

**NUMBER:** STRAT0057 / CORPORATE AND COMMUNITY SERVICES

**ACT:** PLANNING ACT 2016 AND PLANNING REGULATION 2017

**POLICY TITLE:** RESIDENTIAL DESIGN AND SITING AND AMENITY AND AESTHETICS

**1. PURPOSE AND SCOPE**

1.1 To set out the guidelines to be utilised by Council in assessing Applications for Design and Siting and Amenity and Aesthetics made for certain types of Building Works. For assessment, Council has the role of a Referral Agency under the *Planning Regulation 2017*.

This Policy has been developed to assist Council Officers in undertaking their assessments and for the community to better understand the Assessment Benchmarks Council will have regard to when making its decision. Overall, the Policy seeks to maintain the residential amenity of Charters Towers for matters relating to building setbacks and the appropriate location of Class 10 structures and buildings.

**2. COMMENCEMENT OF POLICY**

2.1 This Policy will commence from 17 December 2018. It replaces all other policies relating to residential Design and Siting and Amenity and Aesthetics.

**3. APPLICATION OF POLICY**

3.1 This Policy applies to Building Works under Schedule 9, Part 3, Division 2, Tables 1 and 3 of the *Planning Regulation 2017*. Works included are as follows:

<b>Design and Siting:</b>	<b>Amenity and Aesthetics:</b>
Construction of any Class 1 or Class 10 building or structure which does not comply with the Design and Siting Acceptable Solutions of the Queensland Development Code Mandatory Parts 1.1, 1.2 or 1.3.	Construction of any Class 10a building more than 2 storey's in height and/or having a building height more than 8.5m.
	Construction of either a Class 1 or Class 10 building or structure must not result in a site cover which exceeds 50% of the total area of the subject site.
	Construction of any Class 10b structure or a combination of structures which exceeds 1.8m in building height and located within 6m of the front property boundary and/or a Council controlled road.
	The location of any Class 10a Shipping Container or Railway Carriage on premises.

3.2 For assessment of applications for Design and Siting, this applies to all land as applied under the Queensland Development Code Mandatory Parts 1.1, 1.2 and 1.3.

3.3 For assessment of applications for Amenity and Aesthetics, localities are defined as the General Residential Zone within the Charters Towers Regional Town Plan.

**4. DEFINITIONS**

4.1 The definitions within this Policy are contained below however where a term is not defined herein, the same meaning assigned to them under the *Planning Act 2016*, *Planning Regulation 2017*, *Building Act 1975*, *Building Regulation 2006* or the *Charters Towers Regional Town Plan*.

<b>Term:</b>	<b>Definition:</b>
Adverse	Means preventing success or development; harmful; unfavourable.
Aesthetics	Means a set of principles concerned with the nature and appreciation of beauty.
Amenity	Means a desirable or useful feature or facility with a pleasant or attractive visual character contributing to a building or place.
Building Height	Has the same meaning as the Charters Towers Regional Town Plan.

## 5. POLICY PROVISIONS

- 5.1 Council requires lodgement of a Design and Siting and/or Amenity and Aesthetics Application prior to the Development Permit for Building Works being approved either by Council or a Private Building Certifier acting as the Assessment Manager.
- 5.2 Applications will need to be made in the approved form, including but not limited to:
- Completion of Council form;
  - Payment of Council fee as per the relevant Fees and Charges Schedule for that financial year; and
  - Supply of plans of development including but not limited to site plan and building plans.
- 5.3 Council will have regard to the following Assessment Benchmarks:

<b>Design and Siting:</b>	<b>Amenity and Aesthetics:</b>
Current approved use of the site.	
Whether adjoining land owners have consented to the proposal.	
The dimensions and configuration of the land on which the building or structure is proposed and whether the site is a corner site.	
The differences in contours of the land on which the building or structure is proposed compared with the contours of adjoining land.	
Any adverse amenity impacts created because of the proposal on the established built form including adjoining neighbours or public places.	
Any underground Council controlled infrastructure and/or easements located within the site.	
All existing structures and the established built form immediately visible from the site including building line setbacks. Consideration will not be given to existing structures located outside of the immediate visible streetscape.	
The relevant Performance Criteria of the Queensland Development Codes Mandatory Parts being MP1.1, MP1.2 and MP1.3.	All existing structures on the site and their total site cover and siting.
	The nature of the proposal including its height, design, building materials and colours being complimentary to the existing built form.
	Where proposing to locate a Class 10a relocatable storage structure, development: <ol style="list-style-type: none"> <li>Is located to the rear of the property;</li> <li>Does not dominate any primary or secondary road frontage; and</li> <li>Is painted and designed using a similar colour scheme to the existing Class 1a.</li> </ol>
	Whether the existing is suitable or proposed landscaping treatments may be required to soften and/or screen any amenity impacts created because of the proposal.
Any other matter which Council may consider relevant given the nature of the proposal and the premises.	

- 5.4 Applications will be assessed and decided.

## 6. POLICY REVIEW

The Policy is to be reviewed and amended to reflect legislative changes, or one year from the directive inception if no changes have been required to be enacted, at the direction of the Chief Executive Officer.

**Variations**

*The Council reserves the right to vary, replace or terminate this policy from time to time.*

**Associated Documents**

- 1) Relevant State and Federal Legislation and Policies:
  - a) *Planning Act 2016*;
  - b) *Planning Regulation 2017*;
  - c) *Building Act 1975*;
  - d) *Building Regulation 2006*; and
  - e) The Queensland Development Code Mandatory Parts 1.1, 1.2 and 1.3.
- 2) Local Government Local Laws and Policies:
  - a) Charters Towers Regional Town Plan.

*Official Use Only:*

**POLICY VERSION AND REVISION INFORMATION**

Policy Authorised by: Marnie Taylor Title: Director Corporate and Community Services	Original issue: 12 December 2018
Policy Maintained by: Matthew Kelly Title: Manager Regional Development	Current version: 2
Review date: 12 months from directive inception	

CEO Signature:  
Aaron Johansson

Date of signature:

**DIRECTIVE TO CCS:**

Key Stakeholders identified and engaged within this development process	(Names/Sections here): Regional Development Department
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Distribution & Dissemination of approved:

Policy / Administrative Directive / Procedural Guidelines / Other:

Process	Stakeholders identified	Date completed
Email		
Notices		
Noticeboards		
P&C Newsletter		
Corporate Newsletter		
Payslips		
Section/Toolbox meetings		
Other:		
Other:		

Signed (for and on behalf of CCS):

Date:

Recorded/evidence in Document Management System (ECM): 1225549