

NOTICE ABOUT DECISION - STATEMENT OF REASONS

The following information is provided in accordance with Section 63(5) of the Planning Act 2016

The development application for:

Proposed Development:	Material Change of Use to establish a Domestic Outbuilding (Garage)	
Application No:	030.2018.138.001	File Refs: A3167 & LG7.6.1
Street Address:	176 Oakwood Street South, Dalby	
Real Property Description:	Lot 3 on RP845132	

On 22 June 2018, the above development application was:

- approved in full, with conditions.

1. Reasons for the Decision

The reasons for this decision are:

- The development is a use normally associated with the Rural Residential Zone and will not impact on the amenity of the locality.
- The Domestic Outbuilding will not impede the flow of flood water through the site or increase the number of people at risk to flood hazard.

2. Assessment Benchmarks

The following are the benchmarks applying to this development:

Benchmarks Applying to the Development	Benchmark Reference
State Planning Policy	<ul style="list-style-type: none"> ▪ Water Quality Objectives
Western Downs Planning Scheme 2017	<ul style="list-style-type: none"> ▪ Strategic Plan ▪ Rural Residential Zone Code ▪ Accommodation Activities Code ▪ Transport, Access and Parking Code ▪ Infrastructure Services Code ▪ Airport Environs Overlay ▪ Flood Hazard Overlay ▪ Natural Resources Overlay

3. Compliance with Benchmarks

Benchmark Reference	Reasons for Approval Despite Non-compliance with Benchmark
<p>"Rural Residential Zone Code</p> <p>"AO3.1 Buildings and structures have a minimum setback of 15 metres to the primary road frontage.</p>	<p>Alternative Solution</p> <p>The proposed Domestic Outbuilding has a <i>nil</i> setback from the secondary road frontage of the site (Cypress Avenue).</p>

<p>AO3.2 <i>Buildings and structures have a minimum side and rear boundary clearance of 10 metres"</i></p>	<p>Being a Domestic Outbuilding in a Rural Residential area, the proposed development will not detract from the amenity or character of the local area. Furthermore, such a building is what people would come to expect in the vicinity.</p> <p>The proposal generally complies with the Performance Outcome.</p>
<p>"Where in Precinct 1 - Rural Residential Precinct 4000</p> <p>AO4.2 <i>Buildings and structures ancillary to a dwelling are restricted to a cumulative floor area of 120m²</i></p> <p><i>Note: AO4.2 excludes balconies and verandahs where connected to a dwelling."</i></p>	<p>Alternative Solution</p> <p>The proposal will result in the cumulative gross floor area of Domestic Outbuildings on-site to exceed the Acceptable Outcome of 120m². The purpose of this provision is to monitor and prevent the use of Domestic Outbuildings in residential areas for non-domestic purposes.</p> <p>The Garage is for domestic purposes ancillary to the Dwelling only. As such, the proposal is considered to generally comply with the Performance Outcome.</p>
<p>"Flood Hazard Overlay Code</p> <p>High Flood Hazard Area</p> <p>Where for Material Change of Use or Building Work</p> <p>AO8.1 <i>Buildings, including extensions to existing buildings are:</i></p> <ul style="list-style-type: none"> (a) <i>not located within a High flood hazard area on Flood hazard overlay maps (OM-004); or</i> (b) <i>elevated above the defined flood level; and</i> (c) <i>elevated above the defined flood level plus 300mm freeboard where for habitable rooms within a dwelling.</i> (d) <i>comply with the Queensland Development Code MP 3.5 - Construction of buildings in flood hazard areas.</i> <p>AO8.3 <i>All building work below the defined flood level must be high set (comprising pier and beam construction) and retains the flood storage and conveyance capacity of the premises.</i></p> <p><i>Note: all building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris."</i></p>	<p>Alternative Solution</p> <p>The development is proposed to be located within a defined High Flood Hazard Area under the Western Downs Planning Scheme 2017.</p> <p>It is considered that the Domestic Outbuilding will not impede the flow of flood water through the site. The Garage is not a habitable structure and will not increase the number of people at risk to flood hazard. The proposal is considered to generally comply with the Performance Outcome.</p>

4. Matters Raised in Submissions for Impact Assessable Development

Nil submissions were received in relation to the development application.

