



Cooloolool Shire

Planning Scheme Policy 1 Information Council May Request

31 March, 2005

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PSP1 PLANNING SCHEME POLICY 1: INFORMATION COUNCIL MAY REQUEST

1.1 EFFECTIVE DATE

This policy is made pursuant to section 2.1.19 and Schedule 3 of the *Integrated Planning Act 1997* (IPA) and has effect on and from the day the Cooloolool Shire Council Planning Scheme 2005 commences.

1.2 PURPOSE

The policy indicates for either various types of development applications; or development applications subject to various overlays; the kind of information that will assist Council in its assessment of such applications and that it may request.

1.3 WHEN COUNCIL MAY REQUEST INFORMATION

Without limiting its discretion under IPA section 3.3.6¹, Council may request information about an application in any circumstances Council determines including if the application proposes development:

- (1) involving subdivision of land:
 - (a) in any zone; or,
 - (b) in an unsewered area; or,
- (2) involving works at or below 5.0 metres AHD where the natural ground level is less than 20 metres AHD; or,
- (3) involving a **cattery or kennel**; or,
- (4) involving **intensive animal husbandry**; or,
- (5) involving **aquaculture**; or,
- (6) that may generate significant levels of traffic; or,
- (7) that may be adversely impacted either immediately or in the future by road traffic noise; or,
- (8) that may be adversely impacted either immediately or in the future by rail noise or vibration; or,
- (9) that may result in significant environmental impact; or,
- (10) that may be adversely impacted by natural disasters including bushfire, landslide or flooding; or,
- (11) that may adversely impact on a Resource Area; or,
- (12) within the Coastal Management District; or,
- (13) within Potential Indigenous Cultural Heritage Areas; or,
- (14) within Moderate to Very High Erosion Hazard Areas, or may produce erosion or sediment loss; or,
- (15) within, or within 50 metres of, Natural Waterways, Wetland Areas and Wetland Protection Areas; or,
- (16) within, or within 200 metres of, State or Regional Ecosystem Value Areas; or,
- (17) within Local Ecosystem Value Areas; or,

¹ IPA, section 3.3.6 (Information requests to applicant (generally)).

- (18) within, or within 200 metres of, Habitat Areas for Endangered Vulnerable or Rare fauna or flora species; or,
- (19) within Local Habitat Value Areas or Koala Habitat Areas; or,
- (20) within Connectivity Value Areas.

1.4 INFORMATION COUNCIL MAY REQUEST

Without limiting its discretion under IPA section 3.3.6², Council may request the following information for the development described in section 1.3 above.

1.4.1 Development involving subdivision of land

- (1) A report detailing an appropriate Erosion and Sediment Control Program prepared in accordance with Section A4 of the Soil Erosion and Sediment Control: Engineering Guidelines for Queensland Construction Sites – Institution of Engineers, Australia, Qld Division.
- (2) If in the Rural Zone and proposing lots below the minimum lot size:
 - (a) for intensive agriculture – an agricultural economics report and farm plan prepared by a suitably qualified person detailing the long term agricultural viability of the proposed lots for that purpose including assessment of:
 - (i) a range of crop types; and,
 - (ii) a range of market conditions; and,
 - (iii) a range of climatic conditions; and,
 - (iv) proposed water supply; and,
 - (v) the area available on all lots for proposed crops, a dwelling and ancillary buildings and uses; or,
 - (b) for farm restructuring – an agricultural economics report and farm plan prepared by a suitably qualified person; or,
 - (c) for a non-agricultural purpose, the demonstration of the need to locate within the Rural Zone eg services such as Rural Fire Brigade.
- (3) If in an unsewered area, a report prepared by a suitably qualified person, in accordance with the Department of Natural Resources and Mines 'On Site Sewerage Code', detailing the suitability of the site for on-site effluent disposal.

1.4.2 Development involving works at or below 5.0 metres AHD where the natural ground level is less than 20 metres AHD

If proposing:

- (1) the excavation or removal of more than 100m³ or more of soil or sediment; or,
- (2) filling of land involving 500m³ or more of material from any source with an average depth of 0.5 of a metre or greater that is likely to cause extrusion of soft sediments–
 - (a) a detailed report on the Identification and Investigation of Acid Sulfate Soils prepared in accordance with Section 6 of the State Planning Policy 2/02 Guideline: Planning and Managing Development involving Acid Sulfate Soils; and,
 - (b) a detailed report on the Investigation of Groundwater Prior to Disturbance in accordance with Section 7 of the State Planning Policy 2/02 Guideline: Planning and Managing Development involving Acid Sulfate Soils; and,

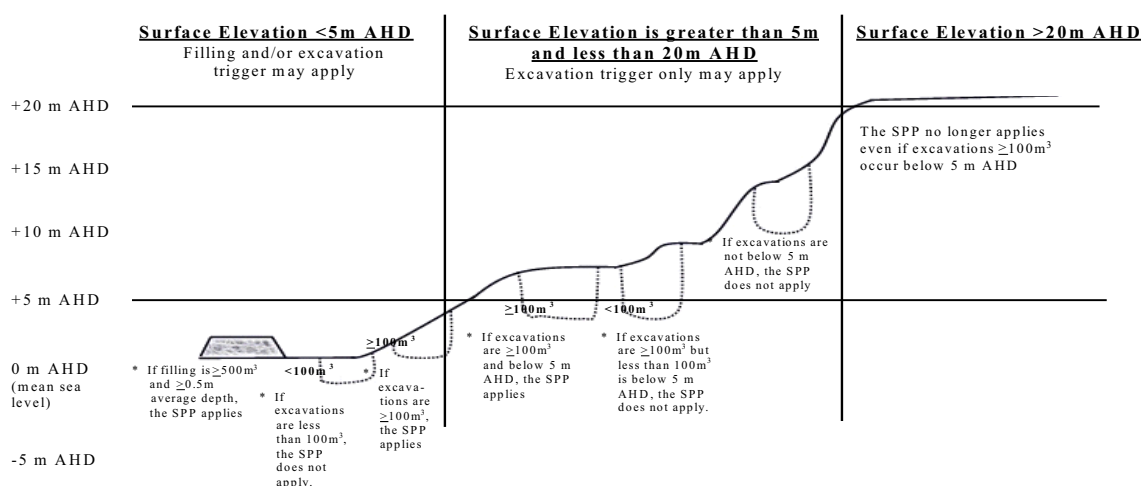
² IPA, section 3.3.6 (Information requests to applicant (generally)).

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- (c) a detailed report on Investigation Related to Filling Activities in accordance with Section 8 of the State Planning Policy 2/02 Guideline: Planning and Managing Development involving Acid Sulfate Soils; and,
- (d) a detailed report on the Treatment and Management of Disturbed Acid Sulfate Soils in accordance with Section 9 of the State Planning Policy 2/02 Guideline: Planning and Managing Development involving Acid Sulfate Soils.

Note: The diagram below indicates the area and development to which SPP2/02 applies. Council is likely to request further information in these instances.

Figure 1:1 Areas and Development to which SPP2/02 Applies



1.4.3 Development involving a cattery or kennel

Reports prepared by suitably qualified persons detailing:

- (1) the expected noise levels associated with the use of the site and measures to mitigate noise levels when measured at the site boundaries; and,
- (2) the method of waste treatment and disposal.

1.4.4 Development involving intensive animal husbandry

- (1) Details of:
 - (a) the number of animals to be kept on the site at any time; and,
 - (b) vehicle movements including service and delivery vehicles; and,
 - (c) proposed access routes; and,
 - (d) location of the 1:50 ARI level in respect of the site and all use areas; and,
 - (e) existing and proposed water supply including location and capacity of existing and proposed dams; and,
 - (f) details of all watercourses on or near the premises; and,

- (2) reports prepared by suitably qualified persons detailing:
 - (a) the expected noise levels associated with the use of the site and measures to mitigate noise levels; and,
 - (b) the method of waste treatment and disposal.

1.4.5 Development for Aquaculture

Details of the:

- (1) method of bird control to be used; and,
- (2) measures to be undertaken to reduce the visual impact of the facility.

1.4.6 Development that may generate significant levels of traffic

A report prepared by a suitably qualified person detailing:

- (1) the likely traffic generation associated with the development; and,
- (2) proposed measures to deal with the traffic impacts; and,
- (3) the likely parking requirements of the development; and,
- (4) the number of car parking spaces proposed for the development.

1.4.7 Development that may be adversely impacted by road traffic noise

A report prepared by a suitably qualified person providing an assessment of the amenity of the occupants in relation to existing and future road traffic noise that addresses:

- (1) the existing and future noise conditions by a ten year traffic planning horizon;
- (2) whether recognised acceptable noise limits will be exceeded; and,
- (3) proposed ameliorative measures.

1.4.8 Development that may be adversely impacted by rail noise or vibration

A report prepared by a suitably qualified person, providing an assessment of the amenity of the occupants in relation to existing and future rail noise or vibration that addresses:

- (1) the existing and future noise conditions by a ten year planning horizon;
- (2) whether recognised acceptable noise limits will be exceeded; and,
- (3) proposed ameliorative measures.

1.4.9 Development that may result in significant environmental impact

An environmental impact assessment and management report, prepared by a suitably qualified person, for development including:

- (1) **aquaculture**; or,
- (2) **display yard**; or,
- (3) **extractive industry**; or,
- (4) **farm**; or,
- (5) **general industry**; or,
- (6) **intensive animal husbandry**; or,
- (7) **public utility**; or,
- (8) **rural industry**; or,
- (9) **service station**; or,

- (10) **special industry**; or,
- (11) any undefined use.

1.4.10 Development that may adversely impact on a Resource Area

A report prepared by a suitably qualified person detailing:

- (1) if the resource is an extractive resource:
 - (a) proximity to the resource and existing or potential associated haul routes; and,
 - (b) likely impacts upon existing and potential efficient and ongoing operations associated with the extractive resource and associated haul routes; and,
 - (c) measures available or proposed to mitigate any likely adverse impacts of existing or potential operations associated with the resource and associated haul routes on the proposal including topographical and other buffers to the resource site; or,
- (2) if the resource is the Cedar Pocket Dam catchment area:
 - (a) likely impacts upon the water quality and quantity received within the dam including likely erosion, sedimentation and turbidity; and,
 - (b) measures proposed to mitigate any likely adverse impacts of the proposal on the water quality and quantity received within the dam; or,
- (3) if the resource is Good Quality Agricultural Land:
 - (a) the information required for an agricultural land report in accordance with Sections 6 and 7 of the Planning Guidelines: The Identification of Good Quality Agricultural Land; and,
 - (b) potential conflicts between the proposal and existing or potential agricultural uses including how the use may be affected by noise, odour, dust, smoke, ash or chemical spray drift; and,
 - (c) measures available or proposed to:
 - (i) mitigate any identified likely adverse impacts on the productivity of surrounding agricultural land; and,
 - (ii) reduce any incompatibility of the proposal with the agricultural use of that land; and,
 - (iii) their consistency with the solutions provided in Planning Guidelines: Separating Agricultural and Residential Land Uses; and,
 - (d) how the proposal accords with the principles of SPP1/92 Development and the Conservation of Good Quality Agricultural Land.

1.4.11 Development within the Coastal Management District

An environmental impact assessment and management report, prepared by a suitably qualified person, detailing:

- (1) likely impacts on:
 - (a) natural processes including erosion and accretion; and,
 - (b) habitat value; and,
 - (c) water quality; and,
- (2) likely adverse impacts on the landscape values of the erosion prone area; and,
- (3) likely adverse impacts on public safety, infrastructure integrity and the economic and social value of the erosion prone area; and,

- (4) measures available or proposed to mitigate any identified likely adverse impacts on the natural, social and economic values of the erosion prone area.

1.4.12 Development within Potential Indigenous Cultural Heritage Areas

An Indigenous Cultural Heritage Report prepared by a suitable qualified person in consultation with the appropriate Indigenous representatives, detailing:

- (1) the history of the area and the development site; and,
- (2) research undertaken and consultation undertaken with representatives of the Indigenous people who may have association with the subject site; and,
- (3) a determination of the heritage values of the site and when necessary, adjoining sites in accordance with the Burra Charter; and,
- (4) a determination of the impact the proposed development is likely to have on the heritage values of the area, and how that impact is to be managed.

1.4.13 Development within Moderate to Very High Erosion Hazard Areas, or that may produce erosion or sediment loss

- (1) An Erosion and Sediment Control Plan prepared by a suitably qualified person detailing:
 - (a) likely impacts of the development on soil and water quality (including groundwater) on and off site; and,
 - (b) retention of existing on-site vegetation; and,
 - (c) measures available or proposed to mitigate any identified likely adverse impacts of the development on soil and water quality both on and off site; including a site specific strategy which details:
 - (i) the site catchment area; and,
 - (ii) existing and final contours; and,
 - (iii) topography and soil characteristics; and,
 - (iv) location and description of existing vegetation, proposed vegetated buffer strips, revegetation program; and,
 - (v) location of impervious areas other than roads; and,
 - (vi) location of critical areas (vegetated buffer strips, drainage lines, water bodies, wetlands, tidal lands, unstable slopes, floodplains and seasonally wet areas); and,
 - (vii) location of all earthworks including roads, areas of cut and fill; and,
 - (viii) location and design criteria of erosion and sediment control measures in accordance with *Soil Erosion and Sediment Control – Engineering Guidelines for Queensland Construction Sites, The Institution of Engineers, Australia (Queensland Division)*; and,
 - (ix) timing and implementation of erosion and sediment control measures; and,
 - (x) diversion of uncontaminated up-site runoff around areas to be disturbed; and,
 - (xi) details of access point to construction site; and,
 - (xii) treatment of access ways to reduce sediment transport offsite; and,
 - (xiii) construction material storage, stockpile details and handling areas; and,
 - (xiv) maintenance and monitoring of erosion and sediment control measures; and,
 - (xv) signposting.

- (2) A rehabilitation plan detailing:
 - (a) measures available or proposed to mitigate degraded areas on the site to alleviate existing active or potential erosion problems; and,
 - (b) the use of plant species found naturally on the site or surrounds that are suitable for first phase rehabilitation exercises; and,
 - (c) that plant species used do not include species identified in Table 4:28 to Table 4:34 of Planning Scheme Policy 4: Landscape Plans and Plant Species.

1.4.14 Development within Natural Waterways, Wetland Areas and Wetland Protection Areas

- (1) An environmental impact assessment and management report prepared by a suitably qualified person, detailing:
 - (a) likely impacts of the development on the integrity and function of the natural waterway, wetland area or wetland protection area; and,
 - (b) measures available or proposed to mitigate any identified likely adverse impacts of the development on the integrity and function of the natural waterway, wetland area or wetland protection area, including the identification of distances appropriate for buffer areas; and,
 - (c) retention of existing on-site vegetation; and,
 - (d) if involving works for a bridge – measures taken in the design of the development to:
 - (i) minimise the area affected by clearance, earthworks and all other construction activities; and,
 - (ii) minimise or avoid realignment or diversion of natural waterways; and,
 - (iii) minimise earthworks and/or construction of abutments within banks and vegetation along waterways; and,
 - (iv) minimise pylons or other structures in waterways; or,
 - (e) if involving reconfiguring a lot:
 - (i) the arrangement of lots so that buildings and associated infrastructure can be located outside areas of natural waterways, wetland areas and wetland protection areas; and,
 - (ii) the arrangement of higher density development in clusters in areas of the site least likely to impact upon natural waterways, wetland areas or wetland protection areas (lot sizes may be calculated to enable an increased lot yield in return for the conservation of natural waterways, wetland areas and wetland protection areas); and,
 - (iii) the treatment of runoff from developed sites prior to discharge into the natural waterway, wetland area or wetland protection area; and,
 - (iv) where artificial walls or rock structures are to be used (these should only be for rehabilitation purposes); or,
- (2) a rehabilitation plan detailing:
 - (a) measures available or proposed to mitigate degraded areas on the site; and ,
 - (b) the use of native species found naturally on the site or surrounds that are suitable for first phase rehabilitation exercises; and,
 - (c) that plant species used do not include species identified in Table 4:28 to Table 4:34 of Planning Scheme Policy 4: Landscape Plans and Plant Species.

1.4.15 Development within, or within 200 metres of, State or Regional Ecosystem Value Areas

- (1) An environmental impact assessment and management report, prepared by a suitably qualified person, detailing:
 - (a) likely impacts of the development on the ecological value of the area, including:
 - (i) alterations to hydrological flows (quantity and velocity) that traverse ecosystem value areas; and,
 - (ii) other threatening aspects such as light, noise, chemical release and nutrient run off into ecosystem value areas; and,
 - (b) measures available or proposed to mitigate any identified likely adverse impacts of the development on the ecological value of the ecosystem value area; and,
- (2) a rehabilitation plan detailing:
 - (a) the use of plant species found naturally on the site or surrounds that are suitable for first phase rehabilitation exercises; and,
 - (b) measures available or proposed to mitigate degraded areas on the site; and,
 - (c) plant species used do not include species identified in Table 4:28 to Table 4:34 of PSP4 Planning Scheme Policy 4: Landscape Plans and Plant Species.

1.4.16 Development within Local Ecosystem Value Areas

- (1) An environmental impact assessment and management report prepared by a suitably qualified person detailing measures taken in the design of the development to:
 - (a) minimise fragmentation and edge-to-perimeter ratios of local ecosystem value areas through incorporation of important areas, including gullies, significant stands of vegetation (including understorey) and habitat trees, into open space or vegetation buffers; and,
 - (b) ensure that areas of local ecosystem value are not adversely impacted upon to an unacceptable or unsustainable level by threatening actions such as light, noise, chemical release, nutrient runoff and alteration to hydrology velocity and quantity; and,
 - (c) ensure lots are arranged so that buildings and associated infrastructure (including roads) are located outside, where possible, of areas of local ecosystem significance; and,
 - (d) incorporate corridors of maximum possible width, within and through the site to adjoining areas of remnant vegetation and/or areas of conservation significance on neighbouring properties; and,
- (2) A rehabilitation plan detailing:
 - (a) the use of plant species found naturally on the site or surrounds that are suitable for first phase rehabilitation exercises; and,
 - (b) measures available or proposed to mitigate degraded areas on the site; and,
 - (c) plant species used do not include species identified in Table 4:28 to Table 4:34 of PSP4 Planning Scheme Policy 4: Landscape Plans and Plant Species.

1.4.17 Development within, or within 200 metres of, Habitat Areas for Endangered, Vulnerable or Rare Fauna or Flora Species

- (1) An environmental impact assessment and management report, prepared by a suitably qualified person, detailing:
 - (a) likely impacts of the development on the habitat value of the area, including but not limited to:

- (i) alterations to hydrological flows (quantity and velocity) that traverse habitat value areas; and,
 - (ii) other threatening aspects such as light, noise, chemical release and nutrient run off into habitat value areas; and,
- (b) measures available or proposed to mitigate any identified likely adverse impacts of the development on the habitat value of the area; and,
- (2) A rehabilitation plan detailing:
 - (a) the use of plant species found naturally on the site or surrounds that are suitable for first phase rehabilitation exercises; and,
 - (b) measures available or proposed to mitigate degraded areas on the site; and,
 - (c) plant species used do not include species identified in Table 4:28 to Table 4:34 of PSP4 Planning Scheme Policy 4: Landscape Plans and Plant Species.

1.4.18 Development within Local Habitat Value Areas and Koala Habitat Areas

- (1) An environmental impact assessment and management report, prepared by a suitably qualified person, detailing measures taken in the design of the development to:
 - (a) minimise fragmentation and edge-to-perimeter ratios of local habitat value areas and koala habitat areas through incorporation of important areas, including gullies, significant stands of vegetation (including understorey), koala food trees and general habitat trees, into open space or vegetation buffers; and,
 - (b) ensure that areas of local habitat value and koala habitat areas are not adversely impacted upon to an unacceptable or unsustainable level by threatening actions such as light, noise, chemical release, nutrient runoff and alteration to hydrology velocity and quantity; and,
 - (c) ensure lots are arranged so that buildings and associated infrastructure (including roads) are located, where possible, outside of areas of local habitat value and koala habitat; and,
 - (d) incorporate corridors of maximum possible width, within and through the site to adjoining areas of remnant vegetation or areas of conservation significance on neighbouring properties; and,
- (2) a rehabilitation plan detailing:
 - (a) the use of plant species found naturally on the site or surrounds that are suitable for first phase rehabilitation exercises; and,
 - (b) if in a Koala Habitat Area:
 - (i) the use of koala habitat trees in Table 4:27; and,
 - (ii) measures available or proposed to mitigate degraded areas on the site; and,
 - (iii) plant species used do not include species identified in Table 4:28 to Table 4:34 of PSP4 Planning Scheme Policy 4: Landscape Plans and Plant Species.

1.4.19 Development within Connectivity Value Areas

- (1) An environmental impact assessment and management report, prepared by a suitably qualified person, detailing measures taken in the design of the development to:
 - (a) minimise fragmentation and edge-to-perimeter ratios of connectivity value areas through incorporation of important areas, including gullies, significant stands of vegetation (including understorey) and habitat trees, into open space or vegetation buffers; and,

- (b) ensure that areas of connectivity value are not adversely impacted upon to an unacceptable or unsustainable level by threatening actions such as light, noise, chemical release, nutrient runoff and alteration to hydrology velocity and quantity; and,
 - (c) ensure lots are arranged so that buildings and associated infrastructure (including roads) are located outside where possible of areas of local connectivity significance; and,
 - (d) incorporate corridors of maximum possible width, within and through the site to adjoining areas of remnant vegetation and/or areas of conservation significance on neighbouring properties; and,
- (2) a rehabilitation plan detailing:
 - (a) the use of plant species found naturally on the site or surrounds that are suitable for first phase rehabilitation exercises; and,
 - (b) measures available or proposed to mitigate degraded areas on the site; and,
 - (c) plant species used do not include species identified in Table 4:28 to Table 4:34 of Planning Scheme Policy 4: Landscape Plans and Plant Species.