

## Assessment of application against relevant Development Codes

### APPLICATION DETAILS

APPLICATION		PREMISES	
FILE NO:	MCU/21/0003	ADDRESS:	264 Boyles Road, Kuranda
APPLICANT:	D Ives	RPD:	Lot 1 on RP725853
LODGED BY:	Emergent Building Approvals	AREA:	7,269m <sup>2</sup>
DATE LODGED:	18 February 2021	OWNER :	D Ives
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Material Change of Use - Dwelling House (Secondary Dwelling)		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme 2016		
ZONE:	Rural Zone		
LEVEL OF ASSESSMENT:	Code Assessment		
SUBMISSIONS:	N/A - Code Assessment Only		

### Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

- 6.2.9 Rural zone code
- 8.2.8 Hill and slope overlay code
- 9.3.1 Accommodation activities code

## 6.2.9 Rural zone code

### 6.2.9.1 Application

- (1) This code applies to assessing development where:
  - (a) located in the Rural zone; and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

### 6.2.9.2 Purpose

- (1) The purpose of the Rural zone code is to:
  - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
  - (b) provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
  - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (2) Mareeba Shire Council's purpose of the Rural zone code is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy.

The purpose of the Rural zone code is to:

- (a) recognise the diversity of rural uses that exists throughout the region;
  - (b) protect the rural character of the region;
  - (c) provide facilities for visitors and tourists that are accessible and offer a unique experience;
  - (d) protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;
  - (e) maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;
  - (f) provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;
  - (g) prevent adverse impacts of development on ecological values;
  - (h) preserve land in large holdings; and
  - (i) facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.
- (3) The purpose of the Rural zone code will be achieved through the following overall outcomes:
    - (a) Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided;
    - (b) The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;
    - (c) The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised;
    - (d) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised;

- (e) Development is reflective of and responsive to the environmental constraints of the land;
- (f) Residential and other development is appropriate only where directly associated with the rural nature of the zone;
- (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;
- (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;
- (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;
- (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and
- (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.

### 6.2.9.3 Criteria for assessment

**Table 6.2.9.3—Rural zone code - For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>Height</b>			
<b>PO1</b> Building height takes into consideration and respects the following: <ul style="list-style-type: none"> <li>(a) the height of existing buildings on adjoining premises;</li> <li>(b) the development potential, with respect to height, on adjoining premises;</li> <li>(c) the height of buildings in the vicinity of the site;</li> <li>(d) access to sunlight and daylight for the site and adjoining sites;</li> <li>(e) privacy and overlooking; and</li> <li>(f) site area and street frontage length.</li> </ul>	<b>AO1.1</b> Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> <li>(a) 8.5 metres; and</li> <li>(b) 2 storeys above ground level.</li> </ul>	✓	Complies.
	<b>AO1.2</b> Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	n/a	Not applicable.
<b>Siting, where not involving a Dwelling house</b>			
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.			

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>PO2</b> Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> <li>(a) the siting and use of adjoining premises;</li> <li>(b) access to sunlight and daylight for the site and adjoining sites;</li> <li>(c) privacy and overlooking;</li> <li>(d) air circulation and access to natural breezes;</li> <li>(e) appearance of building bulk; and</li> <li>(f) relationship with road corridors.</li> </ul>	<b>AO2.1</b> Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 40 metres from a frontage to a State-controlled road; and</li> <li>(b) 10 metres from a boundary to an adjoining lot.</li> </ul>	n/a	Not applicable.
	<b>AO2.2</b> Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	n/a	Not applicable.
	<b>AO2.3</b> Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and</li> <li>(b) 100 metres from a frontage to any other road that is not a State-controlled road;</li> </ul>	n/a	Not applicable.
<b>Accommodation density</b>			
<b>PO3</b> The density of Accommodation activities:	<b>AO3.1</b> Residential density does not exceed one dwelling house per lot.	✓	Complies - the proposed secondary dwelling falls within the definition of a dwelling house.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>(a) respects the nature and density of surrounding land use;</p> <p>(b) is complementary and subordinate to the rural and natural landscape values of the area; and</p> <p>(c) is commensurate to the scale and frontage of the site.</p>	<p><b>AO3.2</b> Residential density does not exceed two dwellings per lot and development is for:</p> <p>(a) a secondary dwelling; or</p> <p>(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m<sup>2</sup>; or</p> <p>(c) Rural worker's accommodation.</p>	✓	Complies.
<b>For assessable development</b>			
<b>Site cover</b>			
<p><b>PO4</b> Buildings and structures occupy the site in a manner that:</p> <p>(a) makes efficient use of land;</p> <p>(b) is consistent with the bulk and scale of buildings in the surrounding area; and</p> <p>(c) appropriately balances built and natural features.</p>	<p><b>AO4</b> No acceptable outcome is provided.</p>	✓	Complies.
<p><b>PO5</b> Development complements and integrates with the established built character of the Rural zone, having regard to:</p> <p>(a) roof form and pitch;</p> <p>(b) eaves and awnings;</p> <p>(c) building materials, colours and textures; and</p> <p>(d) window and door size and location.</p>	<p><b>AO5</b> No acceptable outcome is provided.</p>	✓	Complies.

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>Amenity</b>			
<p><b>PO6</b> Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<p><b>AO6</b> No acceptable outcome is provided.</p>	✓	Complies.
<p><b>PO7</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<p><b>AO7</b> No acceptable outcome is provided.</p>	✓	Complies.

## 8.2.8 Hill and slope overlay code

### 8.2.8.1 Application

- (1) This code applies to assessing development where:
  - (a) land the subject of development is located within a 'Hill and slope area' identified on the **Hill and slope overlay maps (OM-008a-o)**; and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note—Natural hazards are appropriately reflected in Overlay Maps 3, 6 and 8 and are required to be mapped by State Government in response to Hazard and Safety State Interests.

### 8.2.8.2 Purpose

- (1) The purpose of the Hill and slope overlay code is to ensure the ongoing stability of land within a hill and slope area to prevent risk to people or property.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development is located to avoid sloping land where practical; and
  - (b) Development on sloping land maintains slope stability and does not increase the potential for erosion or landslide.

### 8.2.8.3 Criteria for assessment

**Table 8.2.8.3 – Hill and slope overlay code - For assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comment
<b>For assessable development</b>			
<b>Slope stability</b>			

Performance outcomes	Acceptable outcomes	Complies	Comment
<p><b>PO1</b> Where clearing of vegetation, building work or filling or excavation occurs on land within a 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM-008a-o)</b>, a geotechnical report is prepared in accordance with Planning Scheme Policy 5 - Preparation of Geotechnical Reports that demonstrates:</p> <p>(a) the long term stability of the development site;</p> <p>(b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and</p> <p>(c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater.</p>	<p><b>AO1</b> No acceptable outcome is provided.</p>	n/a	Not applicable.
<p><b>PO2</b> Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM-008a-o)</b> having regard to:</p> <p>(a) the nature and scale of the proposed use;</p> <p>(b) the gradient of the land;</p> <p>(c) the extent of land disturbance proposed;</p>	<p><b>AO2.1</b> Development for a Child care centre or Educational establishment is not located on land in a 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM-008a-o)</b>.</p>	n/a	Not applicable.
	<p><b>AO2.2</b> Development is not located on land with a gradient of greater than 25%.</p>	✓	Complies.



Performance outcomes	Acceptable outcomes	Complies	Comment
(d) stormwater discharge and its potential for erosion.	<p><b>AO2.3</b> No lot less than 2,000m<sup>2</sup> is created in a 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM-008a-o)</b>.</p> <p>Note – Where a minimum lot size of less than 2,000m<sup>2</sup> applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.</p>	n/a	Not applicable.
<b>Community infrastructure and essential services</b>			
<p><b>PO3</b> Community infrastructure and essential services located within a 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM-008a-o)</b> are able to function effectively during and immediately after landslide events.</p>	<p><b>AO3</b> No acceptable outcome is provided.</p>	n/a	Not applicable.

### 9.3.1 Accommodation activities code

#### 9.3.1.1 Application

- (1) This code applies to assessing development where:
  - (a) involving Accommodation activities; and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

#### 9.3.1.2 Purpose

- (1) The purpose of the Accommodation activities code is to facilitate the provision of Accommodation activities in appropriate locations throughout the shire.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Accommodation activities are designed, located and operated to minimise any adverse impacts on the natural environment and amenity of surrounding uses;
  - (b) Accommodation activities in the Centre zone are facilitated where they can integrate and enhance the fabric of the centre and are located behind or above commercial development;
  - (c) Accommodation activities provide a high level of amenity and are reflective of the surrounding character of the area;
  - (d) Accommodation activities are generally established in accessible, well-connected locations with access or future access to public transport, cycling and pedestrian networks;
  - (e) Accommodation activities do not compromise the viability of the hierarchy and network of centres, namely:
    - (i) Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;
    - (ii) Kuranda as a village activity centre, which accommodates services, arts and cultural facilities, sports and recreation facilities, business and employment uses to support the village and its constituent surrounding rural and rural residential communities;
    - (iii) Chillagoe and Dimbulah as Rural activity centres, which provide commercial and community services to their rural catchments; and
    - (iv) Bibohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah as rural villages, that have limited centre activities and other non-residential activities; and
  - (f) Accommodation activities are responsive to site characteristics and employ best practice industry standards.

### 9.3.1.3 Criteria for assessment

**Table 9.3.1.3A—Accommodation activities code – For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>All Accommodation activities, apart from Dwelling house</b>			
<p><b>PO1</b> Accommodation activities are located on a site that includes sufficient area:</p> <p>(a) to accommodate all buildings, structures, open space and infrastructure associated with the use; and</p> <p>(b) to avoid adverse impacts on the amenity or privacy of nearby land uses.</p>	<p><b>AO1</b> Development is located on a site which provides the applicable minimum site area and minimum road frontage specified in <b>Table 9.3.1.3B</b>.</p>	✓	Complies.
<b>All Accommodation activities, apart from Tourist park and Dwelling house</b>			
<p><b>PO2</b> Accommodation activities are provided with on-site refuse storage areas that are:</p> <p>(a) sufficient to meet the anticipated demand for refuse storage; and</p> <p>(b) appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites.</p>	<p><b>AO2.1</b> A refuse area is provided that:</p> <p>(a) includes a water connection;</p> <p>(b) is of a size and configuration to accommodate 2x240 litre bins per dwelling or accommodation unit where involving a use other than a residential care facility or retirement facility; and</p> <p>(c) is of a size and configuration to accommodate a minimum of two bulk refuse bins where involving a residential care facility or retirement facility.</p>	n/a	Not applicable.
<b>All Accommodation activities, except for Dwelling house</b>			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p><b>PO3</b> Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses.</p> <p>Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.</p>	<p><b>AO3</b> The windows of habitable rooms:</p> <p>(a) do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or</p> <p>(b) are separated from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than:</p> <p>(i) 2 metres at ground level; and</p> <p>(ii) 8 metres above ground level; or</p> <p>(c) are treated with:</p> <p>(i) a minimum sill height of 1.5 metres above floor level; or</p> <p>(ii) fixed opaque glassed installed below 1.5 metres; or</p> <p>(iii) fixed external screens; or</p> <p>(iv) a 1.5 metre high screen fence along the common boundary.</p>	n/a	Not applicable.
<p><b>PO4</b> Accommodation activities are provided with sufficient private and communal open space areas which:</p> <p>(a) accommodate a range of landscape treatments, including soft and hard landscaping;</p> <p>(b) provide a range of opportunities for passive and active recreation;</p> <p>(c) provide a positive outlook and high quality of amenity to residents;</p>	<p><b>AO4.1</b> Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in <b>Table 9.3.1.3C</b>.</p>	n/a	Not applicable.
	<p><b>AO4.2</b> Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design parameters specified in <b>Table 9.3.1.3D</b>.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
(d) is conveniently located and easily accessible to all residents; and (e) contribute to an active and attractive streetscape.	<b>AO4.3</b> Clothes drying areas are provided at the side or rear of the site so that they are not visible from the street.	n/a	Not applicable.
	<b>AO4.4</b> If for Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility, development provides a secure storage area for each dwelling or accommodation unit which: (a) is located to facilitate loading and unloading from a motor vehicle; (b) is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas; (c) has a minimum space of 2.4m <sup>2</sup> per dwelling or accommodation unit; (d) has a minimum height of 2.1 metres; (e) has minimum dimensions to enable secure bicycle storage; (f) is weather proof; and (g) is lockable.	n/a	Not applicable.
<b>If for Caretaker's Accommodation</b>			
<b>PO5</b> Caretaker's accommodation is of a scale and intensity which is consistent with that of the surrounding area.	<b>AO5.1</b> Only one caretaker's accommodation is established on the title of the non-residential use.	n/a	Not applicable.
Note—Where Caretaker's Accommodation is assessable development additional assessment benchmarks are provided under "for assessable development".	<b>AO5.2</b> In the Rural zone, Caretaker's accommodation has a maximum gross floor area of 200m <sup>2</sup> .	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>If for Dwelling house</b>			
<b>PO6</b> Where a Dwelling house involves a secondary dwelling, it is designed and located to: <ul style="list-style-type: none"> <li>(a) not dominate the site;</li> <li>(b) remain subservient to the primary dwelling; and</li> <li>(c) be consistent with the character of the surrounding area;</li> </ul>	<b>AO6.1</b> The secondary dwelling is located within: <ul style="list-style-type: none"> <li>(a) 10 metres of the primary dwelling where on a lot that has an area of 2 hectares or less; or</li> <li>(b) 20 metres of the primary dwelling where on a lot that has an area of greater than 2 hectares.</li> </ul>	✓ <b>Complies with PO6</b>	<p>The proposed secondary dwelling will be sited approximately 30 metres from the sites existing primary dwelling, within part of an existing shed (shed to be converted to a class 1a).</p> <p>The proposed secondary dwelling will be established in part of an existing shed so will therefore not dominate the site. Furthermore, Council officers are satisfied that the secondary dwelling will remain subservient to the primary dwelling being used to accommodate direct family members only. This will also be secured by condition of approval.</p> <p>Lastly, the development is not inconsistent in scale and appearance of other developments in the area. The proposed development is considered to comply with PO6.</p>
	<b>AO6.2</b> A secondary dwelling has a maximum gross floor area of 100m <sup>2</sup> .	✓	The proposed secondary dwelling will have a GFA of approximately 70m <sup>2</sup> .
<b>If for Dual occupancy</b>			
<b>PO7</b> Where establishing a Dual occupancy on a corner lot, the building is designed to:	<b>AO7.1</b> Where located on a corner allotment, each dwelling is accessed from a different road frontage.	<b>n/a</b>	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>(a) maximise opportunities for causal surveillance;</p> <p>(b) provide for separation between the two dwellings; and</p> <p>(c) provide activity and visual interest on both frontages.</p>	<p><b>AO7.2</b></p> <p>The maximum width of garage or carport openings that face a public street is 6 metres or 50% of the building width, whichever is the lesser.</p>	n/a	Not applicable.
<b>If for Multiple dwelling, Residential care facility or Retirement facility</b>			
<p><b>PO8</b></p> <p>Development is appropriately located within the Shire to:</p> <p>(a) maximise the efficient utilisation of existing infrastructure, services and facilities; and</p> <p>(b) minimise amenity impacts through the collocation of compatible uses.</p> <p>Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under “for assessable development”.</p>	<p><b>AO8</b></p> <p>Multiple dwelling, Residential care facility or Retirement facility uses are located on land within 800 metres of the boundary of land within the Centre zone.</p>	n/a	Not applicable.
<p><b>PO9</b></p> <p>Buildings are designed to:</p> <p>(a) reduce the appearance of building bulk;</p> <p>(b) provide visual interest through articulation and variation;</p> <p>(c) be compatible with the embedded, historical character for the locality; and</p> <p>(d) be compatible with the scale of surrounding buildings</p> <p>Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under “for assessable development”.</p>	<p><b>AO9.1</b></p> <p>External walls do not exceed 10 metres in continuous length unless including a minimum of three of the following building design features and architectural elements:</p> <p>(a) a change in roof profile; or</p> <p>(b) a change in parapet coping; or</p> <p>(c) a change in awning design; or</p> <p>(d) a horizontal or vertical change in the wall plane; or</p> <p>(e) a change in the exterior finishes and exterior colours of the development.</p>	n/a	Not applicable.
	<p><b>AO9.2</b></p> <p>For a Multiple dwelling, Residential care facility or Retirement facility, the maximum width of a garage or carport opening that faces a road is 6 metres.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<b>AO9.3</b> For a Multiple dwelling, Residential care facility or Retirement facility, the building(s) include awnings with a minimum overhang of 600mm.	n/a	Not applicable.
	<b>AO9.4</b> For a Multiple dwelling, Residential care facility or Retirement facility, roof forms include one or more of the following types: (a) pyramidal; (b) hip or hipped; (c) gable; (d) skillion.	n/a	Not applicable.
<b>If for Residential care facility or Retirement facility</b>			
<b>PO10</b> The layout and design of the site: (a) promotes safe and easy pedestrian, cycle and mobility device movement; (b) defines areas of pedestrian movement; and (c) assists in navigation and way finding.  Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under “for assessable development”.	<b>AO10.1</b> The development incorporates covered walkways and ramps on site for weather protection between all buildings.	n/a	Not applicable.
	<b>AO10.2</b> Pedestrian paths include navigational signage at intersections.	n/a	Not applicable.
	<b>AO10.3</b> Buildings, dwellings and accommodation units include identification signage at entrances.	n/a	Not applicable.
	<b>AO10.4</b> An illuminated sign and site map is provided at the main site entry.	n/a	Not applicable.
	<b>AO10.5</b> Buildings, structures and pathways associated with a Residential care facility or Retirement facility are not located on land with a gradient greater than 8%.	n/a	Not applicable.
<b>If for Home based business</b>			
<b>PO11</b> Home based businesses are compatible with the built form, character and amenity of the surrounding area, having regard to: (a) size and scale; (b) intensity and nature of use;	<b>AO11.1</b> The Home based business is located within a dwelling house or outbuilding associated with a dwelling house.	n/a	Not applicable.
	<b>AO11.2</b> The Home based business does not occupy a gross floor area of more than 50m <sup>2</sup> .	n/a	Not applicable.



Performance outcomes	Acceptable outcomes	Complies	Comments
(c) number of employees; and (d) hours of operation.	<b>AO11.3</b> No more than 1 person (other than the residents of the site) is employed by the Home based business at any one time.	n/a	Not applicable.
	<b>AO11.4</b> The Home based business, unless a home office, bed and breakfast or farm stay, does not operate outside the hours of 7.00 am and 6.00 pm.	n/a	Not applicable.
	<b>AO11.5</b> The Home based business does not involve the public display of goods external to the building.	n/a	Not applicable.
	<b>AO11.6</b> The Home based business does not involve the repair, cleaning or servicing of any motors, vehicles or other machinery.	n/a	Not applicable.
	<b>AO11.7</b> Any equipment or materials associated with the Home based business are screened from public view and adjacent properties by fencing or landscaping.	n/a	Not applicable.
	<b>AO11.8</b> The business does not involve the use of power tools or similar noise generating devices.	n/a	Not applicable.
	<b>PO12</b> Home based businesses involving accommodation activities are appropriately scaled and designed to avoid detrimental impacts on the amenity and privacy of surrounding residences.	<b>AO12.1</b> Home based businesses involving accommodation activities are limited to the scale specified in <b>Table 9.3.1.3E</b> .	n/a
<b>AO12.2</b> A farm stay dwelling or accommodation unit is located within 20 metres of the primary dwelling house.		n/a	Not applicable.
<b>AO12.3</b> A farm stay is setback 100 metres from any property boundary.		n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p><b>AO12.4</b> Entertainment and dining facilities associated with an accommodation activity are:</p> <p>(a) located at least 5 metres from the bedrooms of adjoining residences; and</p> <p>(b) located or screened so that they do not directly overlook private open space areas of adjoining properties.</p>	n/a	Not applicable.
<b>If for Rural workers' accommodation</b>			
<p><b>PO13</b> The Rural workers' accommodation is directly associated with an agricultural based rural activity on the same premises and is commensurate with the scale of agricultural operations.</p>	<p><b>AO13.1</b> A Rural workers' accommodation building is limited to the accommodation of:</p> <p>(a) one rural worker for every 50 hectares; and</p> <p>(b) a maximum of ten rural workers in total.</p>	n/a	Not applicable.
	<p><b>AO13.2</b> The agricultural based rural activity is a minimum of 50 hectares in area.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>PO14</b> Rural workers' accommodation is provided with amenities commensurate with the: <ul style="list-style-type: none"> <li>(a) needs of the employees; and</li> <li>(b) permanent or seasonal nature of the employment.</li> </ul>	<b>AO14.1</b> The Rural workers' accommodation is: <ul style="list-style-type: none"> <li>(a) for permanent occupation; and</li> <li>(b) fully self-contained.</li> </ul> OR	n/a	Not applicable.
	<b>AO14.2</b> The Rural workers' accommodation: <ul style="list-style-type: none"> <li>(a) is for seasonal occupation (up to 3 months);</li> <li>(b) shares facilities with an existing Dwelling house or Caretaker's residence; and</li> <li>(c) is located within 100 metres of the Dwelling house or Caretaker's residence.</li> </ul>	n/a	Not applicable.
<b>For assessable development</b>			
<b>If for Caretaker's Accommodation</b>			
<b>PO15</b> The inclusion of Caretaker's accommodation on the site is necessary for the operation of the primary use, having regard to: <ul style="list-style-type: none"> <li>(a) hours of operation;</li> <li>(b) nature of the use;</li> <li>(c) security requirements;</li> <li>(d) site location and access; and</li> <li>(e) proximity to other land uses.</li> </ul>	<b>AO15</b> No acceptable outcome is provided.	n/a	Not applicable.
<b>If for Residential care facility or Retirement facility</b>			
<b>PO16</b> Retirement facilities include a range of housing designs and types that: <ul style="list-style-type: none"> <li>(a) meet the needs of residents;</li> <li>(b) allow for 'ageing in place';</li> <li>(c) consider differing mobility needs;</li> <li>(d) accommodate differing financial situations; and</li> <li>(e) cater for different household types.</li> </ul>	<b>AO16</b> No acceptable outcome is provided.	n/a	Not applicable.
<b>If for Tourist park</b>			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p><b>PO17</b> The Tourist park is appropriately located to provide park users with convenient access to tourist attractions, community facilities and infrastructure.</p>	<p><b>AO17</b> No acceptable outcome is provided.</p>	n/a	Not applicable.
<p><b>PO18</b> The density of accommodation provided within the Tourist park:</p> <p>(a) is commensurate with the size and utility of the site;</p> <p>(b) is consistent with the scale and character of development in the surrounding area;</p> <p>(c) ensures sufficient infrastructure and services can be provided;</p> <p>(d) does not adversely impact on the existing amenity of nearby uses;</p> <p>(e) ensures a high level of amenity is enjoyed by residents of the site; and</p> <p>(f) does not place undue pressure on environmental processes in the surrounding area.</p>	<p><b>AO18.1</b> Where park areas are proposed to exclusively accommodate caravans, motor homes, tents or cabins, accommodation site densities do not exceed:</p> <p>(a) 40 caravan or motor home sites per hectare of the nominated area(s); or</p> <p>(b) 60 tent sites per hectare of the nominated area(s); or</p> <p>(c) 10 cabins (maximum 30m<sup>2</sup> gross floor area per cabin) per hectare of the nominated area(s).</p>	n/a	Not applicable.
	<p><b>AO18.2</b> Where park areas are proposed to be used for any combination of caravans, motor homes, tents or cabins, then the lowest applicable density identified by AO18.1 shall be applied to the nominated area(s).</p>	n/a	Not applicable.
<p><b>PO19</b> Accommodation sites are designed and located:</p> <p>(a) to provide sufficient land for necessary services and infrastructure;</p> <p>(b) to achieve sufficient separation between land uses;</p> <p>(c) is consistent with the scale and character of development in the surrounding area; and</p> <p>(d) to prevent amenity and privacy impacts on nearby land uses.</p>	<p><b>AO19.1</b> A minimum of 50% of provided caravan and motor home accommodation sites have a concrete slab with a minimum length of 6 metres and a minimum width of 2.4 metres.</p>	n/a	Not applicable.
	<p><b>AO19.2</b> Caravan, motor home, tent and cabin accommodation sites are set back a minimum of:</p> <p>(a) 2 metres from an internal road; and</p> <p>(b) 1.5 metres from the side and rear boundaries of the site.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p><b>PO20</b> A Tourist park is provided with sufficient and appropriately located refuse collection areas.</p>	<p><b>AO20.1</b> A central refuse collection area is provided to service all accommodation sites.</p>	n/a	Not applicable.
	<p><b>AO20.2</b> The refuse collection area must be kept in a sanitary condition at all times with all refuse stored in weather-proof and securable receptacles to prevent them from attracting vermin and wildlife.</p>	n/a	Not applicable.
	<p><b>AO20.3</b> The refuse collection area is constructed on an impervious surface such as a concrete slab.</p>	n/a	Not applicable.
	<p><b>AO20.4</b> A water connection is provided within the refuse collection area to facilitate cleaning of receptacles and the collection area.</p>	n/a	Not applicable.
	<p><b>AO20.5</b> Refuse collection areas are located a minimum of 10 metres from any recreational areas, communal cooking facilities and accommodation sites.</p>	n/a	Not applicable.

**Table 9.3.1.3B – Minimum site area and minimum site frontage**

Use	Minimum site area	Minimum frontage
Dual occupancy	(a) 600m <sup>2</sup> in the Medium density residential zone; or (b) 1,000m <sup>2</sup> in the Low density residential zone; or (c) 600m <sup>2</sup> in the Centre zone.	20 metres
Home based business	600m <sup>2</sup>	-
Multiple dwelling	800m <sup>2</sup>	20 metres
Residential care facility	2,000m <sup>2</sup>	30 metres
Retirement facility	2,000m <sup>2</sup>	30 metres
Rooming accommodation	800m <sup>2</sup>	20 metres
Short-term accommodation	800m <sup>2</sup>	20 metres
Tourist park	1 hectare	50 metres
• Caravan and motor home sites	100m <sup>2</sup> including sufficient area for the parking of a motor vehicle.	10 metres to an internal road
• Tent sites	40m <sup>2</sup> including sufficient area for the parking of a motor vehicle.	6 metres to an internal road
• Cabin sites	130m <sup>2</sup> including sufficient area for the parking of a motor vehicle.	10 metres to an internal road

**Table 9.3.1.3C – Communal open space**

Use	Minimum area	Minimum dimension	Design elements
Multiple dwelling	50m <sup>2</sup>	5 metres	<ul style="list-style-type: none"> <li>Provides for clothes drying and recreational facilities;</li> <li>One continuous area; and</li> <li>Separated from any habitable room by a minimum of 3 metres.</li> </ul>
Retirement facility or Residential care facility	Indoor communal space and communal open space as specified below.		
Rooming accommodation	Rate of 5m <sup>2</sup> per resident	5 metres	<ul style="list-style-type: none"> <li>One continuous area;</li> <li>20% shaded; and</li> <li>10% of the provided area is screened for use for clothes drying.</li> </ul>
• Indoor communal space	Rate of 1m <sup>2</sup> per resident and 40m <sup>2</sup>	-	<ul style="list-style-type: none"> <li>Located centrally; and</li> <li>Provides a range of facilities.</li> </ul>
• Communal open space	30% site area and 50m <sup>2</sup>	5 metres	<ul style="list-style-type: none"> <li>Provided at ground level.</li> </ul>

Use	Minimum area	Minimum dimension	Design elements
Short-term accommodation	50m <sup>2</sup> and 20% site area	5 metres	<ul style="list-style-type: none"> <li>• Located at ground level;</li> <li>• One continuous area; and</li> <li>• 10% of the provided area is screened for use for clothes drying.</li> </ul>
Tourist park	Includes at least each of the below communal facilities.		<ul style="list-style-type: none"> <li>• Located within 100 metres of the sites they serve (unless private recreation facilities are provided); and</li> <li>• Separated from any site by a minimum of 10 metres.</li> </ul>
<ul style="list-style-type: none"> <li>• Covered cooking area</li> </ul>	50m <sup>2</sup>	-	<ul style="list-style-type: none"> <li>• Including barbeque and dish washing facilities</li> </ul>
<ul style="list-style-type: none"> <li>• Laundry</li> </ul>	-	-	<ul style="list-style-type: none"> <li>• Including clothes drying facilities.</li> </ul>
<ul style="list-style-type: none"> <li>• Recreational open space</li> </ul>	Rate of 5m <sup>2</sup> per site	-	<ul style="list-style-type: none"> <li>• Including a children's playground.</li> </ul>

Note—Provision of communal open space for a Multiple dwelling is not required by **Table 9.3.1.3C** where more than 75% have access to ground floor private open space.

Note—For a Tourist park, the calculation of recreational open space is inclusive of pool areas, sporting facilities, such as football fields and tennis courts, and any unobstructed grassed areas having a minimum dimension of 3 metres that are provided in addition to accommodation sites for recreational purposes. Planted landscape areas and vegetated areas are excluded from the calculation.

Note—Indoor communal space may include lounge areas, a library / reading room, a TV/games/recreation room, meeting space/s, hairdresser or a convenience store.

**Table 9.3.1.3D – Private open space**

Use	Minimum area per dwelling or accommodation unit	Minimum dimension	Design elements
Caretaker's accommodation	As specified below.		
<ul style="list-style-type: none"> <li>• Ground level</li> </ul>	50m <sup>2</sup>	5 metres	<ul style="list-style-type: none"> <li>• Provided as unobstructed area; and</li> <li>• Directly accessible from the main living area.</li> </ul>
<ul style="list-style-type: none"> <li>• Above ground level</li> </ul>	15m <sup>2</sup>	2.5 metres	<ul style="list-style-type: none"> <li>• Provided as a balcony.</li> </ul>
<ul style="list-style-type: none"> <li>• Outdoor service court</li> </ul>	5m <sup>2</sup>	-	<ul style="list-style-type: none"> <li>• Provided for clothes drying</li> </ul>
Dual occupancy	40m <sup>2</sup>	3 metres	<ul style="list-style-type: none"> <li>• Located at ground level.</li> <li>• 20% shaded; and</li> <li>• Accessed from the main living area of the dwelling.</li> </ul>

Use	Minimum area per dwelling or accommodation unit	Minimum dimension	Design elements
Dwelling house	40m <sup>2</sup>	3 metres	<ul style="list-style-type: none"> <li>• Located at ground level;</li> <li>• 20% shaded; and</li> <li>• Accessed from the main living area of the dwelling.</li> </ul>
Home based business	40m <sup>2</sup>	3 metres	<ul style="list-style-type: none"> <li>• Located at ground level;</li> <li>• 20% shaded; and</li> <li>• Accessed from the main living area of the dwelling.</li> </ul>
• Ground level	15m <sup>2</sup>	3 metres	<ul style="list-style-type: none"> <li>• 20% shaded; and</li> <li>• Directly accessible from the main living area.</li> </ul>
• Above ground level	10m <sup>2</sup>	3 metres	<ul style="list-style-type: none"> <li>• Directly accessible from the main living area.</li> </ul>
Multiple dwelling	As specified below.		
• Ground level	35m <sup>2</sup>	3 metres	<ul style="list-style-type: none"> <li>• 20% shaded; and</li> <li>• Directly accessible from the main living area.</li> </ul>
• Above ground level	15m <sup>2</sup>	3 metres	<ul style="list-style-type: none"> <li>• Directly accessible from the main living area.</li> </ul>
Residential care facility	6m <sup>2</sup>	2 metres	<ul style="list-style-type: none"> <li>• Provided as a shaded courtyard or balcony; and</li> <li>• Directly accessible from the main living area.</li> </ul>
Retirement facility	As specified below.		
• Ground level	20m <sup>2</sup>	3 metres	<ul style="list-style-type: none"> <li>• Provided as a courtyard or similar space;</li> <li>• Grade does not exceed 5%; and</li> <li>• Directly accessible from the main living area at ground level.</li> </ul>



Use	Minimum area per dwelling or accommodation unit	Minimum dimension	Design elements
<ul style="list-style-type: none"> <li>Above ground level</li> </ul>	6m <sup>2</sup>	2 metres	<ul style="list-style-type: none"> <li>Provided as a balcony or similar space; and</li> <li>Directly accessible from the main living area.</li> </ul>
Rooming accommodation	As specified below.		
Short-term accommodation	As specified below.		
<ul style="list-style-type: none"> <li>Ground level</li> </ul>	15m <sup>2</sup>	3 metres	<ul style="list-style-type: none"> <li>20% shaded; and</li> <li>Directly accessible from the main living area.</li> </ul>
<ul style="list-style-type: none"> <li>Above ground level</li> </ul>	10m <sup>2</sup>	3 metres	<ul style="list-style-type: none"> <li>Directly accessible from the main living area.</li> </ul>

Note—For Caretaker's accommodation, the outdoor service court may form part of the provided private open space.

**Table 9.3.1.3E – Maximum scale of accommodation activities associated with a Home based business**

<b>Design</b>	<b>Maximum number of rooms</b>	<b>Maximum number of guests</b>
Bed and breakfast	3 rooms for guest accommodation	6 guests at any one time
Farm stay	1 farm stay dwelling or accommodation unit in addition to the primary dwelling	10 guests at any one time