

Gladstone Regional Council

Council Policy

Title	AMENITY AND AESTHETICS POLICY
Policy Number	P-2023-04
Business Unit/s	CUSTOMER EXPERIENCE
Date of Adoption	6 JUNE 2023
Resolution Number	GM/23/5006
Review Date	6 JUNE 2028
Date Repealed	

1.0 PURPOSE:

To set out the guidelines to be applied by Council in assessing Applications for Amenity and Aesthetics made for certain types of Building Works proposed within the Gladstone Regional Council Local Government Area. For the purpose of assessment, Gladstone Regional Council has the role of a Concurrence Agency under the *Planning Act 2016* and *Planning Regulation 2017*.

2.0 SCOPE:

This Policy applies only to Building Works for which Council has resolved under Schedule 9, Part 3, Division 2, Table 1, Item 1 of the *Planning Regulation 2017* being:

- a) *a single detached Class 1(a)(i) building, Class 1(a)(ii) building made up of not more than 2 attached Dwellings or a Class 10 building or structure; and*
- b) *in a locality, and of a form, of which the Local Government has, by resolution or in its Planning Scheme, declared that the form may:*
 - i. *have an extremely Adverse effect on the Amenity, or likely Amenity, of the locality; or*
 - ii. *be in extreme conflict with the character of the locality.*

For the purposes of enforcing this Policy, localities are defined as the zones contained within the Our Place Our Plan Gladstone Regional Council Planning Scheme. The localities applicable to this Policy are outlined within Table 1 below:

Table 1: Localities
Low Density Residential Zone
Low-Medium Density Residential Zone
Medium Density Residential Zone
Character Residential Zone
Limited Development Zone
Rural Residential Zone
Township Zone
Centre Zone

Table 1: Localities
Principal Centre Zone
Neighbourhood Centre Zone

For matters relating to the Our Place Our Plan Gladstone Regional Council Planning Scheme see Council's Resolution Number G/15/2593 dated 6 October 2015 and G/17/3082 dated 20 June 2017.

3.0 RELATED LEGISLATION:

- *Planning Act 2016*
- *Planning Regulation 2017*
- *Building Act 1975*
- *Building Regulation 2021*

4.0 RELATED DOCUMENTS:

- Our Place Our Plan Gladstone Regional Council Planning Scheme
- Development Services Request - Amenity & Aesthetics

5.0 DEFINITIONS:

To assist in the interpretation of this Policy the following definitions apply:

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, pleasantness or attractiveness of a building or place

Building Height has the same meaning as the Our Place Our Plan Gladstone Regional Council Planning Scheme

Building Work has the same meaning as the *Planning Act 2016* and the *Building Act 1975*

New Relocatable Building means a new structure not previously established on another lot either outside or within the Gladstone Regional Council Local Government Area

All other terms in this Policy have the meaning assigned to them under the *Planning Act 2016*, *Planning Regulation 2017*, *Building Act 1975* and the Our Place Our Plan Gladstone Regional Council Planning Scheme.

6.0 POLICY STATEMENT:

6.1 APPLICATION REQUIRED TO BE MADE

In accordance with Schedule 9, Part 3, Division 2, Table 1, Item 1 of the *Planning Regulation 2017*, certain types of Building Works within the Gladstone Regional Council Local Government Area will

require an application for Amenity and Aesthetics to be lodged and assessed by Council. These types of Building Works include:

- a) Construction of any Class 10a building on vacant land
- b) Construction of any Class 10a building more than 8.5m in height
- c) The relocation of any Class 1 or Class 10a building from an area outside or within the Gladstone Regional Council Local Government Area to another area within the Gladstone Regional Council Local Government Area. NB. This does not apply to New Relocatable Buildings
- d) Location of any Class 1 or Class 10a New Relocatable Building as an extension to an existing structure
- e) Construction of or extension to any Class 1a or 10a which results in 50% or more total site cover.

6.1.1 Form of Application

All applications for Amenity and Aesthetics will be required to be lodged with Council prior to the Building Work being undertaken by completion of the Request - Amenity & Aesthetics Form and payment of the application fee.

6.1.2 Applicable Application Fee

The application fee for this assessment will be set by Council as part of its determination of fees and charges.

6.2 MATTERS COUNCIL MAY HAVE REGARD TO DURING ASSESSMENT

Council may have regard to the following matters in making its Amenity and Aesthetics assessment:

- a) Current approved use of the site
- b) All existing structures on the site and their total site cover and siting
- c) Any Adverse Amenity impacts created as a result of the proposal on the established built form and character, including adjoining neighbours and public places
- d) 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
- e) Where proposing to locate a Class 10a building on vacant land:
 - The proposal does not include any plumbing fixtures which would allow the structure to be used as a habitable and/or pseudo habitable building
 - The proposal does not jeopardise the ability to locate a future Class 1a building on the site; and

- The proposal is located to the rear of the site and/or any future Class 1a building would be able to be located forward of the Class 10a building. The structure is to meet the requirements in the following table:

Table 2: Class 10 Building Floor Area to Lot Area	
Lot Area	Class 10 Building(s) with Combined floor area more than:
Less than 450m ²	Development does not exceed 54m ² where on a vacant site
Between 450m ² - 2,000m ²	Development does not exceed 72m ² where on a vacant site
Between 2,000m ² - 40,000m ²	Development does not exceed 150m ² where on a vacant site

- f) The dimensions of the land on which the building is proposed and whether the site is a corner site
- g) The nature of the proposal including its height, design, building materials and colours being complimentary to the existing built form
- h) Whether existing or proposed landscaping treatments may be required to soften and/or screen any Amenity impacts created as a result of the proposal
- i) The differences in contours of the land on which the building is proposed compared with the contours of adjoining land
- j) Any underground Council controlled reticulated services and/or easements located within the site
- k) Whether adjoining landowners have consented to the proposal
- l) Built form and Amenity requirements in the relevant Planning Scheme Zone Code
- m) Where proposing to locate any Class 10a relocatable storage structure (including a Shipping Container, railway carriage), development complies with the Acceptable Outcome or Performance Outcomes of Table 3 below:

Table 3 - Zone Specific Assessment Criteria	
Low Density Residential Zone, Low-Medium Density Residential Zone, Medium Density Residential Zone, Character Residential Zone and Township Zone	
Performance Outcomes	Acceptable Outcomes
Design and Siting	
PO1 The design, siting and materials of the Relocatable Storage Structure are consistent with the Amenity of the surrounding neighbourhood and the overall outcomes of the zone as contained within the Our Place Our Plan Gladstone Regional Planning Scheme.	<p>AO 1.1 Relocatable Storage Structures are to be placed behind the Dwelling House and shall not be visible from the principal street frontage.</p> <p>AO 1.2 Relocatable Storage Structures are to be screened by landscaping or a suitable screening structure to minimise the visual impact from the street and adjoining sites.</p>

Table 3 - Zone Specific Assessment Criteria	
	<p>AO 1.3 A maximum of one Relocatable Storage Structure may be established on a lot.</p> <p>AO 1.4 Relocatable Storage Structures are to be of a consistent colour scheme to the Dwelling House to minimize the visual dominance of the structure on the site, from adjoining sites and from the street.</p> <p>AO 1.5 Relocatable Storage Structures are to comply with the relevant setback provisions outlined in the Queensland Development Code and the National Construction Code of Australia.</p>
Limited Development Zone and Rural Residential Zone	
Performance Criteria	Acceptable Solutions
Design and Siting	
PO1 The design, siting and materials of the Relocatable Storage Structure are consistent with the Amenity of the surrounding neighbourhood and the overall outcomes of the zone as contained within the Our Place Our Plan Gladstone Regional Planning Scheme.	<p>AO 1.1 Relocatable Storage Structures shall not be visible from the principal street frontage.</p> <p>AO 1.2 Relocatable Storage Structures are to be screened by landscaping or a suitable screening structure to minimise its visual impact from the street and adjoining sites.</p> <p>AO 1.3 Relocatable Storage Structures are to be of a consistent colour scheme to the Dwelling House to minimize the visual dominance of the structure on the site, from adjoining sites and from the street.</p> <p>AO 1.4 Relocatable Storage Structures are to comply with the relevant setback provisions outlined in the Queensland Development Code and the National Construction Code of Australia.</p>
Centre Zone; Principal Centre Zone; Neighbourhood Centre Zone	
Performance Outcomes	Acceptable Outcomes
Design and Siting	
PO1 The design, siting and materials of the Relocatable Storage Structure are consistent with the Amenity of the surrounding neighbourhood and the overall outcomes of the zone as contained within the Our Place Our Plan Gladstone Regional Planning Scheme.	<p>AO 1.1 Relocatable Storage Structures are to be placed behind the main building façade and shall not be visible from the principal street frontage.</p> <p>AO 1.2 Relocatable Storage Structures are to be screened by landscaping or a suitable screening structure to minimise the visual impact from the street and adjoining sites.</p> <p>AO 1.3 A maximum of one Relocatable Storage Structure may be established on a lot.</p> <p>AO 1.4 Relocatable Storage Structures are to comply with</p>

Table 3 - Zone Specific Assessment Criteria	
	the relevant setback provisions outlined in the Queensland Development Code and the National Construction Code of Australia.

n) Any other factors which Council may consider relevant given the nature of the proposal.

7.0 ATTACHMENTS:

Nil

8.0 REVIEW MECHANISM:

This Policy will be reviewed when any of the following occur:

1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by resolution of Council or by the CEO; or
3. Five (5) years from date of adoption.

TABLE OF AMENDMENTS			
Document History	Date	Council Resolution No.	Notes (including the prior Policy No, precise of change/s, etc)
Originally Approved	5 May 2015	G/15/2410	
Amendment 1	6 October 2015	G/15/2593	
Amendment 2	20 March 2018	G/18/3351	Change summary:- <ul style="list-style-type: none"> • meet new statutory obligations as a result of the Planning Act 2016; • to mitigate risk of challenges to Building and Development Dispute Resolution Committee; and • to clarify assessment criteria which are capturing unintended assessments and associated costs to applicants.
Amendment 3	6 June 2023	GM/23/5006	Change summary: <ul style="list-style-type: none"> • Rewording and ordering of triggers to provide clarity and consistency; • Inclusion of trigger for new relocatable buildings being used as extensions to existing dwellings; • Inclusion of the Planning Scheme Zone Code within the Assessment criteria; and • Amendment to wording from 'shipping container/railway carriage' to 'relocatable storage structures' to capture the variety of structures this can include.

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CHIEF EXECUTIVE OFFICER