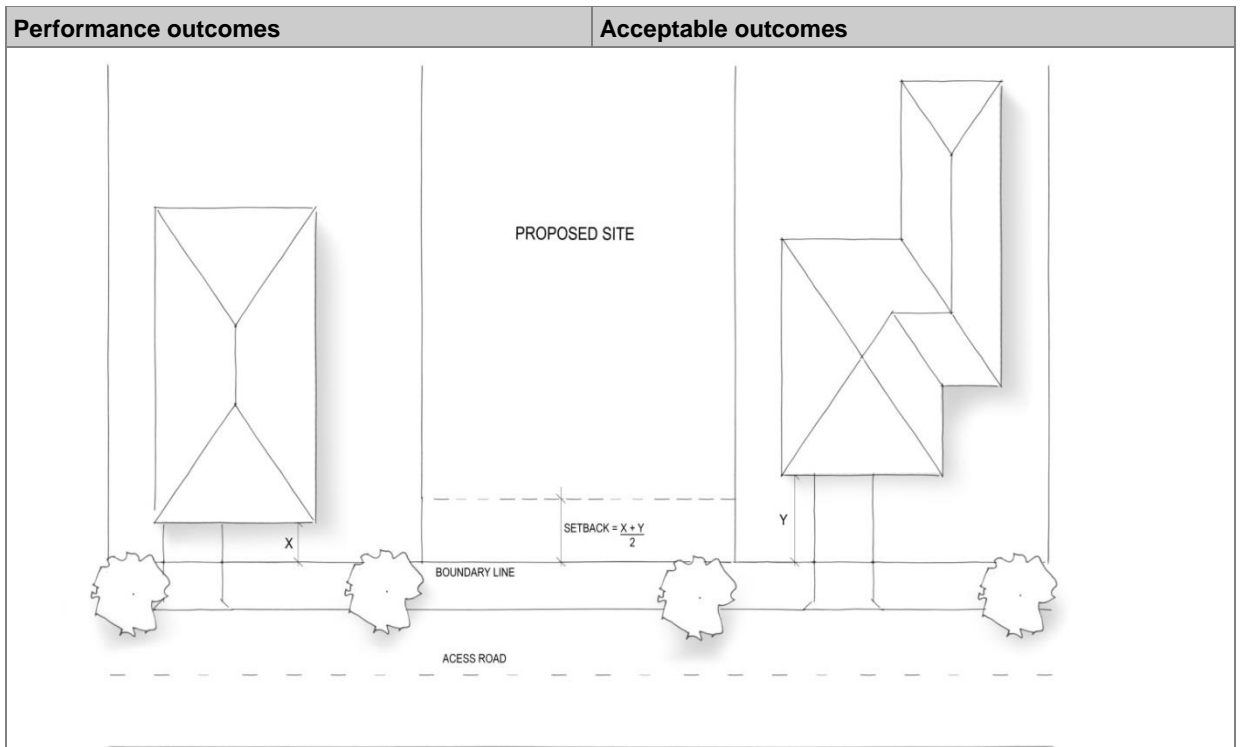


Figure 5

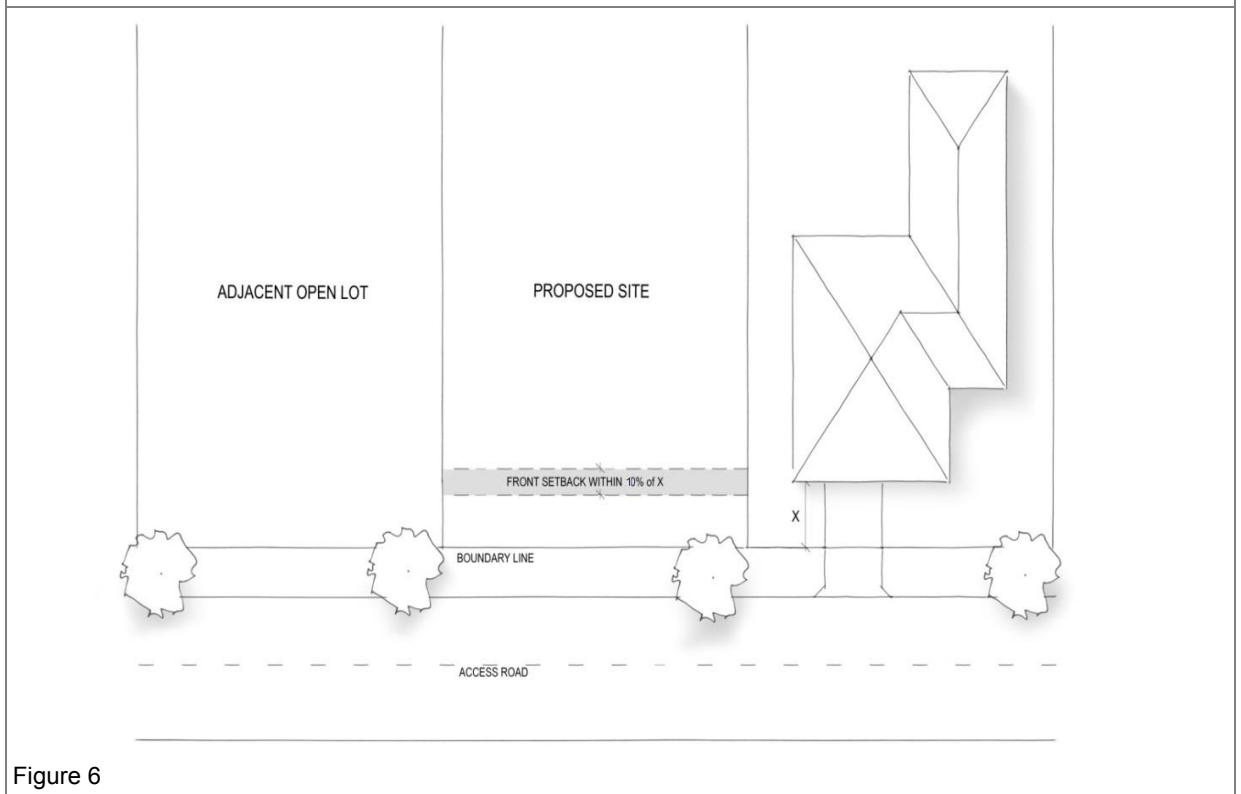


Figure 6

Performance outcomes	Acceptable outcomes
<p>PO₉ The privacy of residents of the development or neighbouring buildings is maximised whether the resident is inside a dwelling or in exterior private open spaces adequately protected from visual intrusion.</p>	<p>AO_{9.1} Habitable room windows of a dwelling are separated a minimum of 9m from a habitable room window or private open space of another dwelling on the same or an adjoining site.</p> <p>OR</p> <p>AO_{9.2} Where there is a direct view within 9m into a habitable room or private open space of another dwelling on the same or an adjoining site:</p> <ul style="list-style-type: none"> (a) The elements with the view such as windows, balconies, or terraces of a dwelling must be screened; or (b) The Windows have translucent glazing up to or sill heights of at least, 1.5m from the internal floor level. <p>AO_{9.3} Where screening is used, it:</p> <ul style="list-style-type: none"> (a) is a solid translucent screen or a louvre perforated panel, trellis or the like that has a maximum of 50% open to solid ratio; and (b) is a fixed, permanent element of a design that complements the style, detailing and materials of the development. <p>Note: See Figure 7.</p>

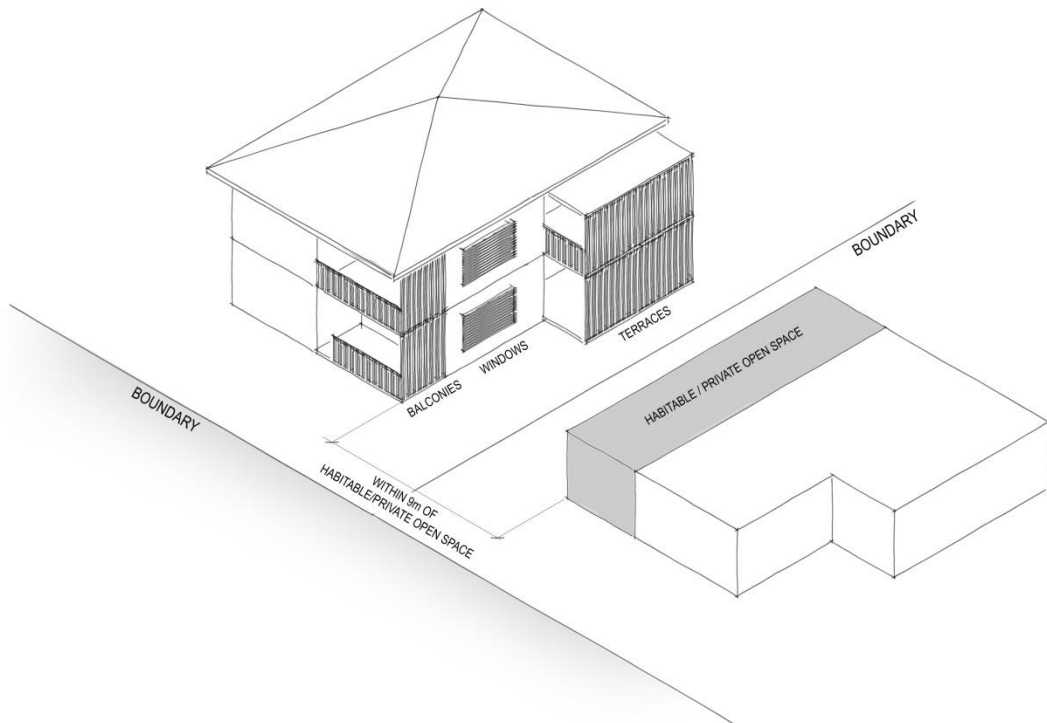


Figure 7

Performance outcomes	Acceptable outcomes
<p>PO₁₀ Side and rear building setbacks:</p> <ul style="list-style-type: none"> (a) are appropriate to the scale of the development and the intended character of the zone and/or precinct in which the site is located; (b) provide for adequate daylight for habitable rooms and open space areas on and adjoining the site; and (c) are sufficient to minimise overshadowing and overlooking of adjoining premises. 	<p>AO_{10.1} Any part of a building built to a side boundary:</p> <ul style="list-style-type: none"> (a) must not exceed a maximum height of 3.5m; (b) must not exceed a maximum length of 9m; (c) must be a minimum distance of 2.4m from any other wall built to the side boundary (whether on the site or an adjoining site) or be joined to another built to boundary wall if on a adjoining site; and (d) must not exceed a maximum total length of 50% of the side boundary. <p>OR</p> <p>AO_{10.2} Buildings are set back from side boundaries in accordance with the following:</p> <ul style="list-style-type: none"> (a) For lots with frontages less than 20m: <ul style="list-style-type: none"> (i) 1.2m for any part of the building up to 3.5m high; and (ii) 2m for any part of the building above 3.5m high. (b) For lots with frontages greater than 20m: <ul style="list-style-type: none"> (i) 1.8m for any part of the building up to 3.5m high; and (ii) 2.4m for any part of the building above 3.5m high. <p>AO_{10.3} Buildings are set back from the rear boundary a minimum of 2m.</p> <p>AO_{10.4} The development does not result in solar access to habitable rooms and private open space of adjoining premises: -</p> <ul style="list-style-type: none"> (a) being reduced to less than 3 hours between 9am and 3pm on June 21; or (b) where existing overshadowing by building or fences is greater than this, sunlight is not reduced by 20%.
<p>PO₁₁ The development is designed so that occupants are not adversely affected by adjoining non-residential uses.</p>	<p>AO_{11.1} A 1.8m high solid screen fence and 2m wide vegetated buffer is provided along any section of the site boundary that is common with vehicle movement and/or parking areas associated with a non-residential use on an adjoining site.</p>

Performance outcomes	Acceptable outcomes																	
Site Access, Circulation and Parking																		
<p>PO₁₂ Areas of hardstand required for parking and pathways are minimised, with generous landscaping incorporated to promote a garden streetscape character and to minimise visual impacts of views to hardstand areas for occupants and the public, particularly in the front garden.</p>	<p>AO_{12.1} Landscaped areas are provided in accordance with Table 2:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="3">Table 2</th> </tr> <tr> <th rowspan="2">Building height</th> <th colspan="2">Minimum landscaped area</th> </tr> <tr> <th>Where 80% or more of the front setback is landscaped area</th> <th>Where less than 80% of the front setback area is landscaped</th> </tr> </thead> <tbody> <tr> <td>1-2 storeys</td> <td>10% site area</td> <td>15% site area</td> </tr> <tr> <td>3 storeys</td> <td>12.5% site area</td> <td>17.5% site area</td> </tr> <tr> <td>4+ storeys</td> <td>15% site area</td> <td>20% site area</td> </tr> </tbody> </table> <p>Note: See Figure 8. Landscaped areas included in the calculations consist of garden beds and lawn areas throughout the site with a width of no less than 1m; Excludes all paved and other impervious areas such as driveways, car parking spaces and bin and other utility areas.</p>	Table 2			Building height	Minimum landscaped area		Where 80% or more of the front setback is landscaped area	Where less than 80% of the front setback area is landscaped	1-2 storeys	10% site area	15% site area	3 storeys	12.5% site area	17.5% site area	4+ storeys	15% site area	20% site area
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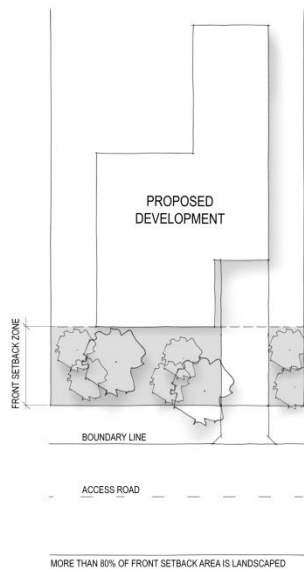


Figure 8

Performance outcomes	Acceptable outcomes
<p>PO₁₃ Safe and equitable access for both pedestrians and vehicles is provided, to and from buildings and the street whilst minimising the extent and number of driveways.</p>	<p>AO_{13.1} Where vehicular access to both dwellings is from the same street the driveway is shared and has a maximum crossover width of 5m.</p> <p>AO_{13.2} Where vehicular access to each dwelling is from different streets the driveway has a maximum crossover width of 3m.</p> <p>AO_{13.3} Where the site abuts a lane vehicle access is provided from the lane.</p>
<p>PO₁₄ Development provides resident and visitor car parking which is integrated into the site and building design and:</p> <ul style="list-style-type: none"> (a) Does not negatively impact the amenity of the site, adjoining sites or streetscape; (b) Is not a prominent visual feature from the street or other public spaces; and (c) Contributes to the establishment of a garden setting by avoiding large areas of visible hardstand. 	<p>AO_{14.1} Parking is only provided within the front setback area where is located on the driveway directly in front of a carport or garage.</p> <p>AO_{14.2} Where car parking is provided below ground:</p> <ul style="list-style-type: none"> (a) Access ramps are not located within 6m of the street boundary and do not exceed an opening width of 6m; and (b) Entry to the site for pedestrians is provided separate from vehicle entries by way of a safe, well lit and clearly identifiable pathway or gatehouse; <p>AO_{14.3} All car parking:</p> <ul style="list-style-type: none"> (a) is freely available for use by to the applicable occupants and visitors of the development; and (b) ensures parking spaces are accessible.
<p>PO₁₅ All car parking is designed to accommodate a standard car (B85 vehicle) and incorporates adequate manoeuvring area to parking spaces (including carports and garages).</p>	<p>AO_{15.1} Design of the site layout must ensure a B85 vehicle (as defined in AS 2890.1:2004 Parking facilities - Off-street car parking) is able to enter an enclosed garage or visitor car park in a single forward manoeuvre and exit in a single reverse manoeuvre.</p>
<p>PO₁₆ Garages and carports (except those with frontage to a rear lane) do not dominate the street frontage.</p>	<p>AO_{16.1} Garages and/or carports make up no more than 40% of the width of the site.</p> <p>AO_{16.2} Garages and/or carports are setback a minimum of 1 metre behind the main face¹ of the dwelling.</p>

¹ The 'main face' of the dwelling is the closest non-garage/carport dwelling element to the front boundary (such as the main building façade, or a first-floor balcony that faces the street (if provided)).

Performance outcomes	Acceptable outcomes
Building layout and Design	
<p>PO₁₇ Development must that incorporate typical domestic detailing to achieve a residential scale living environment with aesthetic standards and amenity for occupants similar to those of single dwellings in the neighbourhood.</p>	<p>AO_{17.1} The maximum single wall length of a building is 32m with offsets of 360mm minimum provided every 7.5m;</p> <p>Building walls separated by a distance of less than 10% of their length are considered as one wall.</p> <p>Note: See Figure 10.</p> <p>AO_{17.2} Building bulk is minimised through articulation and other measures, including the provision of at least one (1) element from at least three (3) of the following element groups:</p> <ul style="list-style-type: none"> (a) verandahs, porches, pergolas or balconies; (b) roof overhangs; (c) window hoods/screens; (d) awning and shade structures; (e) 600mm vertical gutter offset to create roof articulation; or (f) windows/openings recessed into the façade by a minimum of 300mm.

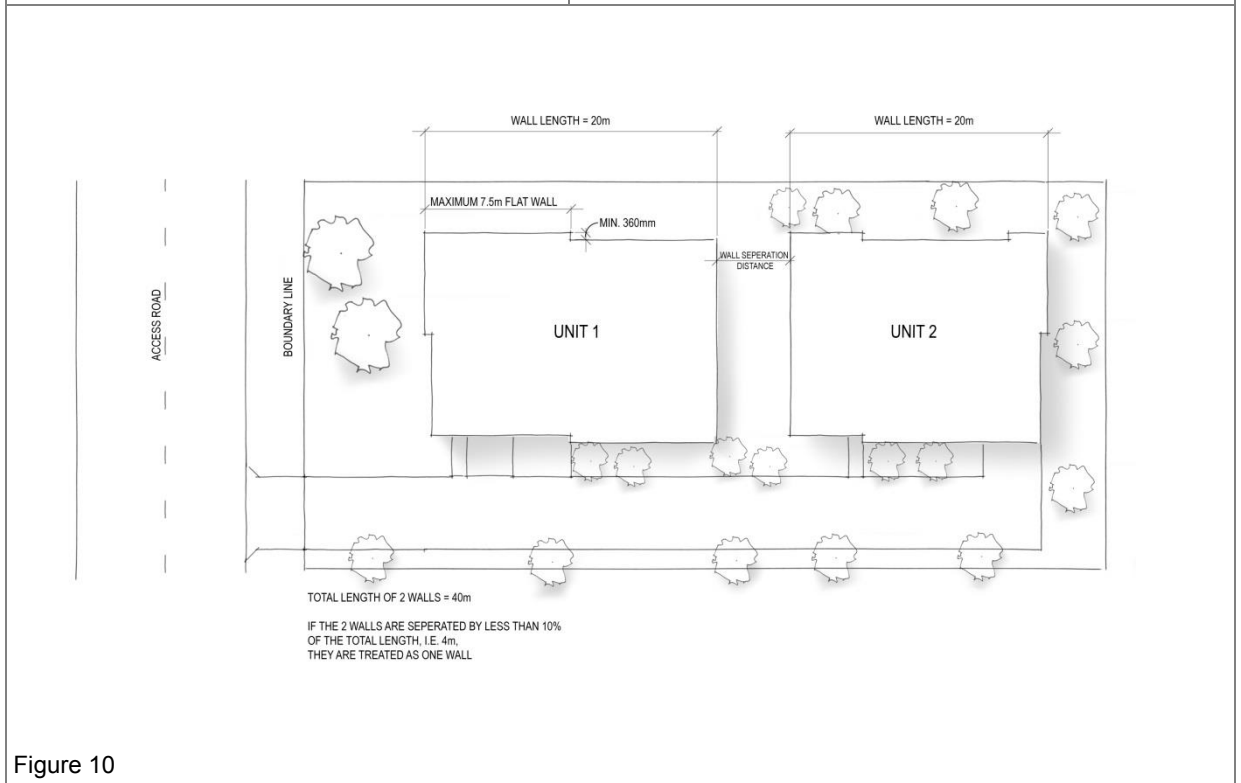


Figure 10

Performance outcomes	Acceptable outcomes
<p>PO₁₈ Buildings are oriented and designed to minimise any loss of solar access to living areas of proposed and neighbouring dwellings.</p>	<p>AO_{18.1} North-facing windows to habitable rooms or the private outdoor space of a neighbouring residence does not have sunlight reduced to less than 3 hours between 9 a.m. and 3 p.m. on 21 June. Where overshadowing by existing buildings or fences is greater than this, sunlight is not reduced by greater than 20%.</p>
<p>Open Space and Landscape Design</p>	
<p>PO₁₉ Development provides adequate and suitable communal and private open space to meet the needs of occupants for privacy, relaxation and entertainment and to accommodate visitors.</p>	<p>AO_{19.1} Private open space has a minimum area of 16m² and minimum dimension of 4 metres.</p> <p>AO_{19.2} Private open space is:</p> <ul style="list-style-type: none"> (a) only located within the front setback area: <ul style="list-style-type: none"> (i) where it is the only location where the solar access requirement in AO19.2(b) can be achieved, and (ii) the front fence of the open space area is setback at least 1.5m from the site frontage and the setback area is landscaped; (b) is oriented to receive at least three hours of sun between 9am and 5pm on 21 June. (c) directly accessible from a living area or kitchen; (d) fenced or landscaped to achieve privacy for occupants; and (e) clear of bins, clothes lines, hot water systems, air conditioning units, above ground water tanks and associated infrastructure and other forms of ancillary equipment.

Performance outcomes	Acceptable outcomes																
<p>PO₂₀ Development provides landscaping that contributes to the landscape character, shade and the micro-climate of the neighbourhood and site through the retention or provision of at least one canopy tree.</p>	<p>AO_{20.1} One (1) tree capable of achieving a height of at least six (6) metres and canopy spread of at least five (5) metres at maturity is provided.</p>																
<p>PO₂₁ Development:</p> <ul style="list-style-type: none"> (a) provides for the on-site infiltration of stormwater and minimises the additional burden on drainage infrastructure; (b) minimises the visual impact of hard surface areas; and (c) respects the existing or preferred neighbourhood character and responds to the features of the site. 	<p>AO_{21.1} The impervious area of the site, including building footprint and driveways, does not exceed Table 4:</p> <table border="1" data-bbox="895 548 1378 846"> <thead> <tr> <th colspan="2" data-bbox="895 548 1378 586">Table 4</th> </tr> <tr> <th data-bbox="895 586 1198 683">Average building height</th> <th data-bbox="1198 586 1378 683">Maximum impervious area</th> </tr> </thead> <tbody> <tr> <td data-bbox="895 683 1198 750">If both of the proposed dwellings are 1 storey</td> <td data-bbox="1198 683 1378 750">70%</td> </tr> <tr> <td data-bbox="895 750 1198 846">If one or both of the proposed dwellings is 2 storeys</td> <td data-bbox="1198 750 1378 846">65%</td> </tr> </tbody> </table> <p>AO_{21.2} No more than 50% of the front setbacks area is impervious.</p> <p>AO_{21.3} Site cover does not exceed rates specified in Table 5.</p> <table border="1" data-bbox="895 1014 1369 1256"> <thead> <tr> <th colspan="2" data-bbox="895 1014 1369 1052">Table 5</th> </tr> <tr> <th data-bbox="895 1052 1161 1120">Dwelling Height</th> <th data-bbox="1161 1052 1369 1120">Maximum site cover</th> </tr> </thead> <tbody> <tr> <td data-bbox="895 1120 1161 1187">If both of proposed dwellings are 1 storey</td> <td data-bbox="1161 1120 1369 1187">50%</td> </tr> <tr> <td data-bbox="895 1187 1161 1256">If one of proposed dwellings is 2 storeys</td> <td data-bbox="1161 1187 1369 1256">45%</td> </tr> </tbody> </table>	Table 4		Average building height	Maximum impervious area	If both of the proposed dwellings are 1 storey	70%	If one or both of the proposed dwellings is 2 storeys	65%	Table 5		Dwelling Height	Maximum site cover	If both of proposed dwellings are 1 storey	50%	If one of proposed dwellings is 2 storeys	45%
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Stormwater Drainage	
<p>PO₂₂ Stormwater discharge from the site is to a lawful point of discharge as defined in the Queensland Urban Drainage Manual (QUDM), without the use of pumped or charged pipe systems, and not to private land other than to an easement for stormwater purposes befitting the site and allowing discharge to a lawful point of discharge in land over which Council has tenure or control.</p>	<p>AO_{22.1} The site:</p> <ul style="list-style-type: none"> (a) has a natural surface with an elevation that is higher than the abutting road and enables stormwater to drain gravitationally to the abutting road via subsurface pipes; or (b) has a natural surface with an elevation that is higher than Council's stormwater drainage network in the abutting road and enables stormwater to drain gravitationally to the stormwater drainage network in the abutting road via subsurface pipes; or (c) has lawful access to an inter allotment drainage network with available capacity to meet the requirements of the development.

Brian Pidgeon
Chief Executive Officer
Toowoomba Regional Council