City Plan code template

This code template supports the preparation of a development application against either the acceptable outcome(s) or performance outcome(s) contained in the code. Development assessment rules are outlined in **Section 5.3.3** of the City Plan.

Please note:

For assessment against the overall outcomes, refer to the appropriate code.

Note: The whole of the planning scheme is identified as the assessment benchmark for impact assessable development. This specifically includes assessment of impact assessable development against this strategic framework. The strategic framework may contain intentions and requirements that are additional to and not necessarily repeated in zone, overlay or other codes. In particular, the performance outcomes in zone codes address only a limited number of aspects, predominantly related to built form. Development that is impact assessable must also be assessed against the overall outcomes of the code as well as the strategic framework.

6.2.2 Medium density residential zone code

6.2.2.1 Application

This code applies to assessing all development in the Medium density residential zone.

When using this code, reference should be made to **Section 5.3.2** and, where applicable, **Section 5.3.3**, in **Part 5**.

Where development is identified in the **Calypso Bay precinct**, additional outcomes will apply to development.

Note: To the extent there is any inconsistency with the outcomes applying to the whole of the zone, the precinct outcomes will prevail.

6.2.2.2 Purpose

(1) The purpose of the Medium density residential zone code is to provide for a range and mix of dwelling types including Dwelling houses and Multiple dwellings supported by Community uses and small-scale services and facilities that cater for local residents.

(2) The purpose of the code will be achieved through the following overall outcomes:

(a) Land uses –

(i) include a range of medium density residential uses, predominantly permanent accommodation;

(ii) such as Multiple dwellings, Dual occupancies, Dwelling houses on small lots and Community residences are included in the zone to provide a mix of dwelling types and increase residential density;

(iii) including Relocatable home parks and Rooming accommodation may be included to deliver housing choice, providing they do not reduce the potential to supply a sufficient number of medium density residential dwellings and do not detract from the residential amenity of the area;

(iv) include neighbourhood centres and stand-alone small scale non-residential development consistent with the Strategic framework;

(v) which carry higher potential for impacts on amenity such as Car washes, Childcare centres, Health care services, Food and drink outlets, Shops (other than a supermarket), Veterinary services, Community care centres, Community uses, Emergency services, Educational establishments, and Places of worship may be considered if appropriately designed and located and not detract from the residential amenity of the area;

(vi) involving tourist-related development such as Short-term accommodation and Tourist parks but not Party houses, may be considered where they can be supported by City services and do not compromise the amenity or character of the zone and local area; and

(vii) do not detract from the residential amenity of the area.

(b) Housing is provided at a form, scale and intensity that is appropriate for the zone and each particular locality it is in where the following outcomes are satisfied:

Orderly and economically efficient settlement pattern

(i) degree of public transport service within a 400 metre walking distance, being the most desirable distance for pedestrian access, and the ease and safety of pedestrian access to that service;

(ii) proximity to major employment concentrations, centres, social and community infrastructure facilities and important amenity features, including the coast, recreational waterways and parkland;

(iii) capacity of available infrastructure to support the development, including water, sewer, transport and social and community facilities;

Housing needs

(iv) delivery of a generous mix of housing form, sizes and affordability outcomes that meet housing needs (including housing needs of the future) for the locality;

Design and amenity

(v) whether intended outcomes for building form/city form and desirable building height patterns are negatively impacted, including the likelihood of undesirable local development patterns to arise if the cumulative effects of the development are considered;

(vi) retention of important elements of neighbourhood character and amenity, and cultural heritage;

(vii) whether adjoining residential amenity is unreasonably impacted;

(viii) achievement of a high quality urban design through highly functional, accessible, attractive, memorable and sustainable buildings and public spaces;

Environment

(ix) the impacts of any site constraints, including natural hazard and environmental-based constraints and;

Community Benefit

(x) where the development:

(A) is appropriate having regard to overall outcome (b) (i) to (ix);

(B) meets all other overall outcomes for the zone; and

(C) incorporates community benefits in addition to those that could be lawfully conditioned to be provided (i.e. that are required to be provided by this City Plan or reasonably required in relation to the development or use of premises as a consequence of the development),

development bonuses are applied in accordance with the **SC6.5 City Plan policy – Community benefit bonus elements**.

Note: SC6.5 City Plan policy – Community benefit bonus elements provides guidance on what might constitute additional community benefits and the supporting material that may be required to demonstrate the degree of benefit.

Note: Development is not required to incorporate community benefits in order to demonstrate that housing has been provided at a form, scale and intensity that is appropriate having regard to overall outcome (b) (i) to (ix).

(c) Character consists of –

(i) urban neighbourhoods that vary from pockets of detached housing on smaller lots to medium or higher intensity places containing medium-rise buildings;

(ii) well serviced and compact urban neighbourhoods that offer a level of amenity appropriate to the intensity of the area; and

(iii) walking and cycling paths, street trees and local streets for shared car and bike use.

(d) Built form (excluding Dwelling houses on small lots) –

(i) has a building height that does not exceed that indicated on the **Building height overlay map**;

(ii) contributes to a transitioning density from lower intensity areas to higher intensity areas near centres, the high rise coastal spine and areas well serviced by public transport;

(iii) is setback from road frontages to promote an urban setting and interface with the street;

(iv) is setback from side and rear boundaries to protect the amenity of adjoining residences; and

(v) has varying site cover to reduce building dominance and provide areas for landscaping.

(e) Built form for Dwelling houses on small lots –

(i) has a building height that does not exceed that indicated on the Building height overlay map;

(ii) protects the amenity of adjacent residences;

(iii) visually integrates with the character of the locality;

(iv) provides differentiation by means of articulation; and

(v) provides adequate space for landscaping along street frontages.

(f) Lot design –

(i) supports a mix and variety of housing forms envisaged in the zone; and

(ii) addresses site constraints.

(g) Variations in the zone are –

(i) **Calypso Bay precinct**.

(3) The purpose of the Calypso Bay precinct will be achieved through the following additional overall outcomes:

(a) The cumulative residential density does not exceed 1852 dwellings within this precinct and the Calypso Bay precinct in the Low density residential zone.

(b) Development does not compromise planned infrastructure delivery to other land within the catchment.

(c) Development proposals do not comprise the achievement of other parts of the precinct being developed in accordance with the zone.

6.2.2.3 Specific benchmarks for assessment

Table 6.2.2-2: Medium density residential zone code – for assessable development

<table>
<tr><th>Performance outcomes</th><th>Acceptable outcomes</th><th>Does the proposal meet the acceptable outcome?
If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome</th><th>Internal use</th></tr>
<tr><td colspan="2">Setbacks</td><td></td><td></td></tr>
<tr><td>PO1
Setbacks:
(a) assist in the protection of adjacent amenity;
(b) allow for access around the building;
(c) contribute to the streetscape character; and
(d) allow for on-site car parking.

OR
Setbacks for Dwelling houses on small lots:
(a) protect the amenity of adjacent residences;
(b) visually integrate with the character of the locality;
(c) provide differentiation by means of articulation; and
(d) allow for on-site car parking.</td><td>AO1
Setbacks are as follows:<table>
<tr><th>Setback</th><th colspan="2">Minimum distances measured in metres (m)</th></tr>
<tr><td></td><td>Height</td><td>Setback</td></tr>
<tr><td>Front for covered car parking (excluding a basement)</td><td>all</td><td>6m</td></tr>
<tr><td rowspan="2">Front (excluding covered car parking)</td><td>up to 23m</td><td>4m</td></tr>
<tr><td>for that part exceeding 23m</td><td>6m</td></tr>
<tr><td rowspan="3">Side and rear</td><td>up to 4.5m</td><td>1.5m</td></tr>
<tr><td>for that part between 4.5m – 7.5m</td><td>2m</td></tr>
<tr><td>for that part exceeding 7.5m</td><td>an extra 0.5m is added for every 3m in height or part thereof over 7.5m.</td></tr>
<tr><td>Between on site habitable buildings (where not attached)</td><td colspan="2">Double the applicable side setback.</td></tr>
</table>OR
Setbacks for Dwelling houses on small lots:</td><td>The proposed development exceeds the nominated setbacks from the road boundaries (Karingal Drive and Imelda Way), with setbacks to boundaries being as follows:
Karingal Drive (Front) – The proposed development (i.e. units 1-7) are setback a substantial distance from the Karingal Drive boundary, with a landscaping strip being proposed along this entire boundary.
Imelda Way (Front) – The proposed development (i.e. units 64-69) are setback a substantial distance from Imelda Way and the adjoining existing residences, with a landscaping strip being proposed along this entire boundary.
Railway Corridor (Side) – As detailed on the proposed plan of development, we propose to install a 3.5m high acoustic barrier along this boundary with associated 5m wide dense landscaping to screen this barrier from internal to the site.
Neighbour (Side) – The proposed development has been designed to reduce the potential for overlooking of surrounding land uses from the subject proposal, with landscaping and some accessways being incorporated in these side boundary areas.</td><td></td></tr>
</table>

Performance outcomes	Acceptable outcomes			Does the proposal meet the acceptable outcome? **If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome**	Internal use
	Setback	**Minimum distances measured in metres (m)**			
	Front	4.5m to wall and balcony			
	Secondary frontage of corner lot	4m (not including projections up to 2m)			
	Covered car parking (not applicable to the rear lane access)	1m behind front wall or balcony; and 6m from the frontage where vehicles access the lot.			
	Side and rear (not applicable to the secondary frontage of corner lots)	**Height**	**Setback**		
		up to 4.5m	1m to wall and balcony 0.5m to outermost projection 0m to class 10 building and/or non-habitable room where: (a) located along a southern or western boundary; (b) a maximum length of 12m where no single part exceeds 6m in length; and (c) at least 1m separation from a habitable window of a neighbouring dwelling.		

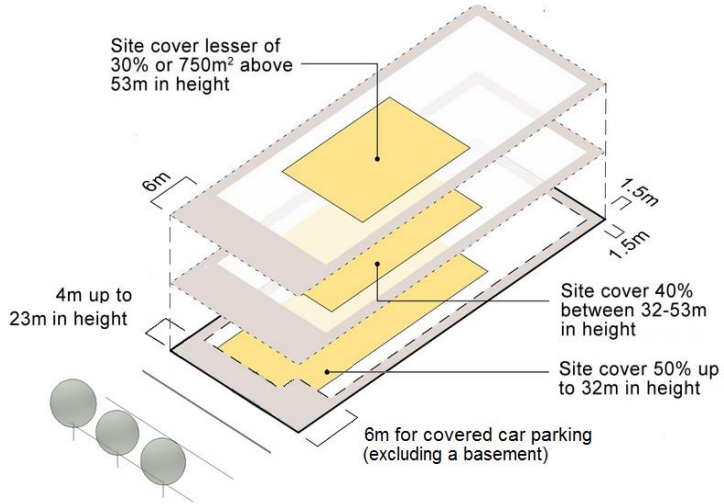
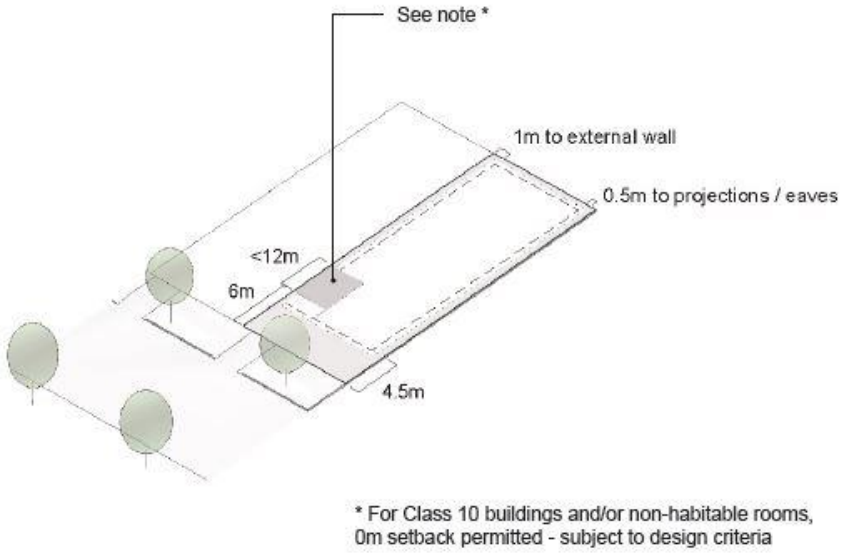
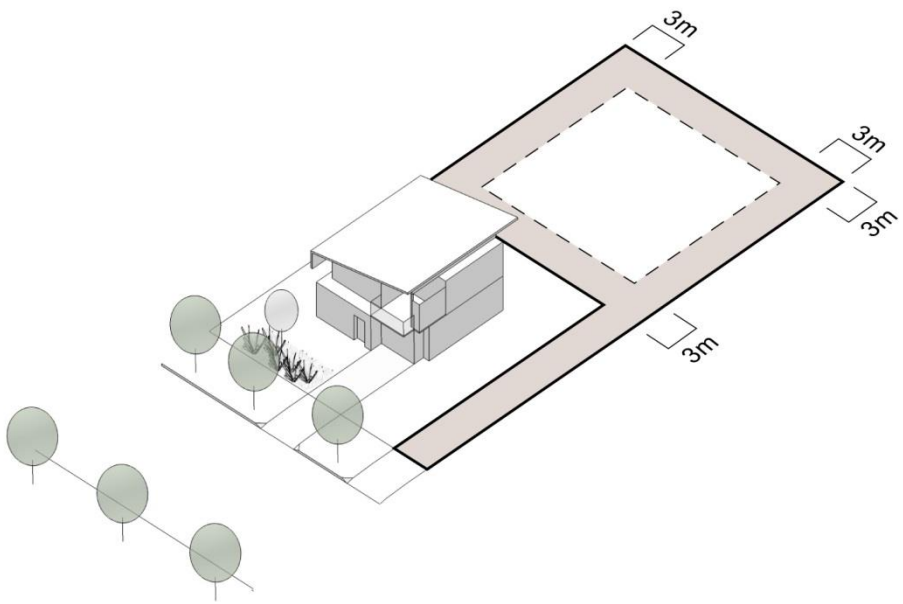
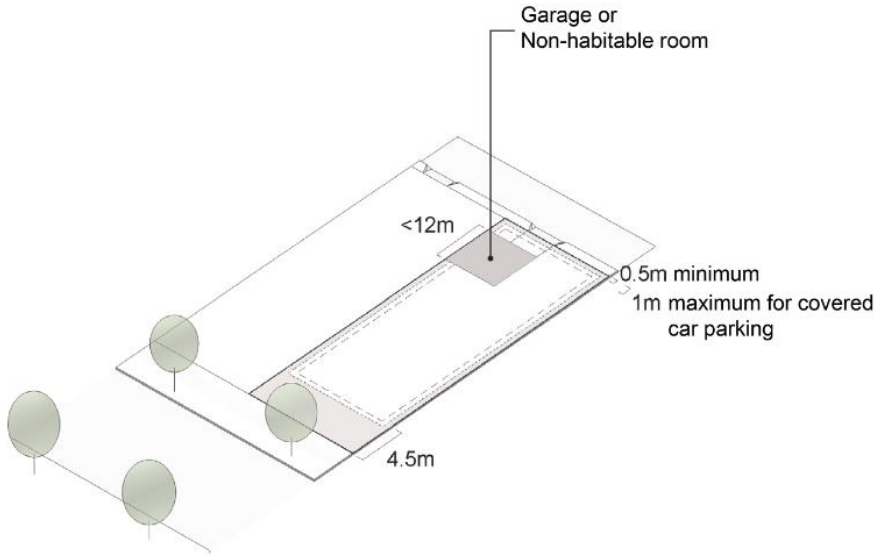
Performance outcomes	Acceptable outcomes			Does the proposal meet the acceptable outcome? **If not, justify how the proposal meets either the performance outcome or overall outcome**	Internal use
		for that part between 4.5m – 7.5m	1.5m to wall and balcony 1m to outermost projection		
		for that part exceeding 7.5m	2m to wall and balcony 1.5m to outermost projection		
	Rear lane	0.5m minimum 1m maximum for covered car parking			
	OR For development on rear lots the setback is 3m from all boundaries.			N/A	
					

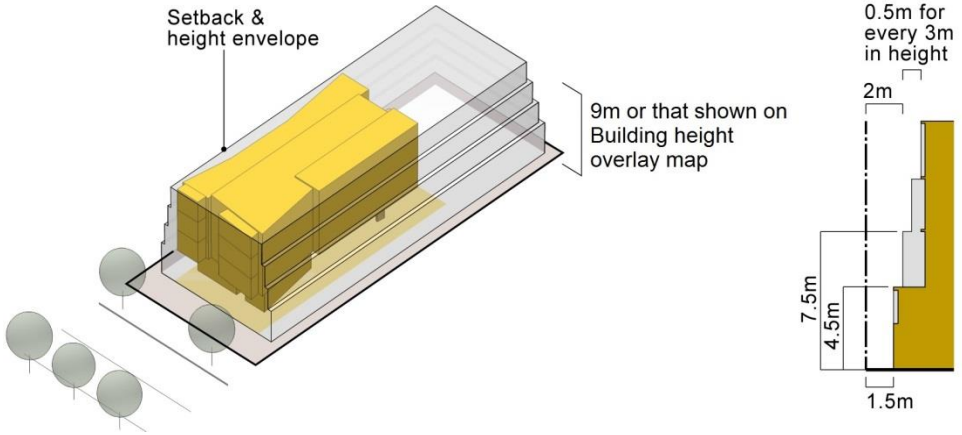
Figure 6.2.2-1

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? **If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome**	Internal use
Illustration showing Medium density residential zone setbacks and site cover outcomes (excludes Dwelling houses on small lots)			
 **Figure 6.2.2-2** Illustration showing Medium density residential zone setbacks for Dwelling houses on small lots			

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
 **Figure 6.2.2-3** Illustration showing Medium density residential zone setback outcomes for Dwelling houses on rear lots			

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? **If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome**	Internal use
 **Figure 6.2.2-4** Illustration showing Medium density residential zone rear lane setbacks for Dwelling houses on small lots			
Site cover			
PO2 Site cover: (a) is balanced between built form and green areas for landscaped private open space; (b) contributes to neighbourhood character and amenity; (c) promotes slender bulk form; (d) promotes an open, attractive and distinct skyline; and (e) facilitates small, fast moving shadows.	**AO2** Site cover does not exceed 50% for Dwelling houses on lots with areas equal to or greater than 400m^2 and Dual occupancies.	The proposed development has a site coverage of approximately 3905m^2, which represents a site coverage percentage of only around 16%. This is compliant with the maximum 50% site cover allowed for the use.	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? **If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome**	Internal use
	OR (a) Site cover does not exceed 60% for Dwelling houses on lots less than 400m^2. OR For all other uses, site cover does not exceed a cumulative total of: (a) 50% of net site area up to 8 storeys; (b) 40% of net site area from 9 to 15 storeys; and (c) 30% of net site area or 750m^2 per building, whichever is the lesser, above 15 storeys.		
Height			
PO3 Building height and structure height does not exceed that shown on the **Building height overlay map**. OR Where not identified on the overlay map building height and structure height does not exceed: (a) 2 storeys with a maximum of 9m; or (b) a partial third storey if within 9m.	**AO3** No acceptable outcome provided.	As detailed within the package of plans for the proposed development, the proposal incorporates a significant majority of 2 x storey townhouses with some 3 x storey townhouses being proposed. It is noted that the 3 x storey townhouses only accommodate partial third storeys and are designed to not exceed 9m in height. The proposal complies with PO3.	
PO4 Free standing garages and car ports present to the street as single storey.	**AO4** Freestanding garages and carports do not exceed a height of 3.5m.	N/A	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? **If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome**	Internal use
 **Figure 6.2.2-5** Illustration showing Medium density residential zone setbacks and height outcomes (excludes Dwelling houses on small lots)			
Density			

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? **If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome**	Internal use
PO5 For Dwelling houses density is one Dwelling house per lot. OR Density does not exceed that shown on **Residential density overlay map**. OR Where not identified on the overlay map, density does not exceed one dwelling per 400m^2. OR For Residential care facilities and Retirement facilities there is no performance outcome provided. OR For Rooming accommodation, accommodating more than four unrelated people, density does not exceed one bedroom per 133m^2.	**AO5** No acceptable outcome provided.	It is noted that the proposed density of the development equates to 1 dwelling per 346m^2, which slightly exceeds the allowable density from PO5. Despite that, we consider that the proposed density of the project complies with the Purpose of the Code due to the following: • The intensity, design and scale of the project is in keeping with the typical form of medium density development within the Pimpama locale; • The design of the project promotes an efficient form of development on a suitably-zoned allotment, with due regard given to the environmental (flooding, acoustics) constraints that impact the site; • The form of the development promotes a diversity of residential development offerings, with alternate mixes of building heights and bedroom numbers; and • The subject locale is serviced by all key infrastructure to service such a project, with direct proximity to retail, educational, transport, recreational and employment infrastructure.	
PO6 **Calypso Bay precinct** The cumulative density (as a consequence of any material change of use or reconfiguring of a lot application) of this precinct and the Calypso Bay precinct in the Low density residential zone does not exceed 1852 dwellings. Development proposals do not comprise the achievement of other parts of this precinct being developed in accordance with the zone.	**AO6** **Calypso Bay precinct** No acceptable outcome provided.	N/A	

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? If not, justify how the proposal meets either the performance outcome or overall outcome	Internal use
Note: **A reconciliation table is to be provided to Council identifying the proposed and total dwellings in this precinct and the Calypso Bay precinct in the Low density residential zone.** **Sufficient density reserves should be demonstrated to show that balance land can be developed consistent with the zone and precinct intent.**			

<table>
<tr><th>Performance outcomes</th><th>Acceptable outcomes</th><th>Does the proposal meet the acceptable outcome?
If not, justify how the proposal meets either the performance outcome or overall outcome</th><th>Internal use</th></tr>
<tr><td colspan="2">Lot design (for subdivision only)</td><td></td><td></td></tr>
<tr><td>PO7
Lot size and configuration supports a mix and variety of housing forms envisaged in the zone.
Note: PO7 does not apply to the creation of small lots where associated with an existing residential building.</td><td>AO7.1
Where the site is not mapped on the Residential density overlay map the minimum lot size is 400m^2.
OR
Where the site is mapped on the Residential density overlay map, new lots meet the following:
<table><tr><th>Residential density overlay map designation</th><th>Minimum lot size</th></tr><tr><td>RD1</td><td>400m^2</td></tr><tr><td>RD2</td><td>300m^2</td></tr><tr><td>RD3</td><td>250m^2</td></tr><tr><td>RD4</td><td>200m^2</td></tr><tr><td>RD5</td><td>125m^2</td></tr><tr><td>RD6</td><td>No minimum</td></tr><tr><td>RD7</td><td>No minimum</td></tr><tr><td>RD8</td><td>No minimum</td></tr></table>Note: Lot sizes referenced must be determined exclusive of access strip or access easement area for rear lots.</td><td>N/A</td><td></td></tr>
<tr><td colspan="2">Lot design within the Ridges and Significant Hills Protection Overlay area (for subdivision only)</td><td></td><td></td></tr>
<tr><td></td><td>AO8.1
The minimum lot size is 600m^2.</td><td>N/A</td><td></td></tr>
</table>

Performance outcomes	Acceptable outcomes	Does the proposal meet the acceptable outcome? **If not, justify how the proposal meets <u>either</u> the performance outcome or overall outcome**	Internal use
PO8 New lots proposed within the **Ridges and significant hills protection overlay** area**:** (a) support the intent of the **Ridges and significant hills protection overlay code**; and (b) address site constraints.	**AO8.2** Minimum road frontage is 17m. OR Minimum road frontage is 4.5m for a rear lot.	N/A	
Land uses			
PO9 Non-residential uses (other than community uses and neighbourhood centres) are small scale and stand alone.	**AO9** A non-residential use (such as a Health care service or a Child care centre) includes a single tenancy and does not adjoin another existing or approved non-residential use.	N/A	