

RESIDENTIAL DEVELOPMENT ASSESSMENT SHEET

APPLICATION DETAILS			
		FILE NO:	PA21/1003
		SYNERGY NO:	
OFFICER NAME	Ryan Fleming	APPLICATION NO.	
PROPOSAL	Dwelling and Conversion to Ancillary Dwelling		
LOCATION	L2, 2127 Thomas Road, Darling Downs		
APPLICANT	Perth Building Broker		
OWNER	William and Michelle Lloyd		
APPLICATION RECEIVED	14 October 2021	APPLICATION DATED	6 October 2021
ZONING	Special Rural	LOT AREA	21,087.443m ² +

REFERRALS		
	Y / N	Comment
DAU Comments	Y	
Heritage Precinct		
WAPC		
Main Roads		
Heritage Council		
Scheme Heritage Listed		
Internal		
Other		

a) The aims and provisions of this Scheme and any other local planning scheme operating within the area	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: 'Special Rural' zone under TPS2. 'Residential – Single House' land use associated with the dwelling is permitted and the 'Ancillary Accommodation' land use associated with the ancillary dwelling is discretionary. Able to be considered subject to this approval.			
b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Would not adversely prejudice draft LPS3 as the use of a 'Single House' and 'Ancillary Dwelling' would both be permitted in the 'Rural residential' zoning of the block under the future LPS3.			
c) any approved State planning policy	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
R-Code Assessment (when applicable) at End of Report			
Comment: Refer to assessment against R-Codes			
d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
e) any policy of the Commission	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			

f) any policy of the State	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to assessment against R-Codes			
g) any local planning policy for the Scheme area	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to assessment against LPP4.1			
h) any structure plan, activity centre plan or local development plan that relates to the development	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
i) any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
k) the built heritage conservation of any place that is of cultural significance	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to planning assessment			
n) the amenity of the locality including the following – I. Environmental impacts of the development II. The character of the locality III. Social impacts of the development	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to planning assessment			
o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
r) the suitability of the land for the development taking into account the possible risk to human health or safety	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
s) the adequacy of – I. The proposed means of access to and egress from the site; and II. Arrangements for the loading, unloading, manoeuvring and parking of vehicles	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: In accordance with the requirement under LPP4.1 for the primary dwelling to be located closer to the primary street than the ancillary and to not have separate crossovers, the access to			

Thomas Road will be conditioned to be removed and access for the site will be realigned to Rain Lover Court.			
t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity off the road system in the locality and the probable effect on traffic flow and safety	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
u) the availability and adequacy for the development of the following – I. Public transport services II. Public utility services III. Storage, management and collection of waste IV. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities) V. Access by older people and people with disability	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
w) the history of the site where the development is to be located	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
y) any submissions received on the application	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: No advertising required. Proposal satisfies the development standards of the R-Codes and is not considered to adversely impact the character or amenity of the locality and so not require advertising to neighbours.			
Za) the comments or submissions received from any authority consulted under clause 66	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
Zb) any other planning consideration the local government considers appropriate	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			

Single House

5.1.2 STREET SETBACK					
5.1.3 LOT BOUNDARY SETBACK					
5.1.4 OPEN SPACE					
DWELLING 1		D-t-C	Proposed	OK	Comment
Front Setback to Dwelling (excluding carports, unenclosed porches, balconies, verandahs)	Min Avg	10m / 20m	34.581m	Y	
Setback of unenclosed		Projection into	30.581m	Y	

porch, balcony, verandah or equivalent	street setback area to a maximum of half the primary st setback (no averaging required)					
5.2.1 Setback to Garage	4.5m	40.361	Y			
Setback to Carport		N/A				
5.2.3 Surveillance of Street	Habitable room	Bed 2, Kitchen, Dinning, Bed 1	Y			
5.2.4 Street Wall / Fence	1.2m solid height	N/A				
5.2.5 Sightlines Truncation Structure Height (Max)	1.5m X 1.5m 0.75m	N/A				
5.2.2 % of Garage Door or Wall Width of Frontage	50% (single level) 60% (2 storey*)	0%	Y	Door faces to the east boundary, not to the primary street to the north		
5.2.6 Retained Dwelling	Existing dwelling to be upgraded	N/A		Separate consideration under the Ancillary Dwelling section		
Building Design	Is dwelling in a Heritage Precinct? N		Y			
* See specific Clause provisions – 5.16						
Lot Setbacks	Length	Height	MO	D-t-C	Proposed	OK
Ground Floor						
North (primary street)	24.72m	2.735m	Y	20m	30.581m	Y
West (side)	15.753m	2.735m	N	10m	38.4m	Y
East (side)	15.753m	2.735m	N	10m	38.4m	Y
South (rear/secondary street)	24.72m	2.735m	Y	10m	139.4m	Y
		AD Provision	Proposed	OK	Comment	
Open Space (%)		80%	96.3%	Y		

5.1.6 BUILDING HEIGHT				
	D-t-C check category under table 3	Proposed	OK	Comment
Top of External Wall (Roof Above)	7m	2.735m	Y	
Top of External Wall (Concealed Roof)	8m	N/A		
Top of Pitched Roof	10m	5.371m	Y	
Note: Above provisions are Category B “default provisions”. Refer to Clause 5.1.6 for A and C provisions and interpretations.				
5.3.2 LANDSCAPING				
	D-t-C	Proposed	OK	Comment
Minimum Amount of trees	1 tree	Y	Y	There is more than 1 existing tree on the property, no further condition is required

Minimum tree planting area	2m x 2m			
Landscaping of street setback area	Not more than 50% impervious surfaces and roof cover	6% covered by proposed driveway	Y	

5.3.3, 5.3.4, 5.3.5 ACCESS AND CAR PARKING																			
		D-t-C	Provided	OK	Comment														
No. Car Bays / Dwg.		2 car bays	2 bays in garage	Y															
No. Visitors Bays		1 space per 4 dwellings	N/A																
Design of Parking:																			
Width		2.4m + 0.3m	5.9m	Y															
Depth		5.4m internal	6m	Y															
Manoeuvring		6.0m	Y	Y															
Vehicular Access:	<ul style="list-style-type: none">From a ROW if availableSecondary street where no right of way exists; orPrimary st where no ROW or Secondary st.Driveways limited to 40% of the frontage, 3.0m min and 6m/9m max.			Y	New access proposed to Rain Lover Court due to future Thomas Road works occurring Driveway proposed is 6% of frontage, 6m wide														
Driveways:	<ul style="list-style-type: none">Setback 0.5m to a Side Boundary & Street Pole.Setback 6.0m from an intersection.Aligned at right angles to the street.Location to avoid street trees, or replaced at developers cost.			Y															
Access in a Forward Gear If:	<ul style="list-style-type: none">Driveway serves 3 or more dwellings.Distance from bay to street is greater than 15m.If the street is a Primary, District or arterial road (Refer Scheme Map)			N/A															
Grouped & Multiple Drive Widths	<ul style="list-style-type: none">Minimum width of 4.0m, 3.0m to retain dwelling.Allow vehicles to pass each other if drive serves 6 or more dwellings.			N/A															
Pedestrian Access Cl 5.3.6	<ul style="list-style-type: none">Separate pedestrian path, 1.2m wide for 10 or more units.Clear sightlines for pedestrians for communal drive to 2 dwellings.Multiple Dwgs. – stairs & protection			N/A															
5.3.7, 5.3.8, 5.3.9 SITEWORKS, RETAINING WALLS AND STORMWATER MANAGEMENT																			
Excavation or Fill	<ul style="list-style-type: none">Maximum of 0.5m of fill within front setback, except to provide access for pedestrians & vehicles, & provide natural light.Retaining walls, fill and excavation within the site and behind the required street setback to comply with Table 4 <p>“Table 4 – Setback of site works and retaining walls</p> <table><tr><th>Height of site works and/or retaining walls</th><th>Required minimum setback</th></tr><tr><td>0.5m or less</td><td>0m</td></tr><tr><td>1m</td><td>1m</td></tr><tr><td>1.5m</td><td>1.5m</td></tr><tr><td>2m</td><td>2m</td></tr><tr><td>2.5m</td><td>2.5m</td></tr><tr><td>3m</td><td>3m</td></tr></table>			Height of site works and/or retaining walls	Required minimum setback	0.5m or less	0m	1m	1m	1.5m	1.5m	2m	2m	2.5m	2.5m	3m	3m	Y	
Height of site works and/or retaining walls	Required minimum setback																		
0.5m or less	0m																		
1m	1m																		
1.5m	1.5m																		
2m	2m																		
2.5m	2.5m																		
3m	3m																		
Storm	<ul style="list-style-type: none">All Storm Water to be Retained on-site			Y	Method: Not indicated on the plans, development is central to the site though and														

Water			would not discharge immediately to neighbour's blocks. Standard condition to be applied.
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5.4.1 VISUAL PRIVACY – FLOOR LEVEL OF MORE THAN 0.5M ABOVE NGL

	Location		Proposed	OK	Comment / Screening Provisions
Types of habitable rooms/active habitable spaces	Setback <R50	Setback >R50			
Major Openings to Bedrooms and Studies	4.5m	3m	N/A		At its highest point, the dwelling would only be raised 422mm above NGL, which complies with the 500mm allowance under this provision.
Major Openings to habitable rooms other than bedrooms and studies	6m	4.5m			
Unenclosed outdoor active habitable spaces	7.5m	6m			

5.4.2 SOLAR ACCESS FOR ADJOINING SITES

	D-t-C	Proposed	OK	Comment
Overshadowing	25%	0%	Y	The development is not close enough to the boundary to cause overshadowing.

Note: R25 and lower 25%, R30 – R40 35%, R-IC or above R40 50% of adjoining site area.

Ancillary Dwelling

5.1.2 STREET SETBACK

5.1.3 LOT BOUNDARY SETBACK

5.1.4 OPEN SPACE

ANCILLARY DWELLING		D-t-C	Proposed	OK	Comment
Front Setback to Dwelling (excluding carports, unenclosed porches, balconies, verandahs)	Min Avg	10m / 20m	161m	Y	
Setback of unenclosed porch, balcony, verandah or equivalent		Projection into street setback area to a maximum of half the primary st setback (no averaging required)	157.4m	Y	
5.2.1 Setback to Garage		4.5m	N/A		
Setback to Carport		4.5m	157.4m	Y	
5.2.3 Surveillance of		Habitable room	Dining, kitchen,	Y	

Street		living				
5.2.4 Street Wall / Fence	1.2m solid height	N/A				
5.2.5 Sightlines Truncation Structure Height (Max)	1.5m X 1.5m 0.75m	N/A				
5.2.2 % of Garage Door or Wall Width of Frontage	50% (single level) 60% (2 storey*)	N/A				
5.2.6 Retained Dwelling	Existing dwelling to be upgraded	Y	Y	Modifications to the officer and lounge rooms, to convert them to storerooms, only accessible from the		
Building Design	Is dwelling in a Heritage Precinct? N	Y				
* See specific Clause provisions – 5.16						
Lot Setbacks	Length	Height	MO	D-t-C	Proposed	OK
Ground Floor						
North (primary street)	N/A	N/A	Y	20m	161m	Y
West (side)	N/A	N/A	Y	10m	30m	Y
East (side)	N/A	N/A	N	10m	70m	Y
South (rear/secondary street)	N/A	N/A	Y	10m	24.5m	Y
		AD Provision	Proposed	OK	Comment	
Open Space (%)		80%	96.3%	Y		

5.1.6 BUILDING HEIGHT				
	D-t-C check category under table 3	Proposed	OK	Comment
Top of External Wall (Roof Above)	7m		Y	No change to the existing height
Top of External Wall (Concealed Roof)	8m		Y	
Top of Pitched Roof	10m		Y	
Note: Above provisions are Category B “default provisions”. Refer to Clause 5.1.6 for A and C provisions and interpretations.				
5.3.2 – LANDSCAPING				
	D-t-C	Proposed	OK	Comment
Minimum Amount of trees	1 tree	Y	Y	There is more than 1 existing tree on the property, no further condition is required
Minimum tree planting area	2m x 2m			
Landscaping of street setback area	Not more than 50% impervious surfaces and roof cover	6% covered by proposed driveway	Y	

5.3.3, 5.3.4, 5.3.5 ACCESS AND CAR PARKING																				
		D-t-C	Provided	OK	Comment															
No. Car Bays / Dwg.		2 car bays	2 bays	Y	Existing carport															
No. Visitors Bays		1 space per 4 dwellings	N/A																	
Design of Parking:																				
Width		2.4m + 0.3m	Y	Y																
Depth		5.4m internal	Y	Y																
Manoeuvring		6.0m	Y	Y																
Vehicular Access:	<ul style="list-style-type: none">From a ROW if availableSecondary street where no right of way exists; orPrimary st where no ROW or Secondary st.Driveways limited to 40% of the frontage, 3.0m min and 6m/9m max.			Y	New access to be provided from Rain Lover Court in accordance with the vehicle access/driveway assessment for the dwelling from the above section															
Driveways:	<ul style="list-style-type: none">Setback 0.5m to a Side Boundary & Street Pole.Setback 6.0m from an intersection.Aligned at right angles to the street.Location to avoid street trees, or replaced at developers cost.																			
Access in a Forward Gear If:	<ul style="list-style-type: none">Driveway serves 3 or more dwellings.Distance from bay to street is greater than 15m.If the street is a Primary, District or arterial road (Refer Scheme Map)			N/A																
Grouped & Multiple Drive Widths	<ul style="list-style-type: none">Minimum width of 4.0m, 3.0m to retain dwelling.Allow vehicles to pass each other if drive serves 6 or more dwellings.			N/A																
Pedestrian Access CI 5.3.6	<ul style="list-style-type: none">Separate pedestrian path, 1.2m wide for 10 or more units.Clear sightlines for pedestrians for communal drive to 2 dwellings.Multiple Dwgs. – stairs & protection			N/A																
5.3.7, 5.3.8, 5.3.9 SITEWORKS, RETAINING WALLS AND STORMWATER MANAGEMENT																				
Excavation or Fill	<ul style="list-style-type: none">Maximum of 0.5m of fill within front setback, except to provide access for pedestrians & vehicles, & provide natural light.Retaining walls, fill and excavation within the site and behind the required street setback to comply with Table 4 <p>“Table 4 – Setback of site works and retaining walls</p> <table><tr><th>Height of site works and/or retaining walls</th><th>Required minimum setback</th></tr><tr><td>0.5m or less</td><td>0m</td></tr><tr><td>1m</td><td>1m</td></tr><tr><td>1.5m</td><td>1.5m</td></tr><tr><td>2m</td><td>2m</td></tr><tr><td>2.5m</td><td>2.5m</td></tr><tr><td>3m</td><td>3m</td></tr></table>			Height of site works and/or retaining walls	Required minimum setback	0.5m or less	0m	1m	1m	1.5m	1.5m	2m	2m	2.5m	2.5m	3m	3m	N/A	No change to the existing height of fill or retaining proposed for the ancillary dwelling	
Height of site works and/or retaining walls	Required minimum setback																			
0.5m or less	0m																			
1m	1m																			
1.5m	1.5m																			
2m	2m																			
2.5m	2.5m																			
3m	3m																			
Storm Water	<ul style="list-style-type: none">All Storm Water to be Retained on-site			Y	Method: Not indicated on the plans, development is central to the site though and would not discharge immediately to neighbour’s blocks. Standard condition to be applied.															

5.4.1 VISUAL PRIVACY – FLOOR LEVEL OF MORE THAN 0.5M ABOVE NGL					
	Location		Proposed	OK	Comment / Screening Provisions
Types of habitable rooms/active habitable	Setback	Setback			No change to the height of the existing ancillary dwelling, nor

spaces	<R50	>R50			the position, maintaining adequate setbacks to lot boundaries.
Major Openings to Bedrooms and Studies	4.5m	3m		Y	
Major Openings to habitable rooms other than bedrooms and studies	6m	4.5m		Y	
Unenclosed outdoor active habitable spaces	7.5m	6m		Y	
5.4.2 SOLAR ACCESS FOR ADJOINING SITES					
	D-t-C	Proposed	OK	Comment	
Overshadowing	25%	0%	Y	The ancillary dwelling is not located close enough to the south lot boundary to result in overshadowing.	
Note: R25 and lower 25%, R30 – R40 35%, R-IC or above R40 50% of adjoining site area.					

LPP4.1 Ancillary Dwelling Assessment:

The proposed Ancillary Dwelling would be 109m² in internal floor area in lieu of the 100m² allowance under the requirements of LPP4.1, thus posing the variation. The rest of the provisions of LPP4.1 are considered below:

LPP4.1 Assessment		
Provision	Proposal	Compliant
a) Siting: An Ancillary Dwelling is to be located behind the building line of the primary dwelling.	The existing crossover will be removed and the block realigned so Rain Lover Court is the primary street, where the main dwelling would be located closer.	Y
b) Scale: An Ancillary Dwelling shall have no more than two (2) bedrooms. An Ancillary Dwelling shall appear subservient in scale to the primary dwelling.	The ancillary dwelling would have only 2 bedrooms. The scale of the ancillary will be smaller than the primary, being smaller in floor area, in the amount of habitable rooms present and in the position in the primary streetscape.	Y
c) Access/Parking: A maximum of one (1) covered car parking space shall be provided in addition to those required for the primary dwelling. No additional crossovers will be permitted. Vehicle access shall be shared with that of the primary dwelling.	The ancillary has an existing shared patio, associated with outdoor dining and entertainment area and also for the purpose of a carport. Officers consider only a single vehicle would typically be parked there. The crossover to Thomas Road will be conditioned to be removed.	Y
d) External Appearance: Incorporates habitable design elements such as awnings, verandahs, patios. An Ancillary Dwelling is to be finished	The Ancillary Dwelling would have a pitched tin roof, which is similar in form and material to the pitched colourbond roof of the proposed Single House. Both dwellings will also have awnings, verandahs and patios attached to them.	Y

LPP4.1 Assessment		
Provision	Proposal	Compliant
with a material of similar colour to the primary dwelling.		

The variation has been assessed against the objectives of LPP4.1 to ensure the development still aligns with the intent of the policy, as shown below:

Objective	Proposal
Ensure that Ancillary Dwellings are designed and located to appear visually related with the primary dwelling and minimise impact on the amenity of the locality.	<p>The Ancillary Dwelling would have a pitched tin roof, which is similar in form and material to the pitched colourbond roof of the proposed Single House. Both dwellings will also have awnings, verandahs and patios attached to them.</p> <p>Regarding the positioning of the dwellings, they would be positioned 110m apart. However, it is noted that the existing dwelling to be converted to the Ancillary Dwelling is well screened on all boundaries by mature vegetation. Officers consider that due to the minimal visibility of the proposed Ancillary Dwelling (as seen below in figure 4) that any adverse impact to the visual amenity of the locality by way of the additional 9m² of floor area would be mitigated. It is important to ensure the visual relationship between the dwellings, by ensuring that they share the one common access from what will become the new primary street of Rain Lover Court. A condition is imposed to require removal of the current access and crossover to Thomas Road, and for the property to also change its address accordingly. This will also assist in maintaining the larger rural land presence, a characteristic of rural living.</p>  <p>Figure 4: The proposed Ancillary Dwelling viewed from Thomas Road</p>
Ensure that Ancillary Dwellings are subservient to the primary dwelling.	The proposed Ancillary Dwelling would be smaller in scale as compared to the Single House, which has a proposed floor area of 197m ² , excluding verandahs, garage or alfresco area. Also sharing access to the new driveway to the new main dwelling.
Protect against increase in residential density and ad hoc fragmentation of land by ensuring that development does not encourage future subdivision.	The proposed design and location are considered to not generate or increase density beyond what the policy allows. Although the plot ratio area poses a variation, the number of bedrooms remains compliant with the policy requirements, being limited to two bedrooms.

The proposed Ancillary Dwelling poses a variation to the plot ratio limit under LPP4.1, proposing 109m² of internal floor area in lieu of the 100m² requirement. Despite this, Officers consider that the position of the proposed Ancillary Dwelling and the presence of significant existing mature vegetative screening ensure that the proposal would not adversely impact the visual amenity of surrounding landowners nor the streetscape. The proposal is therefore considered to achieve the objectives of LPP4.1 and is capable of approval.

By also conditioning the removal of the access to Thomas Road, it will become very clear that the main dwelling (and access to the property) is from Rain Lover Court, and will also remove the less safer access from Thomas Road that is no longer relevant to the access for the property.

Conclusion

The application submitted to the Shire seeks planning approval for a Single House and the conversion of the existing Single House to an Ancillary Dwelling. The Ancillary Dwelling component of the application is presented to Council for determination as it seeks a variation to LPP4.1. Despite the proposed variation, Officers consider the Ancillary Accommodation to be consistent with the objectives of LPP4.1. As such, the proposal is recommended for approval.