

PART 3

3.1

DEVELOPMENT ASSESSMENT CATEGORIES AND ASSESSMENT CRITERIA

PART 3 - DEVELOPMENT ASSESSMENT CATEGORIES AND CRITERIA FOR ZONES AND SPECIAL MANAGEMENT OVERLAY AREAS

Division 1 - Preliminary

3.1 Development Assessment Categories and Assessment Criteria

3.1.1 Assessment Categories for Development

- (1) This part contains Assessment Tables that set out the assessment category¹ for development within zones and as affected by any special management overlay area.
- (2) The Assessment Tables in Section 3.2.1, 3.3.1 and 3.4.1 include:
 - (a) **Part A** – specifying assessment categories for *making a material change of use*, including works associated with a material change of use², and
 - (b) **Part B** – specifying assessment categories for *development other than material change of use*³.
- (3) The Assessment Tables identify in:
 - (a) **Column 1:**
 - (i) **For Part A – the defined use** the subject of the Assessment Table.
 - (ii) **For Part B – the nature of development** the subject of the Assessment Table.
 - (b) **Column 2:**
 - (i) **For Part A – the assessment category for the use** mentioned in Column 1 and any circumstance applying to the determination of the nominated level of assessment.
 - (ii) **For Part B – the assessment category for the development** mentioned in Column 1 and any circumstance applying to the determination of the nominated level of assessment.
 - (c) **Column 3:**
 - (i) **For Parts A and B – the assessment criteria** applying to self assessable and assessable development.

3.1.2 Assessment Criteria for Self Assessable and Assessable Development

- (1) The codes nominated in Column 3 as assessment criteria for development are:
 - (a) applicable codes for self assessable development for which compliance with the Acceptable Solutions is mandatory;
 - (b) applicable codes for code assessable development in which development conflicts with and does not comply with the code if

¹ Information about assessment categories is provided in the Kilkivan planning scheme **User's Guide 2**.

² Works associated with an application for a material change of use may be assessed together with the material change of use.
Also, see the Kilkivan Shire Council Planning Scheme **Explanatory Notes** giving examples that explain the type of development involved in different proposals.

³ See Kilkivan Shire Council Planning Scheme **Explanatory Notes** giving examples that explain the type of development involved in different proposals.

the development is inconsistent⁴ with the overall outcomes and specific outcomes⁵; or.

- (c) relevant planning scheme provisions against which impact assessable development may be assessed and for which development conflicts with the planning scheme if it is inconsistent with a relevant code.
- (2) The applicability of a code for self assessable development is limited to the elements of the code for which Acceptable Solutions are specified.
- (3) If assessable development for material change of use includes assessment of associated works, codes applicable to the assessment of such works identified in Column 3 of Table B for *development other than material change of use* also apply to the assessment.

3.1.3 Consistent or Inconsistent Development

- (1) A defined use or use class or other form of development that is inconsistent in the relevant zone is noted in Column 1 of the Assessment Tables A or B of:
 - (a) Section 3.2.1 – Rural Locality
 - (b) Section 3.3.1 – Rural Residential Locality
 - (c) Section 3.4.1 – Urban Locality.
- (2) For the purposes of making a decision about an application requiring code assessment in accordance with s3.5.13 of the Act, development that is identified in this planning scheme as inconsistent development does not comply and conflicts with the applicable code in which it is identified as being inconsistent

⁴ Inconsistent development conflicts and does not comply with an applicable code – refer Section 3.1.3(2).

⁵ For code assessable development, Acceptable Solutions provide a guide for achieving the relevant specific outcome – refer to Section 1.9 of this planning scheme.

3.2

RURAL LOCALITY

TABLE 3A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(a) Rural Use Classes continued:		
Farming: Self assessable: All except if assessable as follows. Code assessable: Other than if impact assessable and if: (i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes; or (ii) on a lot of 5ha or less for: 1) on-farm processing; 2) a roadside stall; 3) keeping more than 1 livestock (or animal equivalent) per hectare; 4) stabling of hoofed animals in excess of 2/ha; 5) agriculture involving irrigation services; or 6) keeping more than 35 poultry; or (iii) in the Open Space preferred land use area; or (iv) for agriculture involving irrigation services in an Environmental Management Area shown on SMOA map 2C. Impact assessable: If: (i) for animal husbandry for pigs on lots of 5ha or less; or (ii) for agriculture involving irrigation services within 500m of land in the Residential zone or Rural Residential zone. NOTE: Agriculture involving irrigation services is an inconsistent use in the Open Space preferred land use area (refer SO2 in 3.2.2)	Self assessable: All except if assessable as follows. Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes; or (ii) in an Environmental Management Area shown on SMOA map 2C; or (iii) in the Open Space preferred land use area. NOTE: Forestry business is an inconsistent use in the Open Space preferred land use area (refer SO2 in 3.2.2)	Applicable Codes: For self assessable development: ▪ Farming Code. For assessable development: ▪ Farming Code; and ▪ Rural Locality Code – Elements (a) and (c)(iii) – (vi); AND For assessable development: (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: ▪ Natural Features and Resources Overlay Code (ii) If in a SMOA on SMOA map 2E: ▪ Community Facility Overlay Code (iii) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code
Forestry business: Self assessable: All except if assessable as follows. Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes; or (ii) in an Environmental Management Area shown on SMOA map 2C; or (iii) in the Open Space preferred land use area. NOTE: Forestry business is an inconsistent use in the Open Space preferred land use area (refer SO2 in 3.2.2)	Self assessable: All except if assessable as follows. Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes; or (ii) in an Environmental Management Area shown on SMOA map 2C; or (iii) in the Open Space preferred land use area.	Applicable Codes: For self assessable development: ▪ Forestry Business Code. For assessable development: ▪ Rural Locality Code – Elements (a), (c)(iii) – (vi), (f) O13 and S13.1, and (g); and ▪ Forestry Business Code; AND For assessable development: (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: ▪ Natural Features and Resources Overlay Code (ii) If in a SMOA on SMOA map 2E: ▪ Community Facility Overlay Code (iii) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code

TABLE 3A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(a) Rural Use Classes continued:		
<p>Intensive animal husbandry:</p> <p>NOTES: 1. Uses for: - a dairy - feedlotting - a piggery - poultry farm, are inconsistent uses if on lots of 5ha or less (refer SO2 in 3.2.2) 2. Intensive animal husbandry is an inconsistent use in the Open Space preferred land use area (refer SO2 in 3.2.2)</p>	<p>Self assessable: All except if assessable as follows.</p> <p>Code assessable:</p> <p>(i) If nominated as self assessable but unable to comply with an acceptable solution in the applicable code; or</p> <p>(ii) All except feedlots of 49 SCU's or less, except if impact assessable as follows.</p> <p>Impact assessable: If outside the Open Space preferred land use area for:</p> <p>(i) a feedlot for livestock @ 49 or less SCUs or a feedlot or piggery for pigs @ 500 or less SPUs within 2kms of land in the Residential zone, Rural Residential zone or the Village zone and inconsistent with the acceptable solutions of the Animal Keeping and Intensive Animal Husbandry Code;</p> <p>or</p> <p>(ii) a feedlot for livestock @ 50 or more SCUs or a feedlot or piggery for pigs @ 501 or more SPUs.</p>	<p>Applicable Codes: <i>For self assessable development:</i></p> <ul style="list-style-type: none"> Animal Keeping and Intensive Animal Husbandry Code; and <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> Animal Keeping and Intensive Animal Husbandry Code; and Rural Locality Code – all Elements except (b), (c) (i) & (ii) S6.2, (d) S11.2 and (f) S13.2, S13.3 and S13.5; <p>AND <i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA maps 2A to 2D inclusive:</p> <ul style="list-style-type: none"> Natural Features and Resources Overlay Code <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> Community Facility Overlay Code <p>(iii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> Cultural Features Overlay Code
<p>Rural service industry:</p> <p>NOTE: Rural service industry is an inconsistent use in the Open Space preferred land use area (refer SO2 in 3.2.2)</p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If:</p> <p>(i) outside the Open Space preferred land use area for:</p> <p>1) a sawmill;</p> <p>2) a kiln; or</p> <p>3) a crop spraying contractor;</p> <p>or</p> <p>(ii) on a lot of 5ha or less.</p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> Rural Locality Code; <p>AND</p> <p>(i) If involving a roadside stall:</p> <ul style="list-style-type: none"> Farming Code – Elements (a)(iii) O3 and S3.5 to S3.7 <p>(ii) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> Natural Features and Resources Overlay Code <p>(iii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> Community Facility Overlay Code <p>(iv) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> Cultural Features Overlay Code

TABLE 3A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes		
Annexed unit: Bed and breakfast: Caretakers residence: Dwelling house:	Self assessable: All except if assessable as follows. Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes; or (ii) on a lot over 5ha and for more than two (2) <i>Dwelling houses</i> (or more than a <i>Dwelling house</i> and a <i>Caretakers residence</i>); or (iii) on a lot of 5ha or less for a <i>Caretakers residence</i> ; or (iv) on a Cultural Heritage Site shown on SMOA map 2F; or (v) in a Mineral and Extractive Resources and Buffer Area shown on SMOA map 2A; or (vi) in an Environmental Management Area shown on SMOA map 2C for the: 1) Bjelke Peterson Dam – Declared Catchment, 2) Major Wetlands and Indicative 500 metre Buffer to Wetlands, or 3) Indicative Riparian Land 100 metre Buffer; or (vii) in the Open Space preferred land use area; or (viii) in the 1km buffer area to the boundary to an <i>Intensive animal husbandry</i> premises shown on SMOA map 2D(i); or (ix) in the 200 metre buffer to land in the Industrial zone shown on SMOA map 2D(i); or (x) if a lot created under section 3.2.2 (2), (b), S3.2, (2) or (3) or (xi) in the 500 metre buffer area to the boundary to a <i>Major utility</i> premises shown on SMOA map 2E; or (xii) on premises listed in Schedule 5. Impact assessable: If: (i) on a lot less than 2000m ² ; or (ii) on a lot of 5ha or less and for more than one (1) <i>Dwelling house</i> (or a <i>Dwelling house</i> and a <i>Caretakers residence</i>).	Applicable Codes: <i>For self assessable development:</i> (i) For a Dwelling House: ▪ Dwelling House, Annexed Unit and Caretakers Residence Code - Elements (a), (c), (e) and (g). (ii) For a Caretakers Residence: ▪ Dwelling House, Annexed Unit and Caretakers Residence Code - Elements (a), (c), (e), (f) and (g). (iii) For an Annexed Relatives Unit: ▪ Dwelling House, Annexed Unit and Caretakers Residence Code - Elements (a), (c), (d), (e) and (g). (iv) For a Bed and Breakfast: ▪ Bed and Breakfast and Small Scale Tourist Facility Code. (v) If in a SMOA on SMOA map 2B showing bushfire areas: ▪ Natural Features and Resources Overlay Code – Element (b)(ii) (vi) If in a SMOA on SMOA map 2D: ▪ Natural Features and Resources Overlay Code – Elements (f)(ii) and (iii). <i>For assessable development:</i> ▪ Use Codes nominated above; and ▪ Rural Locality Code – Elements (a), (c)(iii) to (vi) and (g); AND <i>For assessable development:</i> (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: ▪ Natural Features and Resources Overlay Code (ii) If in a SMOA on SMOA map 2E: ▪ Community Facility Overlay Code (iii) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code
NOTE: <i>Uses for:</i> ▪ Annexed unit and Dwelling house in the Open Space preferred land use area; or ▪ If on a lot created under section 3.2.2 (2)(b) S3.2(2) or (3) of the planning scheme; are inconsistent uses (refer SO2 in 3.2.2)		

TABLE 3A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes continued:		
Home-based business:	<p>Self assessable: All except if assessable as follows.</p> <p>Code assessable: If nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes.</p>	<p>Applicable Codes: <i>For self assessable development:</i></p> <ul style="list-style-type: none"> Home-based Business Code. <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> Home-based Business Code; and Rural Locality Code – Elements (a), (c) (iii) to (vi), (f)O13 and S13.1 and (g).
Other defined Residential uses not listed above:	<p>Code assessable: If:</p> <p>(i) in the Open Space preferred land use area; or</p> <p>(ii) outside the Open Space preferred land use area for:</p> <ol style="list-style-type: none"> Accommodation building except for motel, guest house or itinerant workers accommodation; or Multiple dwelling unit except for two dwelling units. <p>Impact assessable: If outside the Open Space preferred land use area for:</p> <ol style="list-style-type: none"> Accommodation building for motel, guest house or itinerant workers accommodation; Caravan park; or Multiple dwelling unit for two dwelling units. <p>NOTE: Code assessable uses are inconsistent uses (refer SO2 in 3.2.2)</p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> Rural Locality Code – all Elements except (b), (c)(i) and (f) S13.2; and Multiple Dwelling Unit and Accommodation Building Code; <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> Natural Features and Resources Overlay Code <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> Community Facility Overlay Code <p>(iii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> Cultural Features Overlay Code
(c) Commercial Use Classes		
<p>Office:</p> <p>Produce store:</p> <p>Small-scale tourist facility:</p> <p>NOTE: Office and Produce store are inconsistent uses in the Open Space preferred land use area (refer SO2 in 3.2.2)</p>	<p>Code assessable: All circumstances except if impact assessable as follows.</p> <p>Impact assessable: If in a Mineral and Extractive Resources and Buffer Area shown on SMOA map 2A.</p>	<p>Applicable Codes:</p> <p>(i) For a Small-scale Tourist Facility:</p> <ul style="list-style-type: none"> Bed and Breakfast and Small Scale Tourist Facility Code; and Rural Locality Code – Elements (a), (c)(iii) to (vi), (f)O13 and S13.1, S13.4 & S13.5 and (g). <p>(ii) For Office or Produce Store:</p> <ul style="list-style-type: none"> Rural Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> Natural Features and Resources Overlay Code <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> Community Facility Overlay Code <p>(iii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> Cultural Features Overlay Code

TABLE 3A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(c) Commercial Use Classes continued:		
<p><i>Other defined Commercial uses not listed above:</i></p> <p>NOTE: Commercial uses for a: - Brothel - Hotel - Shop (over 50 m² gross floor area) are inconsistent uses (refer SO2 in 3.2.2)</p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If: (i) for <i>Restaurant and/or take-away food store</i> or <i>Shop</i> (50 square metres or less gross floor area); or (ii) outside the Open Space preferred land use area for: 1) <i>Major tourist facility</i>, 2) <i>Market</i>, or 3) <i>Sales or hire premises</i>.</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Rural Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> ▪ Community Facility Overlay Code <p>(iii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code •
(d) Industrial Use Classes		
<i>Borrow pit – small-scale:</i>	<p>Exempt: (i) All except if code assessable as follows</p>	Nil
	<p>Code assessable: If: (i) in the Open Space preferred land use area;</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Extractive Industry and Borrow Pit Code; and ▪ Rural Locality Code – Elements (a), (c)(ii)O6 and S6.1, (c)(iii) to (vi), (e), (f) (except S13.2) and (g); <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code. <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> ▪ Community Facility Overlay Code <p>(iii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
<i>Borrow pit – Large-scale:</i>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If: (i) in the Open Space preferred land use area; or (ii) in the 1km buffer area to the boundary to an <i>Intensive animal husbandry</i> premises shown on SMOA map 2D(i).</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Extractive Industry and Borrow Pit Code; and ▪ Rural Locality Code - Elements (a), (c)(ii)O6 and S6.1, (c)(iii) to (vi), (e), (f) (except S13.2) and (g); <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> ▪ Community Facility Overlay Code <p>(iii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code

TABLE 3A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(e) Community Use Classes		
Local utility:	Exempt: All except if assessable as follows.	Nil
	Code assessable: If: (i) for community services in any SMOA shown on SMOA map 2A to 2E inclusive or SMOA map 2F; or (ii) for community services on any premises listed in Schedule 5 except if related to a premises comprising a <i>Local utility</i> or <i>Special use</i> .	<u>Applicable Codes:</u> ▪ Rural Locality Code; AND (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: ▪ Natural Features and Resources Overlay (ii) If in a SMOA on SMOA map 2E: ▪ Community Facility Overlay Code (iii) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code

TABLE 3A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(e) Community Use Classes continued:		
<p><i>Other defined Community uses not listed above:</i></p> <p>NOTE: Community uses for Child care centre are inconsistent uses in the Open Space preferred land use area (refer SO2 in 3.2.2)</p>	<p>Self assessable:</p> <p>If:</p> <p>(i) for the particular <i>Community use class</i> indicated for the premises listed in Schedule 5, Division 1 and for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day;</p> <p>or</p> <p>(ii) by a public sector entity in an existing building on land under Council's control for the following circumstances:</p> <ol style="list-style-type: none"> 1) for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day; 2) outside the Open Space preferred land use area; 3) not involving flood lighting; 4) outside Natural Hazard Risk Management Areas shown on SMOA map 2B; 5) outside the buffer areas to the boundary to a premises shown on SMOA map 2D(i), 2E or 2F; or 6) outside the Mineral and Extractive Resources and Buffer Areas shown on SMOA map 2A. <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes;</p> <p>or</p> <p>(ii) unable to satisfy the circumstances set out above for self assessment for:</p> <ol style="list-style-type: none"> 1) a <i>Child care centre</i>, 2) a <i>Special use</i>, or 3) a <i>Telecommunication facility (medium impact)</i>. <p>Impact assessable:</p> <p>Major utility except if self assessable.</p>	<p><u>Applicable Codes:</u></p> <p><i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Rural Locality Code; <p>AND</p> <p>(i) For a Child Care Centre:</p> <ul style="list-style-type: none"> ▪ Child Care Centres Code <p>(ii) For a Telecommunications Facility:</p> <ul style="list-style-type: none"> ▪ Telecommunications Facilities Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> ▪ Community Facility Overlay Code <p>(iii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
(f) Recreational Use Classes		
Park:	<p>Exempt</p> <p>All circumstances.</p>	Nil

TABLE 3A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(f) Recreational Use Classes continued:		
<i>Other defined Recreation uses not listed above:</i>	<p>Self assessable:</p> <p>If:</p> <p>(i) for the particular <i>Recreational use class</i> indicated for the premises listed in Schedule 5, Division 2 and for not more than a 10% increase in gross floor area calculated from the commencement day;</p> <p>or</p> <p>(ii) on Council controlled land except if:</p> <ol style="list-style-type: none"> 1) in the Open Space preferred land use area; and 2) for more than a 10% increase calculated from the commencement day: <ol style="list-style-type: none"> a. in gross floor area; or b. in car parking demand; or 3) needing a liquor license; or 4) involving floodlighting; or 5) on a SMOA shown on SMOA map 2A to 2E inclusive and 2F. <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes;</p> <p>or</p> <p>(ii) for the particular <i>Recreational use class</i> indicated for the premises listed in Schedule 5, Division 2 or on Council controlled land and unable to satisfy the circumstances set out above for self assessment.</p> <p>Impact assessable:</p> <p>All other circumstances if not self assessable or code assessable above.</p>	<p><u>Applicable Codes:</u></p> <p><i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Rural Locality Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> ▪ Community Facility Overlay Code <p>(iii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
(2) DEVELOPMENT FOR UNDEFINED USES²		
<i>All</i>	<p>Impact assessable:</p> <p>All circumstances</p>	

² Development for undefined uses refers to proposals that do not fall within the ambit of a defined use as set out in Schedule 7.

TABLE 3B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) BUILDING WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	<p>Code assessable:</p> <p>If for:</p> <p>(i) a building or structure having a building height greater than the following measured above ground level:</p> <ol style="list-style-type: none"> 1) 3.5 metres in the Open Space preferred land use area, 2) 3.5 metres for a <i>Small-scale tourist facility, Bed and breakfast or Home-based business</i>, 3) 8.5 metres for habitable buildings or buildings for a <i>Community use</i>, or 4) 12 metres in all other circumstances, except for any <i>Local utility, Major utility (Electricity works)</i>, Class 10 building or <i>Telecommunication facility</i>; <p>or</p> <p>(ii) a fence or wall forward of the building line if:</p> <ol style="list-style-type: none"> 1) over 1.8 metres in height and less than 50% transparent; or 2) a retaining wall exceeding 1.5 metres in vertical height; <p>or</p> <p>(iii) a Class 10 building on premises less than 10ha in area and not associated with an existing <i>Dwelling house</i>;</p> <p>or</p> <p>(iv) displacement of more than:</p> <ol style="list-style-type: none"> 1) 50 m³ of material outside the Open Space preferred land use area; or 2) 20 m³ of material inside the Open Space preferred land use area; <p>or</p> <p>(v) a building or structure on a Cultural Heritage Site shown on SMOA map 2F, except for building work internal to an existing building.</p>	<p><u>Applicable Codes:</u></p> <p>(i) For building or structure height:</p> <ul style="list-style-type: none"> ▪ Rural Locality Code – Element (c)(i) and (ii) <p>(ii) For fences and walls:</p> <ul style="list-style-type: none"> ▪ Rural Locality Code - Element (c)(v) <p>(iii) For a Class 10 building:</p> <ul style="list-style-type: none"> ▪ Rural Locality Code - Elements (c)(i) and (ii), (d) and (g) <p>(iv) For displacement of material:</p> <ul style="list-style-type: none"> ▪ Rural Locality Code - Elements (d) and (g) <p>(v) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Placement of an advertisement device:	<p>Self assessable:</p> <p>All except if code assessable as follows.</p> <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes;</p> <p>or</p> <p>(ii) on a Cultural Heritage Site shown on SMOA map 2F;</p> <p>or</p> <p>(iii) in the Open Space preferred land use area.</p>	<p><u>Applicable Codes:</u></p> <p><i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Rural Locality Code - Elements (c)(iv), (d) and (g); <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code

TABLE 3B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE continued:		
Excavation and/or filling that materially affects premises:	<p>Self assessable: All except if code assessable as follows.</p> <p>Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes; or (ii) for a: 1) <i>Telecommunications facility (medium impact)</i>; 2) <i>Major utility</i>; or 3) <i>Extractive industry</i>; or (iii) for a change in the ground level of more than 1 metre or if more than 50 m³ of material is filled or excavated. and (iv) capable of storing water and/or causing the ponding of water and: 1) the distance from any point on the edge of the full water level to any downstream property boundary (including road reserve) is less than the widest distance in any direction on the surface of the water at its maximum fill level; or 2) the distance from any point on the edge of the full water level to any upstream property boundary (including to road reserve) is less than half the widest distance in any direction on the surface of the water at its maximum fill level</p>	<p><u>Applicable Codes:</u> <i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> Rural Locality Code - Element (g); <p>AND <i>For assessable development:</i> (i) For a Telecommunications Facility: <ul style="list-style-type: none"> Telecommunications Facilities Code (ii) For an Extractive Industry: <ul style="list-style-type: none"> Extractive Industry and Borrow Pit Code </p>
Works associated with reconfiguring a lot:	<p>Code assessable: All circumstances.</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> Rural Locality Code- Elements (b)O3, (d)O11 and (g)O14; and <p>(i) If in a SMOA on SMOA map 2C:</p> <ul style="list-style-type: none"> Natural Features and Resources Overlay Code – Elements (c) to (e) inclusive
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<p>Reconfiguring a lot:</p> <p>NOTE: 1. Reconfiguring a lot is inconsistent development if: (i) in the Open Space preferred land use area; or (ii) resulting in a lot pursuant to the criteria listed in O4(b) of the Rural Locality code in 3.2.2.</p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If for reconfiguring a lot to create a lot less than 40ha: (i) in the buffer area to the boundary to an <i>Intensive animal husbandry</i> premises shown on SMOA map 2D(i); or (ii) in the Mineral and Extractive Resources and Buffer Area as shown on SMOA map 2A; or (iii) in the 500 metre buffer area to a <i>Major utility</i> shown on SMOA map 2E; or (iv) in the 200 metre buffer of land included in the Industrial zone on the Zone maps.</p> <p>OR If for reconfiguring a lot involving an existing lawful use for <i>Rural service industry, Intensive animal husbandry, Intensive agriculture, Borrow pit, Extractive industry, High impact industry, Local utility, Major utility, Special use, Park or Telecommunication facility (medium impact)</i>.</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> Rural Locality Code - Elements (b), (d), (f) and (g); <p>AND (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: <ul style="list-style-type: none"> Natural Features and Resources Overlay Code (ii) If in a SMOA on SMOA map 2E: <ul style="list-style-type: none"> Community Facility Overlay Code (iii) If in a SMOA on SMOA map 2F: <ul style="list-style-type: none"> Cultural Features Overlay Code </p>
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All	<p>Exempt: All circumstances</p>	Nil

RURAL LOCALITY CODE

3.2.2 Rural Locality Code

(1) PURPOSE OF THE CODE – Overall Outcomes:

(a) The purpose of the Rural Locality Code is the achievement of the overall outcomes sought for the Rural Locality.

(b) The overall outcomes sought for the Rural Locality are that development is located, designed and operated so:

- (i) *development is comprised predominantly of rural and non-urban uses, supported by rural industries and provided with utility services reasonably expected to service or locate in a rural area;*
- (ii) *except for low key activities which support the rural tourism or primary industry sectors, other commercial activities, community services, recreational facilities and industries servicing the rural community are provided in the town and village areas;*
- (iii) *development for other than rural uses and uses which directly support rural activities and rural communities occurs only in response to demonstrable need from the area in which it is proposed to locate;*
- (iv) *non-rural use of lots under 5ha in area is minimised;*
- (v) *uses and works are compatible with the amenity and character of adjacent areas, including the amenity and character of closer settled areas at interface locations;*
- (vi) *uses and works maintain the safety of people and property as reasonably expected for rural areas;*
- (vii) *adverse affects from development are minimised to an acceptable level so the environmental, scenic, economic, cultural heritage, indigenous and land/water resource values characterising the area, its productivity and the capacity of existing infrastructure are protected;*
- (viii) *reconfiguring is for bona fide reasons associated with:*
 - (A) *realising the productivity of land for rural purposes; or*
 - (B) *supporting viability of rural activities in rural areas;*
- (ix) *reconfiguring maintains median farm sizes, and*
- (x) *development does not result in a proliferation of individual property accesses onto major roads or at the outskirts of towns and villages; or*
- (xi) *the Open Space preferred land use area is protected from intensive development that degrades its natural state or adversely affects its landscape, cultural heritage, indigenous or conservation values.*

(2) ELEMENTS:

(a) Land use and development

(i) Consistent uses

Specific Outcome:	
O1	Uses are consistent and preferred for development in the Rural Locality, except if: <ul style="list-style-type: none"> (a) listed in O2 as an inconsistent use; or (b) conflicting with this Code.

(ii) Inconsistent uses

Specific Outcome:	
O2	<p>The following uses or use classes conflict with this Code:</p> <ul style="list-style-type: none"> (a) <i>Rural uses</i> in the Open Space preferred land use area except for <i>Farming</i> not involving irrigation services. (b) <i>Intensive animal husbandry</i> on lots of 5ha or less in area for: <ul style="list-style-type: none"> (i) dairy, (ii) feedlotting, (iii) piggery, or (iv) poultry farm. (c) <i>Residential uses</i> in the Open Space preferred land use area except for <i>Caretakers residence, Home-based business</i> or <i>Bed and breakfast</i>. (d) <i>Residential uses</i> outside the Open Space preferred land use area for: <ul style="list-style-type: none"> (i) <i>Accommodation building</i> (except for motel, guest house or for itinerant workers accommodation), or (ii) <i>Multiple dwelling units</i> except for two dwelling units. (e) <i>Commercial uses</i> in the Open Space preferred land use area except for <i>Restaurant and/or Take-away food store, Small-scale tourist facility</i> or <i>Shop</i> (under 50m2 gross floor area). (f) <i>Commercial uses</i> outside the Open Space preferred land use area for: <ul style="list-style-type: none"> (i) <i>Brothel</i>, (ii) <i>Hotel</i>, or (iii) <i>Shop</i> (over 50m2 gross floor area). (g) <i>Industrial uses</i>: <ul style="list-style-type: none"> (i) in the Open Space preferred land use area, except for <i>Borrow pit</i>, or (ii) for a <i>Car washing station</i>. (h) <i>Community uses</i> in the Open Space preferred land use area for <i>Child care centre</i>. (i) <i>Dwelling house</i> on a lot created under section under section 3.2.2 (2), (b), S3.1, (2) or (3) of this planning scheme, ie. On a Rural lot less than 200ha created for the purposes of farm restructuring or to accommodate an approved, compliant or existing <i>Local utility, Major utility, Telecommunications facility (medium impact)</i> or <i>Rural Service Industry</i> or a new realigned public road.

(b) Density and design for reconfiguring**(i) Consistent reconfiguration**

Specific Outcomes	Probable Solutions
O3 Reconfiguring avoids creating lots smaller than the area of land considered necessary for a sustainable farm, except where land is to be used for purposes other than primary production consistent with this code.	<p>S3.1 Each lot less than 200ha (including Community Title Scheme) is consistent if one of the following circumstances is met:</p> <ol style="list-style-type: none"> 1. (a) the lot is for cultivation for fruit, vegetables, flowers, ornamental (as opposed to landscape) plants or succulents on a commercial basis; and (b) a Farm Plan¹ demonstrates long term sustainable farm size; and (c) the lot is located at least 1km from the boundary of an approved or lawful <i>Intensive animal husbandry</i>, <i>Rural service industry</i> or <i>Extractive industry</i>; and (d) any balance area is either: <ol style="list-style-type: none"> (i) amalgamated with an adjoining lot; or (ii) equal to or greater than 200ha (e) the lot has direct practical vehicular access to a constructed all-weather road <p>OR</p> <ol style="list-style-type: none"> 2. (a) the lot is to accommodate farm restructuring; and (b) any balance area is either <ol style="list-style-type: none"> (i) amalgamated with an adjoining lot; or (ii) equal to or greater than 200ha <p>OR</p> <ol style="list-style-type: none"> 3. (a) the lot is to accommodate an approved, compliant or existing <i>Local utility</i>, <i>Major utility</i>, <i>Telecommunication facility (medium impact)</i>, <i>Rural Service Industry</i>, or a new or realigned public road; and (b) the lot has direct vehicular access to a constructed all weather road; and (c) unless the lot is less than 1ha, any balance area is either: <ol style="list-style-type: none"> (i) amalgamated with an adjoining lot; or (ii) equal to or greater than 200ha. <p>OR</p> <ol style="list-style-type: none"> 4. (a) the lot is to accommodate an approved, compliant or existing <i>Intensive Animal Husbandry</i>; and

¹ The requirements of a Farm Plan are set out in Planning Scheme Policy No. 10.

Specific Outcomes		Probable Solutions	
		(b)	a Farm Plan ¹ demonstrates long term sustainable farm size; and
		(c)	any balance area is either:
		(i)	amalgamated with an adjoining lot; or
		(ii)	equal to or greater than 200ha
		(d)	the lot has direct vehicular access to a constructed all weather road.
O4	Lots ² are located, designed and constructed with sufficient area and suitable road frontage, shape and proportions to:	S4.1	Lots resulting from reconfiguring (including for a Community Title Scheme) are consistent if they comply with the standards in Table S3.1 at the end of this Code.
	(a) facilitate their use (including for buildings and works) for a consistent use, in a manner compatible with <i>Rural uses</i> in the setting,	S4.2	Lots are regular in shape with the mean width to depth ratio not exceeding 1:5.
	(b) protect their utility and the economic viability of rural productivity,	S4.3	Rear or hatchet shaped lots comprise:
	(c) protect significant landscape, environmental, drainage, cultural	(a)	no more than 5% of the proposed lots, and
		(b)	a minimum width of the access strip being 10m.

² Lots include both new lots created as a result of reconfiguring and balance areas

³ A constructed road means a public road providing the standard of service and the standard of construction applicable for the road specified in Schedule 2

⁴ Access to a State-controlled road needs approval from Department of Main Roads

⁵ Stock routes and the Bicentennial Trail are shown in PSP No 8

⁶ SMOA map 2D shows good quality agricultural land.

Specific Outcomes	Probable Solutions
	heritage or land form features characterising the area,
(d)	provide effective management of land and water resources on the site and surrounds in terms of protecting quality and quantity and suitability for consistent uses,
(e)	minimise pollution discharges from the lot to an acceptable level,
(f)	protect the amenity, character and safety of nearby uses and infrastructure,
(g)	result in safe access between a constructed road ³ and the lot and within the lot in all reasonable conditions without creating a proliferation of accesses leading to ribbon development on roads ⁴ ,
(h)	protect the operational efficiency and safety of authorised activities in stock routes and the Bicentennial Trail ⁵ ,
(i)	prevent the loss, degradation or fragmentation of good quality agricultural land ⁶ where a reconfiguration is adjacent thereto,
(j)	minimise any adverse affects of flooding, salinity, erosion, land slip and bushfire on people, property, economic activities and the environment,
(k)	protect the proper functioning of soil conservation works on the land, and
(l)	minimise rear or hatchet shaped lots.

(ii) *Inconsistent reconfiguring*

Specific Outcome:	
O5	Reconfiguring a lot is inconsistent if:
(a)	in the Open Space preferred land use area, or
(b)	it results in a lot below the minimum lot size prescribed in Table 3.1 for:
	<ul style="list-style-type: none"> • a Residential use, • a use that requires reticulated water supply, sewerage or bitumen road access or extension of school bus services for its safe and effective usual operation, • a use that increases the risk to people and property from proximity to lawful Intensive animal husbandry, Rural service industry, Extractive industry, Borrow pit, Forestry business or Intensive agriculture, • two or more lots which provide for close settlement outside the Rural Residential or Urban Locality, or • a use or a configuration which detracts from the long term viability of a premises held in common farm management.

(c) Character and amenity**(i) Amenity**

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
06	Uses and associated works are located, designed and effectively buffered or separated so as to minimise unacceptable affects on the following:	S6.1	Uses and associated works are separated from the property boundary of a sensitive receptor by at least:
	(a) the existing quality of air, water, soil, acoustic and visual environments characterising the local area,	(a)	for <i>Rural service industry</i> - 300 metres, or
	(b) the privacy and amenity of occupants in adjacent properties and public spaces,	(b)	for <i>Light industry, Landscape supplies</i> or <i>Storage premises</i> - 100 metres.
	(ii) the well being and safety of people using the premises and of people, animals and property at adjacent premises and other nearby sensitive receptors, and	S6.2	Except as specifically stated in S6.1 above, uses and associated works are separated from any side or rear property boundary by at least:
	(iii) the normal operations of nearby <i>Major utilities, Rural uses</i> , natural economic resources, other consistent uses or stock routes or the Bicentennial Trail.	(a)	30 metres to a common boundary with a property comprising a dwelling unit, or
		(b)	10 metres to a common boundary with a property that does not comprise a dwelling unit.
		S6.3	Car parking and service activities areas are screened from view from adjacent premises comprising a dwelling unit by landscape planting of at least 3 metres deep.

(ii) Appearance and scale

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
07	(a) Uses and associated works are located and of a type, finish and scale so the open, land extensive character of the rural area and its natural and cultural features are not adversely affected.	S7.1	Buildings or structures, other than for a <i>Telecommunication facility, a Major utility (Electricity works)</i> or a Class 10 building, are not higher than 12 metres measured above ground level.
	(iv) Buildings, structures and works are located and designed so:	S7.2	Uses and associated works are located the following from the property boundary to a:
	• natural lighting and ventilation, privacy, noise attenuation, drainage, landscaping and outlook for the site and surrounds is protected,	(a)	collector or higher order road, rail line, stock route or the Bicentennial Trail - 20 metres ⁷ , or
	• materials stored outside buildings are effectively screened from view	(b)	public, gazetted, formed and constructed road not specified in (a) above - 10 metres.
		S7.3	Premises are visually buffered along the

⁷ Road hierarchy is shown on the Zone maps and the other trails appear in PSP 8

Specific Outcomes	Acceptable Solutions (if self assessable)
Probable Solutions (if code assessable)	
<p>from adjacent premises and public spaces,</p> <ul style="list-style-type: none"> architectural styles, colours and materials for buildings and structures that are visible from roads and adjoining residences reflect or complement that of the locality and are not excessively contrasting or reflective, and areas with ecological, scenic and cultural heritage values are protected. 	<p>frontage to collector or higher order roads with landscape planting of at least 2 metres deep.</p>

(iii) *Landscaping*

Specific Outcomes:	
O8 Landscaping is designed⁸ and located to:	
<p>(a) integrate with established streetscape and landscape,</p> <p>(b) protect the visual and landscape quality of the major roads, landmarks and entry points in the Shire,</p> <p>(c) integrate with the pedestrian movement system and ensure vehicular sight lines are protected,</p> <p>(d) integrate with site topography, soils and natural drainage systems,</p> <p>(e) protect and enhance areas with ecological, scenic, aesthetic and cultural heritage value,</p> <p>(f) be easily and readily maintained, optimising the efficient use of water through planting of endemic species that minimise maintenance costs, and</p> <p>(g) offer effective screening and buffering of incompatible uses:</p> <ul style="list-style-type: none"> from view from roads and other public open spaces, and from view and audibility regarding sensitive receptors. 	

(iv) *Advertisement devices*

Specific Outcomes		Acceptable Solution (if self assessable)
Probable Solution (if code assessable)		
<p>O9 Signs are:</p> <p>(a) compatible with the:</p> <ul style="list-style-type: none"> character of the predominant built form, streetscape and landscaping on the site and adjacent properties, and amenity of the local area; <p>(v) located and designed so:</p> <ul style="list-style-type: none"> as not to create a hazard to people and vehicles, materials and styles complement 		<p>S7.1 Signs are designed and located in accordance with the standards in Schedule 4⁹.</p>

⁸ Refer to Council's PSP.5 on Landscaping for advices on species type, installation, maintenance and performance.

⁹ For signs located on properties fronting a State-controlled road, compliance is had with the Department of Main Roads "Guide to the Management of Roadside Advertising"

Specific Outcomes	Acceptable Solution (if self assessable) Probable Solution (if code assessable)
<p>those in buildings on-site,</p> <ul style="list-style-type: none"> as to integrate with the design, scale and proportions of buildings, works and landscaping on the site, a proliferation of signage and associated visual and physical clutter is minimised, and the use of roof advertising panels and above awning signs is avoided. 	

(v) *Fences and walls*

Specific Outcomes:
<p>O10 Fences and walls are located, designed and of a form and construction so:</p> <ul style="list-style-type: none"> (a) established streetscape is complemented; (b) the open landscape character of the Locality is complemented; (c) as to assist with noise attenuation and visual screening, if required; (d) local privacy and amenity is maintained; (e) public safety is maintained; (f) design, scale and proportions are integrated with existing built and landscape form; and (g) local ecology, drainage, flooding, geotechnical and micro-climatic conditions are maintained.

(vi) *Floodlighting*

Specific Outcomes:
<p>O11 Light spill associated with flood lighting installed on premises is minimised to an acceptable level having regard to:</p> <ul style="list-style-type: none"> (a) potential nuisance to adjoining premises and the safety for road users and aircraft operations, and (b) ambient levels of light in the locale.

(d) **Land and water resource management**

Specific Outcomes	Acceptable Solutions (if self assessable) Probable Solutions (if code assessable)
<p>012 Development is located, designed and constructed to function effectively and in a manner that minimises disturbance to the geotechnical, physical, hydrological and environmental characteristics of the site and its setting, including:</p>	<p>S12.1 Uses, associated works and compounds are confined to:</p> <ul style="list-style-type: none"> (a) free draining areas with a cross fall of at least 0.5-1%, (b) slopes not exceeding:

¹⁰ Development which is not compatible with the nature of a natural hazard is either:

- (a) in the public interest,
- (b) not catered to by another site which is suitable and available for the proposal, or
- (c) minimises adverse impacts from natural hazards and does not create an unacceptable risk to people and property.

The parameters will be determined for assessable development in accordance with the *State Planning Policy Guideline – Mitigation of Adverse Impacts of Flood, Bushfire and Landslide*, Queensland Government, June, 2003

Specific Outcomes	Acceptable Solutions (if self assessable) Probable Solutions (if code assessable)
<p>(a) related to degradation of the environmental and economic values of both land and water resources and receiving environments,</p> <p>(b) significant remnant native vegetation important to land stability, salinity and erosion land management as well as to riparian land, landscape, biodiversity and habitat management,</p> <p>(c) hydrological processes of flood plains and drainage systems,</p> <p>(d) ecological values of waterways and drainage features,</p> <p>(e) soil conservation works,</p> <p>(f) the propensity for any natural hazard related to flooding, land slip and bushfire to adversely affect people, property, economic activities and the environment¹⁰,</p> <p>(g) quality and quantity of surface and ground water resources, and</p> <p>(vi) landscape character.</p>	<ul style="list-style-type: none"> • 6% for <i>Commercial, Industrial</i> or <i>Community uses</i>, • 15% for <i>Residential uses</i> or a <i>Small-scale tourist facility</i>, • 10% for treated effluent disposal areas, <p>(vii) for storage areas, vehicle movement areas, enclosures, compounds, essential on-site infrastructure, treated effluent disposal areas and buildings and structures, they are located at ground level to be at least:</p> <ul style="list-style-type: none"> • for habitable buildings - above land inundated by the 1% Annual Exceedance Probability (AEP) flood event, where known, • for <i>Major utilities</i> or <i>Special uses</i> – above land inundated by the 0.5% Annual Exceedance Probability (AEP) flood event, where known, • for buildings and structures where (c)(i) and (ii) do not apply - 300mm above the highest known flood event, or • for other uses and works – 100mm above the highest known flood event, <p>(viii) areas outside stormwater discharge points, overland flow paths, watercourses and natural drainage features, and</p> <p>(ix) existing cleared lands or otherwise areas not supporting significant remnant native vegetation.</p>
	<p>S12.2 Areas for:</p> <p>(a) storage, handling, packaging and processing for non-residential uses, or</p> <p>(b) on-site effluent disposal,</p> <p>are set back to water resources in accordance with Table S11.2 at the end of this Code.</p> <p>[NOTE: This set back requirement applies to watercourses located on both the premises and adjoining premises]</p>

(e) Vehicular parking, access and movement

Specific Outcomes		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
013	<p>Vehicle parking and manoeuvring areas and property access are laid out, designed and constructed to:</p> <p>(a) integrate attractively and functionally with the site layout and with the access arrangements of the site and adjoining premises,</p> <p>(b) integrate with the streetscape,</p> <p>(c) safely, conveniently and effectively service the use without impacting negatively on the:</p> <ul style="list-style-type: none"> amenity, character and safety of adjacent premises, safety and efficiency of roads, stock routes or trails providing access to or forming a property boundary to the site, or intersection works or State-controlled roads servicing the site¹¹, <p>(x) cater for the amount and type of traffic generated by the nature and scale of the use, including for safe and effective loading and unloading of goods,</p> <p>(xi) allow ease of access by people with limited mobility (eg those in a wheelchair or walker, with prams, etc), and</p> <p>(xii) provide for emergency vehicle access.</p>	<p>S13.1 Vehicle parking and loading/unloading facilities are provided:</p> <p>(a) for a use identified in Column 1 of Table S1.1 in Schedule 1 at the corresponding rate nominated in Column 2 and 3 of the Table, and</p> <p>(b) in accordance with the design and construction standards detailed in Division 2 of Schedule 1.</p> <p>S13.2 Site ingress and egress comprises:</p> <p>(a) one (1) access point per created lot or development site,</p> <p>(b) a vehicular crossover located, designed and constructed in accordance with the standards nominated in Table S2.7 (a)(3) of Schedule 2,</p> <p>(c) allows for forward entry and exit for vehicles associated with the premises, and</p> <p>(d) a location of at least 50 metres from an intersection or any adjoining property access.</p>	

(f) Infrastructure

Specific Outcomes		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
014	<p>(a) Necessary infrastructure is provided to meet the appropriate standards of service and construction at the least whole-of-life cost, including avoiding unnecessary duplication and being robust and fit for the purpose and intended period of operations and are integrated with the design, construction and operation of existing systems to</p>	<p>S14.1 The road frontage of the development is constructed to:</p> <p>(a) the planned standard of service for reserve/carriageway width, drainage and footpaths nominated in Table S2.1 of Schedule 2, and</p> <p>(b) if (a) is not fulfilled, construction in accordance with standards nominated in Table S2.6 of Schedule 2.</p>	

¹¹ Access to a State-controlled road needs approval from Department of Main Roads

Specific Outcomes		Acceptable Solution (if self assessable) Probable Solution (if code assessable)	
(xiii)	facilitate orderly development.	S14.2	Development is connected between the property access point on the frontage of the premises and the nearest higher order road nominated on the Zone maps by a formed, constructed and gazetted public road designed and constructed to standards nominated in Table S2.1 of Schedule 2.
	Infrastructure does not result in:	S14.3	Water supply, sewerage and stormwater drainage is provided to the applicable standard of service and construction nominated in Divisions 3 and 4 of Schedule 2.
	<ul style="list-style-type: none"> adverse affects on the environment, ecological, hydrological or land resource values of an area, 	S14.4	Premises are supplied with reticulated electricity and communications services, or alternative energy and/or telecommunications provision is agreed.
	<ul style="list-style-type: none"> adverse affects on the character or the well being or amenity enjoyed by the community of an area, 	S14.5	An area is dedicated to the collection and/or storage of solid waste on the premises which is:
	<ul style="list-style-type: none"> risk or nuisance to any property or people, 		(a) level,
	<ul style="list-style-type: none"> adverse affects on upstream or downstream properties, 		(b) provided with impervious hard stand and drained,
	<ul style="list-style-type: none"> unreasonable cumulative impacts on the water quality in surface and groundwater systems relative to their role for the community, or 		(c) screened from adjoining premises comprising dwelling units by landscape planting of at least 1.5 metres deep, and
	<ul style="list-style-type: none"> adverse changes in the volume, timing or quantity of stormwater discharged through or from the property. 		(d) bunded if wastes are hazardous or dangerous.

(g) Earthworks

Specific Outcomes		Acceptable Solution (if self assessable) Probable Solution (if code assessable)	
015	Filling, draining, grading or excavation of land provides for compacted, finished levels which secure flood free, stable and free draining building and infrastructure sites appropriate to the intended use and minimising impacts to an acceptable level within and off the site regarding:	S15.1	Filling, drainage, grading or excavation of land is undertaken so that:
	(a) privacy and visual and community amenity,		(a) land has a minimum slope of 0.25%,
	(b) environmental values in receiving environments,		(b) Cut or fill does not exceed a plane described as:
	(c) flooding and drainage flow rates, volumes and natural flood storage capacity,		(i) 200mm beyond the natural ground level measured at the property boundary, and
	(d) potential for point source discharge or concentration of flows,		(ii) 800mm beyond the natural ground level measured 1.5m inside the property boundary and does not exceed 2m over the natural ground level of any point of the site.
	(e) land and foundation stability,		(c) cut or fill is setback at least 2 metres from:
	(f) erosion or saline prone lands,		(i) lands below the highest known flood level;
	(g) soil conservation works,		(ii) lands used for local or major utilities; or
	(h) riparian lands,		

Specific Outcomes		Acceptable Solution (if self assessable)	Probable Solution (if code assessable)
(i)	site contamination on the site or through imported material,	(iii)	overland flow paths.
(j)	life and property, and	(d)	batter slopes are not steeper than 33%,
(k)	public utilities.	(e)	terracing is stepped at equal horizontal and vertical intervals, and
		(f)	works do not:
		(i)	involve any physical alteration to a watercourse,
		(ii)	result in net filling exceeding 50 cubic metres, or
		(i)	occur on slopes over 15% in grade.
		S15.2 ¹²	Where the excavation and/or filling is intended to or causes the retention of water (such as a dam):
		(a)	the structure will safely withstand the hydraulic loading;
		(b)	a spillway for overflow is provided in a position to ensure scour damage or nuisance to adjacent lots does not occur; and
		(c)	no adverse impact or interference is made on local flow patterns.

TABLE S3.1 – LOT AREA REQUIREMENTS FOR RECONFIGURING

SMOA Map 2D – Good Quality Agricultural Land (GQAL) (Minimum Net Lot Area ¹³ (Ha) for Reconfiguring ¹⁴)				
Class A	Class B	Balance Rural Locality	Any Class	Any Class
		Including Class C1	Where complying with S3.2(1) or (2)	Where complying with S3.2(3),(4)
200	200	200	40	No minimum prescribed

TABLE S11.2 – SET BACK TO WATER RESOURCES

Minimum set back (metres) from:	Rural service industry, Landscape supplies and Garden centre	Other Code Assessable Development
Top bank of river, creek, stream or wetland	100	50
Edge of potable water supply for site or surrounds	100	30
Centre line of gully	50	15
Full supply level of a referable dam	150	150

¹² Council may require as part of its Information Request, certification by a Registered Professional Engineer of Queensland that the development complies with the probable solutions listed.

¹³ Minimum net lot area means the net area remaining once land unsuitable for agriculture production or otherwise constrained for agriculture has been excluded from the calculation

¹⁴ All applications for reconfiguring a lot will be required (as part of any information request) to be accompanied by an accredited agronomists report determining the exact agricultural land capability and classification and land/crop suitability of the land under the Guidelines to SPP1/92. The terms of reference for such report are outlined in PSP1. Council may seek the Department of Natural Resources and Mines to provide third party advices under PSP1 to assist in the Assessment Manager's assessment of the application.

3.3

RURAL RESIDENTIAL LOCALITY

3.3 Rural Residential Locality

3.3.1 Tables of Assessment Categories and Assessment Criteria

TABLE 4A - Material Change of Use ¹		
Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) DEVELOPMENT FOR DEFINED USES AND USE CLASSES:		
(a) Rural Use Classes		
<i>Animal keeping:</i>	<p>Self assessable:</p> <p>If:</p> <p>(i) for poultry keeping;</p> <p>or</p> <p>(ii) for an aviary;</p> <p>or</p> <p>(iii) for the keeping of:</p> <p>(1) 3 or less loud birds,</p> <p>(2) 2 or less dogs, or</p> <p>(3) 6 or less cats.</p> <p>Code assessable:</p> <p>(i) If nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code;</p> <p>or</p> <p>(ii) All circumstances except if self assessable or impact assessable.</p> <p>Impact assessable:</p> <p>If:</p> <p>(i) for a kennel, cattery and/or animal pound/refuge or holding facility;</p> <p>or</p> <p>(ii) for the keeping of more than:</p> <p>(1) 3 loud birds,</p> <p>(2) 2 dogs, or</p> <p>(3) 6 cats.</p>	<p><u>Applicable Codes:</u></p> <p><i>For self assessable development:</i></p> <ul style="list-style-type: none"> ▪ Animal Keeping and Intensive Animal Husbandry Code – Element (b), (d) and (f). <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; and ▪ Animal Keeping and Intensive Animal Husbandry Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> ▪ Community Facility Overlay Code

¹ Uses proposed on State lands must be consistent with the purpose for which the land was allocated under the *Land Act, 1994*. Consult with Department of Natural Resources and Mines.

TABLE 4A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(a) Rural Use Classes continued:		
Farming: Self assessable: If for: (i) Farming except if involving: <ul style="list-style-type: none"> on-farm processing, a roadside stall, or irrigation services; or (ii) animal husbandry if not exceeding an animal density of: <ul style="list-style-type: none"> 1/ha for free ranged livestock excluding pigs, 2/ha for goats, or 2/ha for stabled hooved animals. Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; or (ii) involving on-farm processing or roadside stall; or (iii) in all other circumstances except if self assessable or impact assessable. Impact assessable: If for: (i) Farming for animal husbandry for the keeping of more than: <ul style="list-style-type: none"> 10 emus/ha, for hooved animals: <ol style="list-style-type: none"> 1/ha free ranged, and 2/ha for stabling of animals, or 35 poultry; or (ii) agriculture involving irrigation services.		Applicable Codes: <i>For self-assessable development:</i> <ul style="list-style-type: none"> Farming Code. <i>For assessable development:</i> <ul style="list-style-type: none"> Rural Residential Locality Code; and Farming Code; AND <i>For assessable development:</i> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: <ul style="list-style-type: none"> Natural Features and Resources Overlay Code (ii) If in a SMOA on SMOA map 2E: <ul style="list-style-type: none"> Community Facility Overlay Code
NOTE: <i>Farming for animal husbandry for pigs is an inconsistent use (refer SO2 in 3.3.2)</i>		
Forestry business:	Self assessable: All except if assessable as follows. Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; or (ii) in a SMOA on SMOA maps 2A to 2D(i) inclusive.	Applicable Codes: <i>For self assessable development:</i> <ul style="list-style-type: none"> Forestry Business Code. <i>For assessable development:</i> <ul style="list-style-type: none"> Rural Residential Locality Code; and Forestry Business Code; AND <i>For assessable development:</i> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: <ul style="list-style-type: none"> Natural Features and Resources Overlay Code (ii) If in a SMOA on SMOA map 2E: <ul style="list-style-type: none"> Community Facility Overlay Code

TABLE 4A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(a) Rural Use Classes continued:		
Intensive animal husbandry: NOTE: <i>Uses for:</i> - a dairy - feedlotting - a piggery - a poultry farm <i>are inconsistent uses (refer SO2 of 3.3.2)</i>	Code assessable: All except if impact assessable as follows. Impact assessable: If for: (1) aquaculture, (2) aquarium, (3) aviary, (4) emu farming, or (5) zoo.	Applicable Codes: <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; and ▪ Animal Keeping and Intensive Animal Husbandry Code; AND (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code (ii) If in a SMOA on SMOA map 2E: <ul style="list-style-type: none"> ▪ Community Facility Overlay Code
Rural service industry:	Impact assessable: All circumstances	
(b) Residential Use Classes:		
Accommodation building: NOTE: <i>Accommodation building is an inconsistent use (refer SO2 in 3.3.2)</i>	Code assessable: All circumstances	Applicable Codes: <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; and ▪ Multiple Dwelling Unit and Accommodation Building Code; AND <i>For assessable development:</i> (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code (ii) If in a SMOA on SMOA map 2E: <ul style="list-style-type: none"> ▪ Community Facility Overlay Code
Annexed unit: Bed and breakfast: Dwelling house: NOTE: <i>Uses for more than 1 Dwelling house (or a Dwelling house and a Caretakers residence) on a lot are an inconsistent use (refer SO2 in 3.3.2)</i>	Self assessable: All except if assessable as follows. Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; or (ii) more than 1 <i>Dwelling house</i> (or a <i>Dwelling house</i> and <i>Caretaker's residence</i>) is proposed on a lot.	Applicable Codes: <i>For all levels of assessment:</i> (i) For Annexed Unit: <ul style="list-style-type: none"> ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (d), (e) and (g). (ii) For Bed and Breakfast: <ul style="list-style-type: none"> ▪ Bed and Breakfast and Small Scale Tourist Facility Code. (iii) For Dwelling House: <ul style="list-style-type: none"> ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (g). (iv) If in a SMOA on SMOA map 2B showing bushfire areas: <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b)(ii); AND <i>For assessable development:</i> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code – Elements (a), (c)(i)O6 and S6.2, (iii) to (vi) and (g); and (i) If in the SMOA on SMOA map 2E: <ul style="list-style-type: none"> ▪ Community Facility Overlay Code

TABLE 4A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes continued:		
Caretakers residence:	Code assessable: All circumstances	<u>Applicable Codes:</u> <ul style="list-style-type: none"> Rural Residential Locality Code Elements (a), (c)(i)O6 and S6.2, (iii) to (vi) and (g); Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (f) and (g); and (i) If in a SMOA on SMOA map 2B showing bushfire areas: Natural Features and Resources Overlay Code – Element (b)(ii); AND <ul style="list-style-type: none"> (i) If in the SMOA on SMOA map 2E: Community Facility Overlay Code
Home-based business:	Code assessable: All circumstances.	<u>Applicable Codes:</u> <ul style="list-style-type: none"> Rural Residential Locality Code – Elements (a), (c)(iii) to (vi) and (g); and Home-based Business Code; AND <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> (i) If in the SMOA on SMOA map 2E: Community Facility Overlay Code
Multiple dwelling unit: NOTE: A Multiple dwelling unit involving more than two dwellings is an inconsistent use (refer SO2 in 3.3.2)	Code assessable: All except if impact assessable as follows. Impact assessable If for a <i>Multiple dwelling unit</i> involving only two dwelling units.	<u>Applicable Codes:</u> <ul style="list-style-type: none"> Rural Residential Locality Code; and Multiple Dwelling Unit and Accommodation Building Code; AND <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: Natural Features and Resources Overlay Code (ii) If in a SMOA on SMOA map 2E: Community Facility Overlay Code
Other defined Residential uses not listed above:	Impact assessable: All circumstances	
(c) Commercial Use Classes:		
All defined Commercial uses: NOTE: All defined Commercial uses except for a: - Office - Small-scale tourist facility - Shop (under 50sqm in gross floor area) are inconsistent uses (refer SO2 in 3.3.2)	Code assessable: All except if impact assessable as follows. Impact assessable: If for a <i>Shop</i> (under 50sqm in gross floor area).	<u>Applicable Codes:</u> <ul style="list-style-type: none"> Rural Residential Locality Code; AND <ul style="list-style-type: none"> (i) For Small-scale Tourist Facility: Bed and Breakfast and Small Scale Tourist Facility Code; and Rural Residential Locality Code; AND <ul style="list-style-type: none"> (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: Natural Features and Resources Overlay Code (ii) If in a SMOA on SMOA map 2E: Community Facility Overlay Code

TABLE 4A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(e) Community Use Classes continued:		
<p><i>Other defined Community uses not listed above:</i></p> <p>NOTE: Major utility is an inconsistent use unless it fulfils the circumstances for self assessment specified in Column 2 (refer SO2 in 3.3.2)</p>	<p>Self assessable:</p> <p>If:</p> <p>(i) for the particular <i>Community use class</i> indicated for the premises listed in Schedule 5, Division 1 and for not more than a 10% increase in gross floor area calculated from the commencement day;</p> <p>or</p> <p>(ii) by a public sector entity in an existing building on land under Council's control in the following circumstances:</p> <p>(1) for not more than a 10% increase in gross floor area calculated from the commencement day,</p> <p>(2) outside the area on SMOA map 2E, or</p> <p>(3) not involving flood lighting.</p> <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes;</p> <p>or</p> <p>(ii) for all other circumstances except if self assessable or impact assessable herein.</p> <p>Impact assessable:</p> <p>If for a <i>Child-care centre</i>.</p>	<p><u>Applicable Codes:</u></p> <p><i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; <p>AND</p> <p>(i) For Telecommunications Facility:</p> <ul style="list-style-type: none"> ▪ Telecommunications Facilities Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Resources and Resources Overlay Code <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> ▪ Community Facility Overlay Code
(f) Recreational Use Classes:		
Park:	Exempt: All circumstances	Nil
<p><i>Other defined Recreational uses not listed above:</i></p> <p>NOTE: If Indoor entertainment is Code assessable under Column 2 it is an inconsistent use (refer SO2 in 3.3.2)</p>	<p>Self assessable:</p> <p>If on Council controlled land except if:</p> <p>(1) for more than a 10% increase calculated from the commencement day:</p> <p>a. in gross floor area, or</p> <p>b. in car parking demand,</p> <p>(2) needing a liquor licence,</p> <p>(3) in a SMOA on SMOA map 2E, or</p> <p>(4) involving floodlighting.</p> <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self-assessable but unable to comply with an Acceptable Solution for the Applicable Code;</p> <p>or</p> <p>(ii) for all other circumstances except if self assessable or impact assessable herein.</p> <p>Impact assessable:</p> <p>If for <i>Indoor sports facility</i>.</p>	<p><u>Applicable Codes:</u></p> <p><i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Resources and Resources Overlay Code <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> ▪ Community Facility Overlay Code
(2) DEVELOPMENT FOR UNDEFINED USES:²		
All:	Impact assessable: All circumstances	

² Development for undefined uses refers to proposals that do not fall within the ambit of a defined use as set out in Schedule 7.

TABLE 4B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) BUILDING WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	Code assessable: If for: (i) a building or structure having a building height greater than the following measured above ground level: (1) 8.5 metres for habitable buildings or for a <i>Community use</i> , or (1) 3.5 metres for a <i>Small-scale tourist facility, Bed and breakfast, Home-based business</i> or an outbuilding; or (ii) a building or structure with reflective material if: • the level of light reflectivity exceeds 20%, and • the level of heat transmission not less than 20%; or (iii) a fence or wall forward of the building line over 1.8m in height and less than 50% transparent; or (iv) a retaining wall over 2m in height; or (v) a Class 10 building on premises not associated with an existing <i>Dwelling house</i> ; or (vi) displacement of more than 20 m ³ of material.	Applicable Codes: (i) For building or structure height: ▪ Rural Residential Locality Code – Element (c)(ii)O8. (ii) For reflectivity: ▪ Rural Residential Locality Code – Element (c)(ii) O8 (iii) For fences and walls: ▪ Rural Residential Locality Code - Element (c)(v). (iv) For a Class 10 building: ▪ Rural Residential Locality Code - Elements (c)(i) and (ii), (d) and (g). (v) For displacement of material: ▪ Rural Residential Locality Code - Elements (d) and (g); AND (i) If in the SMOA on SMOA map 2E: ▪ Community Facility Overlay Code
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Placement of an advertisement device:	Code assessable: All circumstances	Applicable Code: ▪ Rural Residential Zone Code – Elements (c)(vi), (d) and (g)
Excavation and/or filling that materially affects premises:	Code assessable: If: (i) for a: (1) <i>Telecommunication facility (medium impact)</i> , (2) <i>Major utility</i> , or (3) <i>Extractive industry</i> ; or (ii) for a change in the ground level of more than 1 metre or if more than 20 cubic metres of material is filled or excavated. (iii) capable of storing water, causing the ponding of water or otherwise retaining water and: 1) the distance from any point on the edge of the full water level to any downstream property boundary (including road reserve) is less than the widest distance in any direction on the surface of the water at its maximum fill level; or 2) the distance from any point on the edge of the full water level to any upstream property boundary (including to road reserve) is less than half the widest distance in any direction on the surface of the water at its maximum fill level.	Applicable Codes: ▪ Rural Residential Zone Code – Element (g); AND (i) For Telecommunications Facility: ▪ Telecommunications Facilities Code (ii) For Extractive Industry: ▪ Extractive Industry and Borrow Pit Code; AND (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: ▪ Natural Features and Resources Overlay Code
Works associated with reconfiguring a lot:	Code assessable: All circumstances	Applicable Codes: ▪ Rural Residential Locality Code – Elements (b), (d), (f) and (g); AND (i) If in a SMOA on SMOA maps 2C: ▪ Natural Features and Resources

TABLE 4B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
		Overlay Code – Element (e) and (f)
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Reconfiguring a lot:	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If creating a lot:</p> <p>(i) within 200m of land shown on SMOA map 2D;</p> <p>or</p> <p>(ii) if the compliant 2500sqm building area (with a minimum dimension of 50m) is in:</p> <ol style="list-style-type: none"> (1) the buffer area to the boundary to an <i>Intensive animal husbandry</i> premises shown on SMOA map 2D(i); (2) the Mineral and Extractive Resources and Buffer Area as shown on SMOA map 2A; (3) the 500 metre buffer area to a <i>Major utility</i> shown on SMOA map 2E; or (4) the 200 metre buffer to land included in the Industrial Zone on the Zone maps shown in SMOA map 2D(i). 	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Rural Residential Zone Code - Elements (b), (d), (f) and (g); <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A or 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code <p>(ii) If in the SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> ▪ Community Facility Overlay Code
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	<p>Exempt: All circumstances</p>	Nil

RURAL RESIDENTIAL LOCALITY CODE

3.3.2 Rural Residential Locality Code

(1) PURPOSE OF THE CODE – Overall Outcomes:

- (a) The purpose of the Rural Residential Locality Code is the achievement of the overall outcomes sought for the Rural Residential Locality.
- (b) ***The overall outcomes sought for the Rural Residential Locality are that development is located, designed and operated so:***
 - (i) *development:*
 - (A) *recognises the constraints of land form;*
 - (B) *wherever possible, retains and enhances significant site vegetation;*
 - (C) *protects land, water and environmental resources;*
 - (D) *protects environmental values of the locale;*
 - (E) *protects defined cultural heritage values; and*
 - (F) *protects the landscape and streetscape values associated with the Shire;*
 - (ii) *development is not located in areas subject to natural or man made hazards;*
 - (iii) *development maintains a consolidated and clustered settlement pattern;*
 - (iv) *development contributes positively to reasonably expected levels of amenity, safety and wellbeing integral to sustaining a high standard of rural residential living;*
 - (v) *development is adequately, effectively and economically serviced with utility and transport infrastructure appropriate for its use and the environment. This results in a consolidated and orderly settlement pattern;*
 - (vi) *the safe, effective, efficient and attractive operations of roads are maintained whilst intrusive traffic in an area (and the proliferation of accesses onto major roads) is minimised;*
 - (vii) *development is adequately buffered from activities on adjacent land to protect the integrity and viability of:*
 - (A) *productive rural land and intensive rural enterprises;*
 - (B) *natural economic resources such as timber and mineral resources;*
 - (C) *major utility installations;*
 - (D) *sub-arterial and higher order roads¹;*
 - (E) *major industrial activities; and*
 - (F) *natural features comprising regional ecosystems and conservation state lands²; and*
 - (viii) *that uses:*
 - (A) *are subservient in nature to uses predominating in the locale,*
 - (B) *conveniently service a public need for local employment and services and facilities which are reasonably expected in a rural residential setting and not better located outside the Locality, and*

¹ Road classifications are shown on the Zoning maps

² Natural features are shown on SMOA map 2C

- (C) *present a low key, small-scale character compatible with a low density, non-urban residential setting.*
- (c) ***For the Rural Residential zone, the overall outcomes sought for the zone which are in addition to those for the Locality, are that development is located, designed and operated so:***
 - (i) *development is comprised predominantly of dwelling houses on acreage, park residential, low density, non-urban lots; and*
 - (ii) *the semi-rural character is maintained.*

(2) ELEMENTS:

(a) Land use and development

(i) Consistent uses

Specific Outcome:	
O1	Uses are consistent and preferred for development in the Rural Residential Locality, except if:
(a)	listed in O2 as an inconsistent use; or
(b)	conflicting with this Code.

(ii) Inconsistent uses

Specific Outcomes:

O2 The following uses or use classes conflict with this Code:

- (a) Residential uses for a:**
 - (i) an Accommodation building,**
 - (ii) more than one Dwelling house on a lot,**
 - (iii) Dwelling house and a Caretakers residence on a lot, or**
 - (iv) Multiple dwelling unit (involving more than two dwelling units).**
- (b) All Commercial uses except for a:**
 - (i) Office,**
 - (ii) Small-scale tourist facility, or**
 - (iii) Shop (under 50sqm in gross floor area).**
- (c) All Industrial uses except for a:**
 - (i) Borrow pit (small scale),**
 - (ii) Borrow pit (large scale),**
 - (iii) Landscape supplies, or**
 - (iv) Storage premises.**
- (d) Community uses comprising Major utilities unless if:**
 - (i) on premises listed in Schedule 5, Division 1 and for not more than a 10% increase in gross floor area calculated from the commencement day; or**
 - (ii) by a public sector entity in an existing building on land under Council's control in the following circumstances:**
 - (A) for not more than a 10% increase in gross floor area calculated from the commencement day;**
 - (B) outside the area on SMOA map 2E; or**
 - (C) not involving flood lighting.**
- (e) Recreational uses for Indoor entertainment unless on Council controlled land, except if:**
 - (i) for more than a 10% increase calculated from the commencement day:**
 - (A) in gross floor area, or**
 - (B) in car parking demand,**
 - (ii) needing a liquor licence,**
 - (iii) involving floodlighting, or**
 - (iv) outside the SMOA on SMOA map 2E.**
- (f) Rural uses for:**

Specific Outcomes:

- (i) *Intensive animal husbandry for:*
 - (A) feedlotting,
 - (B) piggery,
 - (C) dairy, or
 - (D) poultry farm.
- (ii) *Farming for animal husbandry involving pigs.*

(b) Density and design for reconfiguring

- (i) *Reconfiguring a lot in the Locality*

Specific Outcomes:

O3 For reconfiguring a lot in the Rural Residential Locality:

- (a) significant habitat, landscape, drainage and cultural heritage features are conserved;
- (b) significant views and vistas to landmarks defining the region are protected;
- (c) local amenity, wellbeing, character and the effective operations of surrounding consistent development is maintained;
- (d) design provides for buffering to an acceptable level against the adverse affects of incompatible uses (or potential uses) on adjoining land in another zone;
- (e) if adjoining any sub-arterial or higher order roads or a stock route or the Bicentennial Trail³, lots are reconfigured to ensure new residences have adequate privacy and amenity and that the operational efficiency of networks is maintained;
- (f) risk to people and property from development is minimised to an acceptable level in terms of:
 - (i) lands below the highest known flood,
 - (ii) drainage problem lands below 1% slope,
 - (iii) slopes over 15% in gradient,
 - (iv) land subject to known soil erosion incidents,
 - (v) potential for bushfire hazard, or
 - (vi) lands supporting high impact uses and works;
- (g) lots offer aspect, grade and form that are appropriate to proposed uses in terms of:
 - (i) amenity and character on the site and surrounds,
 - (ii) energy efficient and climatically responsive building sites,
 - (iii) effective management of land and water resources,
 - (iv) minimizing earthworks and engineering structures,
 - (v) accommodating outputs from on-site effluent management on-site so nutrients, pollutants and sediments are reasonably assimilated on-site,
 - (vi) accessibility,
 - (vii) safety,
 - (viii) proximity to open space, community facilities and services;
- (h) orderly and logical infill maintains a consolidated and co-ordinated pattern of lots, streets and roads and resultant public demands on services and facilities is adequately catered to by enterprises in nearby towns; and
- (i) rear and hatchet shaped lots are minimised.

³ Stock routes and the Bicentennial Trail are shown on PSP No.8

Specific Outcomes	Probable Solutions
<p>O4 Lots are located, designed and developed so that useable lots with sufficient area and suitable shape and proportions</p> <p>(a) provide for the effective, safe, attractive and adequate:</p> <p>(i) location and operation,</p> <p>(ii) access, and</p> <p>(iii) servicing,</p> <p>to uses and works associated with consistent uses,</p> <p>(b) provide appropriately for local topography so flood immune, stable and free draining building areas, accesses and works are achieved, and</p> <p>(c) provide that a proliferation of accesses to collector and higher order roads is minimised.</p>	<p>S4. Other than reconfiguration for a Community Titles Scheme, <i>Community Use Class</i>, or a <i>Park</i>, lots comply with the design parameters set out at the end of the Code in Table S 4.1.</p> <p>S4. For reconfiguration involving a Community Title Scheme the number of lots on the Standard Format Plan comprising the Scheme does not exceed the number of lots complying with the design parameters set out in relevant Tables at the end of this Code.</p>

(ii) *Meeting public need and community benefit*

Specific Outcomes	Probable Solutions
<p>O5 The amount and staging of reconfiguring is appropriate:</p> <p>(a) to the established supply of lots relative to their capacity to meet public demand for the construction of a dwelling house,</p> <p>(b) so the number of vacant lots is minimised; and</p> <p>(c) so that community benefit is maximised.</p>	<p>S5. Reconfiguring is proposed if the number of vacant lots⁴ in the Locality remain 3 years supply in Kilkivan Shire.</p> <p>AND</p> <p>S5. If for staged reconfiguring, additional reconfiguring is not proposed until 50% of lots shown on an approved Survey Plan have a <i>Dwelling house</i> erected thereon.</p> <p>AND</p> <p>S5. Reconfiguring a lot does not involve the creation of more than 8 lots and if undertaken in stages, each stage involves 8 lots.</p>

⁴ A vacant lot includes a lot supporting only a shed, temporary dwelling or a caravan. The number of years supply of vacant zoned lots is determined based on the number of building approvals on vacant lots in the preceding 5 years

(c) Character and amenity**(i) Amenity**

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
06	<p>Uses and associated works are located, designed and operated to minimise adverse affects on the following:</p> <ul style="list-style-type: none"> (a) the existing quality of air, water, soil and acoustic and visual environments characterising the local area, (b) the privacy and amenity of adjacent properties and public spaces, (c) the well being and safety of people using the premises and of people, animals and property at adjacent premises and other nearby sensitive receptors, (d) if for <i>Residential uses</i>, the effective operations of adjacent non-residential activities⁵, and (e) the normal operations of a stock route, the Bicentennial Trail or a <i>Major utility</i>. 	S6.1	<p>Uses and associated works:</p> <ul style="list-style-type: none"> (a) are separated from the property boundary of a sensitive receptor by at least: <ul style="list-style-type: none"> (i) for a <i>Rural service industry, General industry, Major utility or Recreational use</i> – 30 metres, or (ii) for other <i>Commercial or Community uses</i> - 15 metres, or (iii) for <i>Industrial retailer, Landscape supplies, Light industry, Storage premises and Transport station</i> – 15 metres, and (b) for circumstances specified in (a), are screened from view from any adjacent sensitive receptor by landscape planting of at least 2 metres deep to the relevant property boundaries, or (c) for other uses, are screened from view from any adjacent residential use by landscape planting of at least 1 metre deep to the relevant property boundaries.
		S6.2	<p><i>Residential uses</i> are buffered along common boundaries with land:</p> <ul style="list-style-type: none"> (a) included in the Rural Locality, (b) fronting sub-arterial or higher order roads⁶ or a stock route or the Bicentennial Trail, (c) included in the Industrial zone, or (d) used for <i>Commercial or Industrial uses</i>, <p>by landscape planting at least 2 metres deep.</p>

⁵ If abutting the Rural Locality, buffer distances will be informed by the approach in the Guidelines to SPP1/92

⁶ Road classifications are shown on the Zoning maps

Specific Outcomes		Acceptable Solutions (if self assessable) Probable Solutions (if code assessable)	
07	Uses and associated works are located, designed and operated to integrate with local streetscape characterising roads and public spaces.	S7.1	Development is laid out to be screened from view from any abutting road frontage or a public space by landscape planting of at least the width: <ul style="list-style-type: none"> (a) specified for a use in the applicable use code in Part 4, Division 2, or (b) for other uses, 2 metres deep to the relevant property boundaries.

(ii) *Appearance and scale*

Specific Outcomes		Acceptable Solutions (if self assessable) Probable Solutions (if code assessable)	
08	Uses and associated works are located and designed and of a type, finish and scale so: <ul style="list-style-type: none"> (a) the scale and character of the local built form is maintained or complemented, (b) the qualities of places with architectural, cultural, historical or streetscape/landscape values are protected, (c) overshadowing or overlooking of adjoining residential properties or impacts on natural lighting and ventilation or privacy within and surrounding the site is minimised to an acceptable level, (d) micro-climatic conditions and energy efficient technologies are optimised, (e) noise attenuation devices are compatible with the setting, (f) materials and finishes visible from roads and adjoining residences are not excessively contrasting or reflective, and (g) adequate screening of materials stored outdoors when viewed from adjacent premises and public spaces is maintained. 	S8.1	Height: Buildings or structures, other than for a <i>Local utility</i> or <i>Telecommunication facility (medium impact)</i> , are not higher than the following measured above ground level: <ul style="list-style-type: none"> (a) 8.5 metres, or (b) for an outbuilding – 3.5 metres.
		S8.2	Set backs: Uses and associated works are located the following from property boundaries: <ul style="list-style-type: none"> (a) as specified for a use in the applicable use code in Part 4, Division 2, or (b) for other uses: <ul style="list-style-type: none"> (i) to a collector or higher order road, a stock route or the Bicentennial Trail - 20 metres, (ii) to a public, gazetted, formed and constructed road not specified in (b)(i) - 10 metres, or (iii) to any other property boundary not subject to provisions in S6.1 above – 6 metres.
		S8.3	Building Scale: Buildings have an unarticulated wall length not exceeding 15 metres.
		S8.4	On-Site Storage: Any on-site storage that faces a road frontage, park or Residential/Rural Residential zoned land is screened by a 1.8 metre high fence around the full perimeter.
		S8.5	Materials and Finishes: In Kilkivan Shire, any reflective material has: <ul style="list-style-type: none"> (a) a level of light reflectivity of no more than 20%; and (b) a level of heat transmission of not less than 20%.

(iii) *Landscaping*

Specific Outcomes:	
O9	Landscaping is designed⁷ and located to:
(a)	integrate with established streetscape and landscape,
(b)	protect the visual and landscape quality of the major roads, landmarks and entry points,
(c)	ensure pedestrian and vehicular sight lines are protected,
(d)	integrate with site topography, soils and natural drainage systems,
(e)	protect and enhance areas with ecological, scenic, aesthetic and cultural heritage value,
(f)	be easily and readily maintained, optimising the efficient use of water through planting of endemic species that minimise maintenance costs, and
(g)	offer effective screening and buffering of incompatible activities:
(i)	from view from roads and other public open spaces, and
(ii)	from view and audibility regarding sensitive receptors.

(iv) *Floodlighting*

Specific Outcomes:	
O10	Light spill associated with flood lighting installed on premises is minimised to an acceptable level having regard to:
(a)	potential nuisance to adjoining premises and safety for road users and aircraft operation, and
(b)	ambient levels of light in the locale.

(v) *Fences and walls*

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
011	Fences and walls are located, designed and of a form and construction so:	S11.1	The maximum height of any fence or wall does not exceed:
(a)	established streetscape is complemented;	(a)	for front fences and walls:
(b)	the open landscape character of the Locality is complemented;	(i)	1.2 metres if of solid construction, or
(c)	as to assist with noise attenuation and visual screening, if required;	(ii)	up to 1.5 metres if gaps permit 50% transparency,
(d)	local privacy and amenity is maintained;	(b)	for side and rear boundary fencing - 1.8 metres, and
(e)	public safety is maintained;	(c)	fences or walls over 1.2 metres in height are tapered to 1.2 metres in height over a length of 4 metres toward any road frontage
(f)	design, scale and proportions are integrated with existing built and landscape form; and		
(g)	local ecology, drainage, flooding, geotechnical and micro-climatic conditions are maintained.		

⁷ Refer to Council's Planning Scheme Policy on Landscaping.

(vi) *Advertisement devices*

Specific Outcomes	Acceptable Solutions (if self assessable) Probable Solutions (if code assessable)
<p>O12 Advertisement devices are consistent with the outcomes sought for the Rural Residential Locality if:</p> <ul style="list-style-type: none"> (a) compatible with the: <ul style="list-style-type: none"> (i) character of the predominant built form, streetscape and landscaping on the site and adjacent properties, and (ii) amenity of the local area; and (b) located and designed so: <ul style="list-style-type: none"> (i) as not to create a hazard to people and vehicles, (ii) materials and styles complement those in buildings on-site, (iii) as to integrate with the design, scale and proportions of buildings, works and landscaping on the site, (iv) a proliferation of signage and associated visual and physical clutter is minimised, and (v) the use of roof advertising panels and above awning signs is avoided. 	<p>S12.1 Advertisement devices are designed and located in accordance with the standards in Schedule 4⁸.</p>

⁸ For signs located on properties fronting a State-controlled road, compliance is had with the Department of Main Roads “*Guide to the Management of Roadside Advertising*”

(d) Land and water resource management

Specific Outcomes	Acceptable Solutions (if self assessable) Probable Solutions (if code assessable)
<p>013 Development is located, designed and constructed to function effectively in a manner that minimises disturbance to the geotechnical, physical, hydrological and environmental characteristics of the site and its setting, including:</p> <ul style="list-style-type: none"> (a) related to degradation of the environmental values of both land and water resources and receiving environments, (b) significant remnant native vegetation important to land stability, salinity and erosion land management as well as to landscape, biodiversity, riparian and habitat management, (c) hydrological processes of flood plains and drainage systems, (d) ecological values of waterways and drainage features, (e) the propensity for any natural hazard related to flooding, landslip and bushfire to adversely affect people, property, economic activity and the environment⁹, (f) soil conservation works, (g) quality and quantity of surface and ground water resources, and (h) landscape character. 	<p>S13.1 Habitable buildings and on-site disposal areas for treated effluent for <i>Caretakers residence</i>, <i>Dwelling house</i> or <i>Multiple dwelling unit</i> (for two dwelling units) are contained in a building area of no less than 2500sqm with a minimum dimension of 50 metres. Development within the building area and for any other uses or works on a site are confined to:</p> <ul style="list-style-type: none"> (a) free draining areas with a cross fall of at least 0.5-1%, (b) slopes not exceeding: <ul style="list-style-type: none"> (i) for <i>Residential uses</i> or a <i>Small-scale tourist facility</i> – 15%, (ii) for associated works including driveways – 20%, or (iii) for all other circumstances: <ul style="list-style-type: none"> (A) as specified for a use in any applicable use code in Part 4, Division 2, or (B) for any other use – 10%, (c) for uses and works, except for <i>Farming</i> are located at ground level to be at least: <ul style="list-style-type: none"> (i) for habitable buildings: <ul style="list-style-type: none"> (A) above land inundated by the 1% Annual Exceedance Probability (EAP) flood event where known, or (B) 300mm above the highest known flood, (ii) for <i>Major utilities</i> or <i>Special uses</i> – above land inundated by the 0.5% Annual Exceedance Probability (AEP) flood event, or (iii) for other uses and works – 100mm above the highest known flood event, (d) areas outside stormwater discharge points, overland flow paths, watercourses and natural drainage features, and (e) existing cleared lands or otherwise areas not supporting significant remnant native vegetation.

⁹ Development which is not compatible with the nature of a natural hazard is either:

- in the public interest,
- not catered to by another site which is suitable and available for the proposal, or
- minimises adverse impacts from natural hazards and does not create an unacceptable risk to people and property.

The parameters will be determined for assessable development in accordance with the *State Planning Policy Guideline – Mitigation of Adverse Impacts of Flood, Bushfire and Landslide*, Queensland Government, June, 2003

Specific Outcomes	Acceptable Solutions (if self assessable)
	Probable Solutions (if code assessable)
	<p>S13.2 Areas for storage, handling, packaging or processing are set back to water resources in accordance with Table S13.2 at the end of this Code.</p> <p>[NOTE: This set back requirement applies to watercourses located on both the premises and adjoining premises]</p>

(e) Vehicular parking, access and movement

Specific Outcomes	Acceptable Solutions (if self assessable)
	Probable Solutions (if code assessable)
<p>014 Vehicle parking, access and manoeuvring areas are provided, designed and constructed to:</p> <p>(a) integrate safely, attractively and functionally with the site layout and with the access arrangements of the site and adjoining premises,</p> <p>(b) integrate with the streetscape,</p> <p>(c) safely, conveniently and effectively service the use without impacting negatively on the:</p> <p>(i) amenity, character and safety of adjacent premises, stock routes or the Bicentennial Trail,</p> <p>(ii) safety and efficiency of roads and footpaths providing access to the site, or</p> <p>(iii) intersection works or State-controlled roads servicing the site,</p> <p>(d) cater for the amount and type of traffic generated by the nature and scale of the use, including for safe and effective loading and unloading of goods and movement of pedestrians and cyclists,</p> <p>(e) allow ease of access by people with limited mobility (eg those in a wheelchair or walker, with prams, etc), and</p> <p>(f) provide for emergency vehicle access.</p>	<p>S14.1 (a) Vehicle parking and loading/unloading facilities are provided:</p> <p>(i) for a use identified in Column 1 of Table S1.1 in Schedule 1 at the corresponding rate nominated in Column 2 of the Table, and</p> <p>(ii) in accordance with the design and construction standards detailed in Division 2 of Schedule 1.</p> <p>(b) Site ingress and egress:</p> <p>(i) comprise one (1) access point per created lot or development site,</p> <p>(ii) comprise a vehicular crossover located, designed and constructed in accordance with the standards nominated for:</p> <p>(A) a use in any applicable use code in Part 4, Division 2, or</p> <p>(B) other development, Table S2.7 (a)(3) of Schedule 2,</p> <p>(iii) allows for forward entry and exit for vehicles associated with the premises,</p> <p>(iv) if adjoining a road intersection, the access has a set back of at least the following to the intersection:</p> <p>(A) the distance for a use specified in any applicable use code in Part 4, Division 2,</p> <p>(B) for other uses - 10 metres.</p>

(f) Infrastructure

Specific Outcomes		Acceptable Solutions (if self assessable) Probable Solutions (if code assessable)	
015	<p>(a) Necessary infrastructure is provided to meet the appropriate standards of service and construction at the least whole-of-life cost, including avoiding unnecessary duplication and being robust and fit for the purpose and intended period of operations and:</p> <p>(i) are integrated with the design, construction and operation of existing systems to facilitate:</p> <p>(A) effective use of spare capacity in existing systems,</p> <p>(B) orderly and timely provision of future systems,</p> <p>(C) logical and co-ordinated development,</p> <p>(D) for transport infrastructure, functional, efficient, effective, safe, convenient and equitable access within the Locality, and</p> <p>(E) for stormwater, the approximation of or improvement upon conditions in existence regarding quality and quantity prior to the proposed development.</p>	S15.1	<p>(a) The road frontage of the development is constructed to:</p> <p>(i) the standard of service for reserve/carriageway width, drainage and footpaths in Table S2.2 of Schedule 2, and</p> <p>(ii) if (i) is not fulfilled, construction in accordance with standards in Table S2.6 of Schedule 2.</p> <p>(b) Development is connected between the property access point on the frontage of the premises and the nearest higher order road nominated on the Zone maps by a formed, constructed and gazetted public road to:</p> <p>(i) the standards of service specified for a use in the applicable use code in Part 4, Division 2, or</p> <p>(ii) for other development, the standards of service nominated in Table S2.2 of Schedule 2.</p> <p>(c) Water supply, sewerage and stormwater drainage is provided to the applicable standard of service and construction for:</p> <p>(i) a use in the applicable use code in Part 4, Division 2, or</p> <p>(ii) for other development, as specified in Divisions 3 and 4 of Schedule 2.</p> <p>(d) Premises are supplied with reticulated electricity/communications services.</p> <p>(e) An area for all uses except for <i>Farming</i> is dedicated to the collection and/or storage of solid waste on the premises that is:</p> <p>(i) level,</p> <p>(ii) provided with impervious hard stand and drained,</p> <p>(iii) if facing a road frontage, park or Residential/Rural Residential zoned land, is screened by a 1.8 metre high fence around the full perimeter, and</p> <p>(iv) banded if wastes are hazardous or dangerous.</p>

Specific Outcomes	Acceptable Solutions (if self assessable)
	Probable Solutions (if code assessable)
<p>(a) Infrastructure does not result in:</p> <ul style="list-style-type: none"> (i) adverse affects on the area relative to: <ul style="list-style-type: none"> (A) ecological, environmental, or hydrological values, (B) land resources, or (C) character, (ii) adverse affects on the well being, safety or amenity enjoyed by the community of an area, (iii) risk or nuisance to any property or people, (iv) adverse affects on upstream or downstream systems, (v) unreasonable cumulative impacts on the water quality in surface and groundwater systems relative to their role for the community, or (vi) adverse changes in the volume, timing or quality of stormwater discharged through or from the property. 	

(g) Earthworks

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
016	<p>Filling, draining, grading or excavation of land provides for compacted, finished levels which secure flood free, stable and free draining building and infrastructure sites appropriate to the intended use and minimising impacts to an acceptable level within and off the site regarding:</p> <ul style="list-style-type: none"> (a) privacy and visual and community amenity, (b) environmental values in receiving environments, (c) flooding and drainage flow rates, volumes and natural flood storage capacity, (d) potential for point source discharge or concentration of flows, (e) land and foundation stability, (f) erosion or saline prone lands, (g) soil conservation works, (h) riparian lands, (i) site contamination on the site or through imported material, (j) life and property, and (k) public utilities. 	S16.1	<p>Filling, drainage, grading or excavation of land is undertaken so that:</p> <ul style="list-style-type: none"> (a) land has a minimum slope of 0.25%, (b) cut or fill does not exceed a plane described as: <ul style="list-style-type: none"> (i) 200mm beyond the natural ground level measured at the property boundary and (ii) 800mm beyond the natural ground level measured 1.5m inside the property boundary and does not exceed 2m over the natural ground level of any point of the site. (c) cut or fill is set back at least 2 metres from: <ul style="list-style-type: none"> (i) lands below the highest known flood level, (ii) land used for <i>Local</i> or <i>Major utilities</i>, or (iii) overland flow paths, (d) batter slopes are not steeper than 33%, (e) terracing is stepped at equal horizontal and vertical intervals, and (f) works do not: <ul style="list-style-type: none"> (i) involve any physical alteration to a watercourse, (ii) result in net filling exceeding 50 cubic metres, or (iii) occur on slopes over 15% in grade.
		S16.2 ¹⁰	<p>Where the excavation and/or filling is intended to or causes the retention of water (such as a dam):</p> <ul style="list-style-type: none"> (a) the structure will safely withstand the hydraulic loading; (b) a spillway for overflow is provided in a position to ensure scour damage or nuisance to adjacent lots does not occur; and (c) no adverse impact or interference is made on local flow patterns.

¹⁰ Council may require as part of its Information Request, certification by a Registered Professional Engineer of Queensland that the development complies with the probable solutions listed.

TABLE S4.1 – DESIGN PARAMETERS FOR RECONFIGURING A LOT IN THE RURAL RESIDENTIAL LOCALITY

Lot Size	Lot Dimensions
<p>1ha minimum.</p> <p>For rear and hatchet shaped lots:</p> <p>(i) the minimum lot size excludes the area of the access strip, and</p> <p>they do not relate to more than 10% of the subdivision.</p>	<p>(a) Maximum width to depth ratio for a lot of 1:4; and</p> <p>(4) For rear or hatchet shaped lots, the minimum frontage includes the proposed access strip. Configuration involving a rear or hatchet shaped lot does not:</p> <p>create more than one rear/hatchet shaped lot behind a full frontage lot, or</p> <p>provide access to more than one rear lot by way of easements on contiguous lands.</p>

TABLE S13.2 – SET BACK TO WATER RESOURCES

Minimum set back (metres) from:	Landscape supplies and Garden centre	Accommodation building, Multiple dwelling unit, all Commercial uses (except Small-scale tourist facility) and Local utility
Top bank of river, creek, stream or wetland	100	50
Edge or potable water supply for site or surrounds	100	30
Centre line of gully	50	15

3.4

URBAN LOCALITY

A. RESIDENTIAL ZONE

3.4 Urban Locality

3.4.1- A- Residential Zone - Tables of Assessment Categories and Assessment Criteria

Residential Zone

TABLE 5A - Material Change of Use ¹		
Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) DEVELOPMENT FOR DEFINED USES AND USE CLASSES:		
(a) Rural Use Classes		
<p>All defined Rural uses:</p> <p>NOTE: All defined Rural uses except for: - Animal keeping (aviary) - Farming (animal husbandry for apiary) are inconsistent uses (refer SO2 in 3.4.2)</p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: <i>Animal keeping (aviary).</i></p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <ul style="list-style-type: none"> (i) For Animal Keeping or Intensive Animal Husbandry: <ul style="list-style-type: none"> ▪ Animal Keeping and Intensive Animal Husbandry Code (ii) For Farming: <ul style="list-style-type: none"> ▪ Farming Code (iii) For Forestry Business: <ul style="list-style-type: none"> ▪ Forestry Business Code (iv) If in a SMOA on SMOA map 2C: <ul style="list-style-type: none"> ▪ Natural Features and Resources Code – Element (e)
(b) Residential Use Classes		
Accommodation building:	<p>Impact assessable: All circumstances.</p>	
Annexed unit:	<p>Self assessable: All except if code assessable as follows.</p> <p>Code assessable: If nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code.</p>	<p>Applicable Codes:</p> <p><i>For self assessable development:</i></p> <ul style="list-style-type: none"> ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (d), (e) and (g). <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> ▪ Urban Locality Code - Elements (a), (c)(iii) to (vi) and (g); and ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (d), (e) and (g).

¹ Uses proposed on State lands must be consistent with the purpose for which the land was allocated under the *Land Act, 1994*. Consult with Department of Natural Resources and Mines

Residential Zone

TABLE 5A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes continued:		
Bed and breakfast:	<p>Self assessable: All except if code assessable as follows.</p> <p>Code assessable: If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code;</p> <p>or</p> <p>(ii) on a Cultural Heritage Site shown on SMOA map 2F.</p>	<p><u>Applicable Codes:</u></p> <p><i>For self assessable development:</i></p> <ul style="list-style-type: none"> Bed and Breakfast and Small Scale Tourist Facility Code. <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and Bed and Breakfast and Small Scale Tourist Facility Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> Cultural Features Overlay Code
<p>Caravan park:</p> <p>NOTE: <i>Caravan park is an inconsistent use (refer SO2 in 3.4.2)</i></p>	<p>Code assessable: All circumstances</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> Urban Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> Cultural Features Overlay Code <p>(ii) If in a SMOA on SMOA map 2C or 2D(i):</p> <ul style="list-style-type: none"> Natural Features and Resources Overlay Code – all Elements except (a), (b) and (f) <p>(iii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> Community Facility Overlay Code
Caretakers residence:	<p>Code assessable: All circumstances</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and Dwelling House, Annexed Unit and Caretakers Residence Code - Elements (a), (b), (e), (f) and (g)
<p>Dwelling house:</p> <p>NOTE: <i>More than 2 Dwelling houses (or a Dwelling house and Caretakers residence) on the site is an inconsistent use (refer SO2 in 3.4.2)</i></p>	<p>Self assessable: All except if code assessable as follows.</p> <p>Code assessable: If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code;</p> <p>or</p> <p>(ii) for more than 1 Dwelling house (or a Dwelling house and a Caretakers residence) on a site.</p>	<p><u>Applicable Codes:</u></p> <p><i>For self assessable development:</i></p> <ul style="list-style-type: none"> Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (g). <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (g).
Home-based business:	<p>Code assessable: All circumstances</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and Home-based Business Code.

Residential Zone

TABLE 5A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes continued:		
Multiple dwelling unit:	Code assessable: If for two dwelling units. Impact assessable: All circumstances except if code assessable.	Applicable Codes: <ul style="list-style-type: none"> ▪ Urban Locality Code; and ▪ Multiple Dwelling Unit and Accommodation Building Code; AND <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code (ii) If in a SMOA on SMOA map 2C or 2D(i): ▪ Natural Features and Resources Overlay Code – Elements (c) to (e) and (g) and (h)
(c) Commercial Use Classes		
All defined Commercial uses: NOTE: <i>All defined Commercial uses except for a:</i> - Shop (under 50sqm in gross floor area) - Small-scale tourist facility are inconsistent uses (refer SO2 in 3.4.2)	Code assessable: All except if impact assessable as follows. Impact assessable: If for a: (i) Shop (under 50 sqm in gross floor area); or (ii) Small-scale tourist facility.	Applicable Codes: <ul style="list-style-type: none"> ▪ Urban Locality Code; AND <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code (ii) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code – Element (e) (iii) If in a SMOA on SMOA map 2E: ▪ Community Facility Overlay Code
(d) Industrial Use Classes		
All defined Industry uses: NOTE: <i>All defined Industrial uses are inconsistent uses (refer SO2 in 3.4.2)</i>	Code assessable: All circumstances	Applicable Codes: <ul style="list-style-type: none"> (i) For Service Station or Car Washing Station: ▪ Urban Locality Code – all Elements except (b) and (c)(i); and ▪ Service Station and Car Washing Station Code; (ii) For Extractive Industry or Borrow Pit: ▪ Urban Locality Code – all Elements except (b) and (c)(i); and ▪ Extractive Industry and Borrow Pit Code; AND <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code – Element (e) (ii) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code

Residential Zone

TABLE 5A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(e) Community Use Classes		
Local utility:	Exempt: All circumstances	Nil
Other defined Community uses not listed above: NOTE: Major utility is an inconsistent use if Code Assessable in Clause (ii) of Column 2 (refer SO2 in 3.4.2)	Self assessable: If: (i) for the particular <i>Community use class</i> indicated for the premises listed in Schedule 5, Division 1 and for not more than a 10% increase in gross floor or curtilage area calculated from the commencement day; or (ii) by a public sector entity in an existing building on land in the following circumstances: (1) for not more than a 10% increase in gross floor or curtilage area calculated from the commencement day, (2) outside a SMOA shown on SMOA map 2C, 2D(i), 2E or 2F, or (3) not involving flood lighting. Code assessable: If (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes; or (ii) unable to satisfy the circumstances for self assessment above.	Applicable Codes: <i>For all levels of assessment:</i> ■ Urban Locality Code; AND (i) For Telecommunications Facility: ■ Telecommunications Facilities Code (ii) For Child Care Centre: ■ Child Care Centres Code; AND <i>For assessable development:</i> (i) If in a SMOA on SMOA map 2F: ■ Cultural Features Overlay Code (ii) If in a SMOA on SMOA map 2C or 2D(i): ■ Natural Features and Resources Overlay Code – Elements (e), (g) and (h) (iii) If in a SMOA on SMOA map 2E: ■ Community Facility Overlay Code
(f) Recreational Use Classes		
Park:	Exempt: All circumstances	Nil
Other defined Recreational uses not listed above:	Self assessable: If on Council controlled land except if: (1) for more than a 10% increase calculated from the commencement day: a. in gross floor area, or b. in car parking demand, (2) needing a liquor licence, (3) in a SMOA on SMOA map 2C, 2D(i), 2E or 2F, or (4) involving floodlighting. Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; or (ii) on Council controlled land and not meeting the circumstances for self assessment above. Impact assessable: All other circumstances except if self assessable or code assessable above.	Applicable Codes: <i>For all levels of assessment:</i> ■ Urban Locality Code; AND <i>For assessable development:</i> (i) If in a SMOA on SMOA map 2F: ■ Cultural Features Overlay Code (ii) If in a SMOA on SMOA map 2C or 2D(i): ■ Natural Features and Resources Overlay Code – Elements (e), (g) and (h) (iii) If in a SMOA on SMOA map 2E: ■ Community Facility Overlay Code
(2) DEVELOPMENT FOR UNDEFINED USES²:		
All:	Impact assessable: All circumstances	

² Development for undefined uses refers to proposals that do not fall within the ambit of a defined use as set out in Schedule 7.

Residential Zone

TABLE 5B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) BUILDING WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<p>All:</p>	<p>Code assessable:</p> <p>If for:</p> <p>(i) a building or structure having a:</p> <p style="padding-left: 40px;">(1) building height greater than the following measured from ground level:</p> <p style="padding-left: 80px;">a. 3.5 metres for a <i>Small-scale tourist facility, Bed and breakfast, Home-based business</i> or outbuilding, or</p> <p style="padding-left: 80px;">b. 8.5 metres for habitable buildings or for a <i>Community use</i>; or</p> <p style="padding-left: 40px;">(2) site cover greater than the following for:</p> <p style="padding-left: 80px;">a. <i>Residential uses</i> on lots over 600 sqm in area – 50%,</p> <p style="padding-left: 80px;">b. <i>Residential uses</i> on lots of 600 sqm or less – 60%,</p> <p style="padding-left: 80px;">c. <i>Industrial and Commercial uses</i> – 60%, or</p> <p style="padding-left: 80px;">d. other uses – 40%; or</p> <p style="padding-left: 40px;">(3) set back for a non-residential purpose of less than the following as measure from the property boundary:</p> <p style="padding-left: 80px;">a. 6 metres from any trafficable road, or</p> <p style="padding-left: 80px;">b. 3 metres to any other boundary;</p> <p>or</p> <p>(ii) a fence or wall forward of the building line and less than 50% transparent over:</p> <p style="padding-left: 40px;">(1) 1.8 metres in height abutting trafficable roads, or</p> <p style="padding-left: 40px;">(2) 2 metres in height along other boundaries;</p> <p>or</p> <p>(iii) a retaining wall over 2 metres in height;</p> <p>or</p> <p>(iv) the displacement of more than 20 cubic metres of material;</p> <p>or</p> <p>(v) a building or structure on a Cultural Heritage Site shown on SMOA map 2F, except for building work internal to an existing building.</p>	<p><u>Applicable Codes:</u></p> <p>(i) For building or structure height, site cover or set back:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code – Element (c)(ii) O11 <p>(ii) For fences and walls:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code - Element (c)(v) <p>(iii) For displacement of material:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code - Elements (d) and (g); <p>AND</p> <p>(i) If in a SMOA on SMOA map 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (e) <p>(ii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
<p>NOTE:</p> <p><i>A fence or wall forward of the building line and over 2 metres in height is an inconsistent development (refer SO14 of 3.4.2)</i></p>		
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<p>Placement of an advertisement device:</p> <p>NOTE:</p> <p><i>Placement of an advertisement device is an inconsistent development (refer SO15 in 3.4.2)</i></p>	<p>Code assessable:</p> <p>All circumstances</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Urban Locality Code - Element (c)(vi), (d) and (g); <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code

Residential Zone

TABLE 5B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE continued:		
Excavation and/or filling that materially affects premises: NOTE: Excavation and/or filling is inconsistent development if resulting in the capability to store, cause ponding to otherwise retain water (such as a dam)	Code assessable: If: (i) for a : (1) <i>Telecommunications facility (medium impact)</i> ; or (2) <i>Major utility</i> ; or (ii) for a change in the ground level of more than 1 metre or if more than 50 cubic metres of material is filled or excavated.	Applicable Codes: (i) For Telecommunications Facility: ▪ Telecommunications Facilities Code; and (ii) For Earthworks: ▪ Urban Locality Code - Element (g)
Works associated with reconfiguring a lot:	Code assessable: All circumstances	Applicable Code: Urban Locality Code – Elements (b), (d), (f) and (g).
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Reconfiguring a lot: NOTE: Reconfiguring a lot is inconsistent development if resulting in a lot: - comprising a hatchet or rear lot under 800sqm in area, or - under 400sqm in area. (Refer SO8 in 3.4.2)	Code assessable: All circumstances	Applicable Codes: ▪ Urban Locality Code - Elements (b), (d), (f) and (g); AND (i) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code – Element (e) (ii) If in a SMOA on SMOA map 2E: ▪ Community Facility Overlay Code (iii) If in SMOA Map 2F ▪ Cultural Features Overlay Code
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	Exempt: All circumstances	Nil

B. BUSINESS AND COMMERCIAL ZONE

3.4.1 – B - Business and Commercial Zone – Tables of Assessment Categories and Assessment Criteria

Business and Commercial Zone

TABLE 6A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) DEVELOPMENT FOR DEFINED USES AND USE CLASSES:		
(a) Rural Use Classes		
<p><i>All defined Rural uses:</i></p> <p>NOTE: <i>All defined Rural uses are inconsistent uses (refer SO2 in 3.4.2)</i></p>	<p>Code assessable: All circumstances</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <ul style="list-style-type: none"> (i) For Animal Keeping or Intensive Animal Husbandry: <ul style="list-style-type: none"> ▪ Animal Keeping and Intensive Animal Husbandry Code. (ii) For Farming: <ul style="list-style-type: none"> ▪ Farming Code. (iii) For Forestry Business: <ul style="list-style-type: none"> ▪ Forestry Business Code; <p>AND</p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2F: <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
(b) Residential Use Classes		
<p><i>Accommodation building:</i></p>	<p>Code assessable: All circumstances</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; and ▪ Multiple Dwelling Unit and Accommodation Building Code; <p>AND</p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2F: <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
<p><i>Annexed unit:</i></p>	<p>Self assessable: All circumstances except if assessable as follows.</p> <p>Code assessable: If nominated as self-assessable but unable to comply with an Acceptable Solution in the Applicable Code.</p>	<p><u>Applicable Codes:</u></p> <p><i>For self-assessable development:</i></p> <ul style="list-style-type: none"> ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (d), (e) and (g). <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> ▪ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (d), (e) and (g); <p>AND</p> <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2F: <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
<p><i>Bed and breakfast:</i></p>	<p>Code assessable: All circumstances</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and ▪ Bed and Breakfast and Small Scale Tourist Facility Code; <p>AND</p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2F: <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code

¹ Uses proposed on State lands must be consistent with the purpose for which the land was allocated under the *Land Act, 1994*. Consult with Department of Natural Resources and Mines.

Business and Commercial Zone

TABLE 6A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes continued:		
Caravan park: NOTE: A Caravan park is an inconsistent use (refer SO2 in 3.4.2)	Code assessable: All circumstances	<u>Applicable Codes:</u> <ul style="list-style-type: none"> ▪ Urban Locality Code; AND (i) If in a SMOA on SMOA map 2F: <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
Caretakers residence:	Self assessable: All circumstances except if assessable as follows. Code assessable: If nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Code.	<u>Applicable Codes:</u> For self assessable development: <ul style="list-style-type: none"> ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (f) and (g). For assessable development: <ul style="list-style-type: none"> ▪ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (f) and (g); AND For assessable development: (i) If in a SMOA on SMOA map 2F: <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
Dwelling house: NOTE: A Dwelling house (other than for an expansion of an existing dwelling which does not exceed a 10% increase on gross floor area calculated from the commencement day) is an inconsistent use (refer SO2 in 3.4.2)	Code assessable: All circumstances	<u>Applicable Codes:</u> <ul style="list-style-type: none"> ▪ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (g) and (h); AND (i) If in a SMOA on SMOA map 2F: <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
Home-based business:	Exempt: If not involving an increase in gross floor area. Self assessable: All circumstances except if exempt or code assessable. Code assessable: If nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Code.	<u>Applicable Codes:</u> For self assessable development: <ul style="list-style-type: none"> ▪ Home-based Business Code. For assessable development: <ul style="list-style-type: none"> ▪ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and ▪ Home-based Business Code.
Other defined Residential uses not listed above:	Impact assessable: All circumstances	

Business and Commercial Zone

TABLE 6A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(c) Commercial Use Classes		
<p>All defined Commercial uses:</p> <p>NOTE: A Commercial use for Brothel is an inconsistent use (refer SO2 in 3.4.2)</p>	<p>Exempt: If not involving an increase in gross floor area and for a:</p> <p>(1) Shop, or</p> <p>(2) Office.</p> <p>Self assessable: If for a:</p> <p>(1) Market,</p> <p>(2) Office if not exempt above,</p> <p>(3) Restaurant and/or Take-away food store,</p> <p>(4) Small-scale tourist facility, or</p> <p>(5) Shop if not exempt above.</p> <p>Code assessable: If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes;</p> <p>or</p> <p>(ii) on a Cultural Heritage Site shown on SMOA map 2F;</p> <p>or</p> <p>(iii) for a:</p> <p>(1) Brothel,</p> <p>(2) Hotel,</p> <p>(3) Produce store, or</p> <p>(4) Sales or hire premises.</p> <p>Impact assessable: If for a Major tourist facility.</p>	<p>Applicable Codes:</p> <p><i>For self assessable development:</i></p> <p>(i) For Small-scale Tourist Facility:</p> <ul style="list-style-type: none"> Bed and Breakfast and Small Scale Tourist Facility Code. <p>(ii) For other defined Commercial uses not listed above:</p> <ul style="list-style-type: none"> Urban Locality Code. <p><i>For assessable development:</i></p> <p>(i) For Small-scale Tourist Facility:</p> <ul style="list-style-type: none"> Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and Bed and Breakfast and Small Scale Tourist Facility Code. <p>(ii) For other defined Commercial uses not listed above:</p> <ul style="list-style-type: none"> Urban Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> Cultural Features Overlay Code
(d) Industrial Use Classes		
<p>All defined Industry uses:</p> <p>NOTE: Industrial uses for a: - Borrow pit - Extractive industry - High impact industry are inconsistent uses (refer SO2 of 3.4.2)</p>	<p>Code assessable: If for:</p> <p>(i) a:</p> <p>(1) Borrow pit,</p> <p>(2) Extractive Industry, or</p> <p>(3) High impact industry;</p> <p>or</p> <p>(ii) a Landscape supplies, Service station or a Transport station (passengers only).</p> <p>Impact assessable: All other circumstances except if code assessable.</p>	<p>Applicable Codes:</p> <p>(i) For Service Station or Car Washing Station:</p> <ul style="list-style-type: none"> Service Station and Car Washing Station Code; and Urban Locality Code - all Elements except (b) and (c)(i). <p>(ii) For Extractive Industry or Borrow Pit:</p> <ul style="list-style-type: none"> Extractive Industry and Borrow Pit Code; and Urban Locality Code - all Elements except (b) and (c)(i). <p>(iii) For other defined Industrial uses not listed above:</p> <ul style="list-style-type: none"> Urban Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> Cultural Features Overlay Code
(e) Community Use Classes		
<p>Local utility:</p>	<p>Exempt: All circumstances</p>	<p>Nil</p>

Business and Commercial Zone

TABLE 6A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(e) Community Use Classes continued:		
<i>Other defined Community uses not listed above:</i>	<p>Self assessable:</p> <p>If:</p> <p>(i) for the particular <i>Community use class</i> indicated for the premises listed in Schedule 5, Division 1 and for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day;</p> <p>or</p> <p>(ii) by a public sector entity in an existing building and in the following circumstances:</p> <p>(1) for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day,</p> <p>(2) outside land on a SMOA on SMOA map 2F, and</p> <p>(3) not involving flood lighting.</p> <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes;</p> <p>or</p> <p>(ii) unable to satisfy the circumstances for self assessment above.</p>	<p><u>Applicable Codes:</u></p> <p><i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p>(i) For Telecommunications Facility:</p> <ul style="list-style-type: none"> ▪ Telecommunications Facilities Code <p>(ii) For Child Care Centre:</p> <ul style="list-style-type: none"> ▪ Child Care Centres Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(iii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
(f) Recreational Use Classes		
Park:	<p>Exempt:</p> <p>All circumstances</p>	Nil
<i>Other defined Recreational uses not listed above:</i>	<p>Self assessable:</p> <p>If on Council controlled land except if:</p> <p>(1) for more than a 10% increase calculated from the commencement day:</p> <p>a. in gross floor area, or</p> <p>b. in car parking demand,</p> <p>(2) needing a liquor licence,</p> <p>(3) in a SMOA on SMOA map 2F, or</p> <p>(4) involving floodlighting.</p> <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes;</p> <p>or</p> <p>(ii) on Council controlled land and not meeting the circumstances for self assessment above;</p> <p>or</p> <p>(iii) not involving an increase in any gross floor area or flood lighting for:</p> <p>(1) <i>Indoor sports facility, or</i></p> <p>(2) <i>Outdoor recreation.</i></p> <p>Impact assessable:</p> <p>All other circumstances except if self assessable or code assessable above.</p>	<p><u>Applicable Codes:</u></p> <p><i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
(2) DEVELOPMENT FOR UNDEFINED USES²:		
All:	<p>Impact assessable:</p> <p>All circumstances</p>	

² Development for undefined uses refers to proposals that do not fall within the ambit of a defined use as set out in Schedule 7.

Business and Commercial Zone

TABLE 6B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) BUILDING WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All: NOTE: <i>A fence or wall forward of the building line and over 2 metres in height is an inconsistent development (refer SO14 of 3.4.2)</i>	Code assessable: If for: (i) a building or structure having a: (1) building height greater than the following measured from ground level: a. 3.5 metres for an outbuilding, or b. 8.5 metres for any other purpose; or (2) set back to a property boundary with the Residential zone that is less than half the height of the building; or (ii) a fence (except transparent security fencing) or wall forward of the building line over: (1) 1.2 metres in height abutting trafficable roads, or (2) 2 metres in height along side or rear boundaries; or (iii) the displacement of more than 50 cubic metres of material; or (iv) a building or structure on a Cultural Heritage Site shown on SMOA map 2F, except for building work internal to an existing building.	<u>Applicable Codes:</u> <i>For assessable development:</i> (i) For building or structure height, or set back: ▪ Urban Locality Code – Element (c)(ii) O11 (ii) For fences and walls: ▪ Urban Locality Code - Element (c)(v) (iii) For displacement of material: ▪ Urban Locality Code - Elements (d) and (g); AND (i) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Placement of an advertisement device:	Exempt: If for an on-premises sign. Code assessable: If: (i) for an off-premises sign; or (ii) on a Cultural Heritage Site shown on SMOA map 2F.	<u>Applicable Codes:</u> <i>For assessable development:</i> ▪ Urban Locality Code - Element (c)(vi), (d) and (g); AND (i) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code.
Excavation and/or filling that materially affects premises: NOTE: <i>Excavation and/or filling is inconsistent development if resulting in the capability to store, cause ponding to otherwise retain water (such as a dam)</i>	Code assessable: If: (i) for a: (1) <i>Telecommunications facility (medium impact)</i> ; or (2) <i>Major utility</i> ; or (ii) for a change in the ground level of more than 1 metre or if more than 50 cubic metres of material is filled or excavated.	<u>Applicable Codes:</u> (i) For Telecommunication Facility: ▪ Telecommunications Facilities Code. (ii) For Earthworks: ▪ Urban Locality Code - Element (g).
Works associated with reconfiguring a lot:	Code assessable: All circumstances	<u>Applicable Code:</u> Urban Locality Code – Elements (b), (d), (f) and (g).
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Reconfiguring a lot:	Code assessable: All circumstances	<u>Applicable Code:</u> Urban Locality Code – Elements (b), (d), (f) and (g).
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	Exempt: All circumstances	Nil

C. INDUSTRIAL ZONE

3.4.1- C - Industrial Zone – Tables of Assessment Categories and Assessment Criteria

Industrial Zone

TABLE 7A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) DEVELOPMENT FOR DEFINED USES AND USE CLASSES:		
(a) Rural Use Classes		
<p><i>All defined Rural uses:</i></p> <p>NOTE: <i>All defined Rural uses are inconsistent uses except for Farming or a Rural service industry (refer SO2 in 3.4.2)</i></p>	<p>Code assessable: All circumstances except if impact assessable as follows.</p> <p>Impact assessable: If for <i>Rural service industry</i>.</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <ul style="list-style-type: none"> (i) For Farming: <ul style="list-style-type: none"> ▪ Farming Code (ii) For Animal Keeping or Intensive Animal Husbandry: <ul style="list-style-type: none"> ▪ Animal Keeping and Intensive Animal Husbandry Code (iii) For Forestry Business: <ul style="list-style-type: none"> ▪ Forestry Business Code.
(b) Residential Use Classes		
<p><i>All defined Residential uses:</i></p> <p>NOTE: <i>All defined Residential uses except for a:</i> - Caretakers residence - Dwelling house involving an expansion to an existing dwelling which does not exceed a 10% increase on gross floor area calculated from the commencement day - Home-based business <i>are inconsistent uses (refer SO2 in 3.4.2)</i></p>	<p>Self assessable: If for <i>Home-based business</i> in all circumstances.</p> <p>Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; or (ii) for all other circumstances except if self assessable or impact assessable herein.</p> <p>Impact assessable: If for a <i>Dwelling house</i> involving an expansion to an existing dwelling that does not exceed a 10% increase on gross floor area calculated from the commencement day.</p>	<p><u>Applicable Codes:</u></p> <p><i>For self assessable development:</i></p> <ul style="list-style-type: none"> ▪ Home-based Business Code. <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <ul style="list-style-type: none"> (i) For Home-based Business: <ul style="list-style-type: none"> ▪ Home-based Business Code (ii) For Dwelling House, Annexed Unit or Caretakers Residence: <ul style="list-style-type: none"> ▪ Dwelling House, Annexed Unit and Caretakers Residence Code (iii) For Multiple Dwelling Unit or Accommodation Building: <ul style="list-style-type: none"> ▪ Multiple Dwelling Unit and Accommodation Building Code (iv) For Bed and Breakfast: <ul style="list-style-type: none"> ▪ Bed and Breakfast and Small Scale Tourist Facility Code; <p>AND</p> <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2C: <ul style="list-style-type: none"> ▪ Natural Features and Resources Code – Element (e) (ii) If in a SMOA on SMOA map 2E: <ul style="list-style-type: none"> ▪ Community Facility Overlay Code

¹ Uses proposed on State lands must be consistent with the purpose for which the land was allocated under the *Land Act, 1994*. Consult with Department of Natural Resources and Mines.

Industrial Zone

TABLE 7A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(c) Commercial Use Classes		
<p><i>All defined Commercial uses:</i></p> <p>Self assessable: If for a <i>Produce store</i>.</p> <p>Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; or (ii) for all other circumstances except if self assessable or impact assessable herein.</p> <p>Impact assessable: (i) If for a: (1) <i>Shop</i> (under 50sqm in gross floor area), or (2) <i>Small-scale tourist facility</i>; or (ii) If for a: (1) <i>Brothel</i>, (2) <i>Hotel</i>, (3) <i>Major tourist facility</i>, or (4) <i>Restaurant and/or Take-away food store</i>.</p> <p>NOTE: <i>Commercial uses for a Shop over 50sqm in gross floor area are an inconsistent use (refer SO2 in 3.4.2)</i></p>		<p><u>Applicable Code:</u> <i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Urban Locality Code <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA map 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Code – Element (e) <p>(ii) If in a SMOA on SMOA map 2E:</p> <ul style="list-style-type: none"> ▪ Community facility Overlay Code
(d) Industrial Use Classes		
<p><i>All defined Industrial uses:</i></p> <p>Self assessable: If for a: (1) <i>Light industry</i>, (2) <i>Storage premises</i>, or (3) <i>Transport station</i> (other than for passengers).</p> <p>Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; or (ii) in all other circumstances except if self assessable or impact assessable herein.</p> <p>Impact assessable: If for a: (1) <i>Extractive industry</i>, or (2) <i>High impact industry</i>.</p>		<p><u>Applicable Codes:</u> <i>For self assessable development:</i></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) For Service Station or Car Washing Station: ▪ Service Station and Car Washing Station Code; and ▪ Urban Locality Code – all Elements except (b) and (c)(i)</p> <p>(ii) For Extractive Industry or Borrow Pit: ▪ Extractive Industry and Borrow Pit Code; and ▪ Urban Locality Code – all Elements except (b) and (c)(i)</p> <p>(iii) For other defined Industrial uses not listed above: ▪ Urban Locality Code;</p> <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Code – Element (e)</p> <p>(ii) If in a SMOA on SMOA map 2E: ▪ Community facility Overlay Code</p>

Industrial Zone

TABLE 7A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(e) Community Use Classes		
Local utility:	Exempt: All circumstances	Nil
Other defined Community uses not listed above: NOTE: <i>Child care centre is an inconsistent use (refer SO2 in 3.4.2)</i>	Code assessable: If for: (i) the particular <i>Community use class</i> indicated for the premises listed in Schedule 5, Division 1 and for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day; or (ii) all other circumstances except if impact assessable as follows. Impact assessable: If unable to satisfy the circumstances for code assessment above for <i>Major utility</i> or <i>Special uses</i> .	<u>Applicable Codes:</u> ▪ Urban Locality Code; AND (i) For Telecommunications Facility: ▪ Telecommunications Facilities Code (ii) For Child Care Centre: ▪ Child Care Centres Code. AND <i>For assessable development:</i> (iii) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Code – Element (e) (iv) If in a SMOA on SMOA map 2E: ▪ Community facility Overlay Code
(f) Recreational Use Classes		
Park:	Exempt: All circumstances	Nil
Other defined Recreational uses not listed above: NOTE: <i>Outdoor recreation is an inconsistent use (refer SO2 in 3.4.2)</i>	Code assessable: All circumstance	<u>Applicable Codes:</u> ▪ Urban Locality Code; AND (i) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Code – Element (e) (ii) If in a SMOA on SMOA map 2E: ▪ Community facility Overlay Code
(2) DEVELOPMENT FOR UNDEFINED USES²		
All:	Impact assessable: All circumstances	

² Development for undefined uses refers to proposals that do not fall within the ambit of a defined use as set out in Schedule 7.

Industrial Zone

TABLE 7B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Provisions
(1) BUILDING WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	Code assessable: If for: (i) a building or structure having a building height greater than 8.5 metres measured from ground level; or (ii) the displacement of more than 50 cubic metres of material.	<u>Applicable Codes:</u> (i) For building or structure height: ▪ Urban Locality Code – Element (c)(ii) O11 (ii) For displacement of material: ▪ Urban Locality Code - Elements (d) and (g) (iii) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code – Element (e)
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Placement of an advertisement device:	Code assessable: All circumstances	<u>Applicable Code:</u> Urban Locality Code - Elements (c)(vi), (d) and (g).
Excavation and/or filling that materially affects premises: NOTE: <i>Excavation and/or filling is inconsistent development if resulting in the capability to store, cause ponding to otherwise retain water (such as a dam)</i>	Code assessable: If: (i) for a: (1) <i>Telecommunication facility (medium impact)</i> , (2) <i>Major utility</i> , or (3) <i>Extractive industry</i> ; or (ii) for a change in the ground level of more than 1 metre or if more than 50 cubic metres of material is filled or excavated.	<u>Applicable Codes:</u> (i) For Telecommunications Facility: ▪ Telecommunications Facilities Code (ii) For Extractive Industry: ▪ Extractive Industry and Borrow Pit Code (iii) For Earthworks: ▪ Urban Locality Code - Element (g) (iv) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code
Works associated with reconfiguring a lot:	Code assessable: All circumstances	<u>Applicable Code:</u> Urban Locality Code – Elements (b), (d), (f) and (g).
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Reconfiguring a lot:	Code assessable: All circumstances	<u>Applicable Codes:</u> ▪ Urban Locality Code - Elements (b), (d), (f) and (g) (i) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	Exempt: All circumstances	Nil

D. PARKS & OPEN SPACE ZONE

3.4.1 – D - Parks and Open Space Zone - Tables of Assessment Categories and Assessment Criteria

Parks and Open Space Zone

TABLE 8A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) DEVELOPMENT FOR DEFINED USES AND USE CLASSES:		
(a) Rural Use Classes		
<p><i>All defined Rural uses:</i></p> <p>NOTE: <i>All defined Rural uses except for:</i></p> <ul style="list-style-type: none"> - Animal keeping (aviary) - Farming (animal husbandry for stables) - Intensive animal husbandry (stables, zoo, aquarium or aviary) <p><i>are inconsistent uses (refer SO2 in 3.4.2)</i></p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If for:</p> <ul style="list-style-type: none"> (i) <i>Animal keeping</i> (aviary); or (ii) <i>Farming</i> (animal husbandry for stables); or (iii) <i>Intensive animal husbandry</i> for a stable, zoo, aquarium or aviary. 	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <ul style="list-style-type: none"> (i) For Animal Keeping or Intensive Animal Husbandry: ▪ Animal Keeping and Intensive Animal Husbandry Code (ii) For Farming: ▪ Farming Code (iii) For Forestry Business: ▪ Forestry Business Code; <p>AND</p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code – Element (e) (ii) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code
(b) Residential Use Classes		
<p><i>All defined Residential uses:</i></p> <p>NOTE: <i>All defined Residential uses except if for a:</i></p> <ul style="list-style-type: none"> - Accommodation buildings for a motel, guest house or student accommodation located on a showground, racecourse or golf club listed in Schedule 5, Division 2 - Bed and breakfast - Caravan park located on a showground or racecourse listed in Schedule 5, Division 2 - Caretakers residence - Home-based business <p><i>are inconsistent uses (refer SO2 in 3.4.2)</i></p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If for:</p> <ul style="list-style-type: none"> (i) an <i>Accommodation building</i> (motel, guest house or student accommodation) on a showground, racecourse or golf club listed in Schedule 5, Division 2; or (ii) a <i>Caravan park</i> on a showground or racecourse listed in Schedule 5, Division 2. 	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <ul style="list-style-type: none"> (i) For Multiple Dwelling Unit or Accommodation Building: ▪ Multiple Dwelling Unit and Accommodation Building Code (ii) For Dwelling House, Annexed Unit or Caretakers Residence: ▪ Dwelling House, Annexed Unit and Caretakers Residence Code (iii) For Bed and Breakfast: ▪ Bed and Breakfast and Small Scale Tourist Facility Code (iv) For Home-based Business: ▪ Home-based Business Code; <p>AND</p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code – Element (e) (ii) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code

¹ Uses proposed on State lands must be consistent with the purpose for which the land was allocated under the Land Act, 1994. Consult with Department of Natural Resources and Mines.

Parks and Open Space Zone

TABLE 8A - Material Change of Use¹

TABLE 8A - Material Change of Use ¹												
Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria										
(c) Commercial Use Classes												
<p><i>All defined Commercial uses:</i></p> <p>NOTE:</p> <p>Commercial uses for a:</p> <ul style="list-style-type: none">- Brothel- Hotel- Office- Produce store- Sales or hire premises- Shop (over 50sqm in gross floor area) <p>are inconsistent uses (refer SO2 in 3.4.2)</p>	<p>Code assessable:</p> <p>All except if impact assessable as follows</p> <p>Impact assessable:</p> <p>If for a:</p> <table><tr><td>(1)</td><td>Major tourist facility,</td></tr><tr><td>(2)</td><td>Market,</td></tr><tr><td>(3)</td><td>Restaurant and/or Take-away food store,</td></tr><tr><td>(4)</td><td>Shop (under 50 sqm in gross floor area), or</td></tr><tr><td>(5)</td><td>Small-scale tourist facility.</td></tr></table>	(1)	Major tourist facility,	(2)	Market,	(3)	Restaurant and/or Take-away food store,	(4)	Shop (under 50 sqm in gross floor area), or	(5)	Small-scale tourist facility.	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none">▪ Urban Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA map 2C:</p> <ul style="list-style-type: none">▪ Natural Features and Resources Overlay Code – Element (e) <p>(ii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none">▪ Cultural Features Overlay Code
(1)	Major tourist facility,											
(2)	Market,											
(3)	Restaurant and/or Take-away food store,											
(4)	Shop (under 50 sqm in gross floor area), or											
(5)	Small-scale tourist facility.											
(d) Industrial Use Classes												
<p><i>All defined Industry uses:</i></p> <p>NOTE:</p> <p>All defined Industrial uses are inconsistent uses (refer SO2 in 3.4.2)</p>	<p>Code assessable:</p> <p>All circumstances</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none">▪ Urban Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA map 2C:</p> <ul style="list-style-type: none">▪ Natural Features and Resources Overlay Code – Element (e) <p>(ii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none">▪ Cultural Features Overlay Code										
(e) Community Use Classes												
<p><i>Local utility:</i></p>	<p>Exempt:</p> <p>All except if assessable as follows.</p> <hr/> <p>Code assessable:</p> <p>If in a SMOA shown on SMOA map 2C</p>	<p>Nil</p> <hr/> <p><u>Applicable Codes:</u></p> <ul style="list-style-type: none">▪ Urban Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA map 2C:</p> <ul style="list-style-type: none">▪ Natural Features and Resources Overlay Code – Element (e)										
<p><i>Other defined Community uses not listed above:</i></p> <p>NOTE:</p> <p>Major utility is an inconsistent use unless:</p> <ul style="list-style-type: none">- for a Telecommunications facility, or- it fulfils the circumstances for self assessment. <p>(Refer SO2 in 3.4.2)</p>	<p>Self assessable:</p> <p>If by a public sector entity in an existing building on land in the following circumstances:</p> <p>(i) for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day;</p> <p>(ii) not involving a Cultural Heritage Site shown on SMOA map 2F; or</p> <p>(iii) not involving flood lighting.</p> <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes; or</p> <p>(ii) unable to satisfy the circumstances for self assessment above.</p>	<p><u>Applicable Codes:</u></p> <p><i>For all levels of assessment:</i></p> <ul style="list-style-type: none">▪ Urban Locality Code; <p>AND</p> <p>(i) For Telecommunications Facility:</p> <ul style="list-style-type: none">▪ Telecommunications Facilities Code <p>(ii) For Child Care Centre:</p> <ul style="list-style-type: none">▪ Child Care Centres Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA map 2C:</p> <ul style="list-style-type: none">▪ Natural Features and Resources Overlay Code – Element (e) <p>(ii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none">▪ Cultural Features Overlay Code										

Parks and Open Space Zone

TABLE 8A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(f) Recreational Use Classes		
Park:	Exempt: All circumstances	Nil
Other defined Recreational uses not listed above:	<p>Self assessable: If on Council controlled land except if:</p> <ul style="list-style-type: none"> (1) for more than a 10% increase calculated from the commencement day: <ul style="list-style-type: none"> a. in gross floor area, or b. in car parking demand, (2) needing a liquor licence, (3) involving floodlighting, or (4) in a Cultural Heritage Site shown on SMOA map 2F. <p>Code assessable: If:</p> <ul style="list-style-type: none"> (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes; <p>or</p> <ul style="list-style-type: none"> (ii) on Council controlled land and not meeting the circumstances for self assessment above; <p>or</p> <ul style="list-style-type: none"> (iii) on a premises listed in Schedule 5, Division 2 for <i>Outdoor recreation</i>. <p>Impact assessable: All other circumstances except if self assessable or code assessable above.</p>	<p>Applicable Codes: <i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2C: <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (e) (ii) If in a SMOA on SMOA map 2F: <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
(2) DEVELOPMENT FOR UNDEFINED USES²:		
All:	Impact assessable: All circumstances	

² Development for undefined uses refers to proposals that do not fall within the ambit of a defined use as set out in Schedule 7.

Parks and Open Space Zone

TABLE 8B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) BUILDING WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All: NOTE: <i>A fence or wall forward of the building line and over 2 metres in height is an inconsistent development (refer SO 14 of 3.4.2)</i>	Code assessable: If for: (i) a fence or wall forward of the building line and less than 50% transparent and over: (1) 1.8 metres in height abutting trafficable roads, or (2) 2 metres in height along other boundaries; or (ii) a retain wall over 2 metres in height; or (iii) the displacement of more than 50 cubic metres of material; or (iv) in a SMOA shown on SMOA map 2C; or (v) a Cultural Heritage Site shown on SMOA map 2F, except for building work internal to an existing building.	<u>Applicable Codes:</u> <i>For assessable development:</i> (i) For fences and walls: ▪ Urban Locality Code - Element (c)(v) (ii) For displacement of material: ▪ Urban Locality Code - Elements (d) and (g); AND (iii) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code – Element (e) (iv) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Placement of an advertisement device:	Code assessable: All circumstances	<u>Applicable Codes:</u> ▪ Urban Locality Code - Element (c)(vi), (d) and (g); AND (i) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code
Excavation and/or filling that materially affects premises: NOTE: <i>Excavation and/or filling is inconsistent development if resulting in the capability to store, cause ponding to otherwise retain water (such as a dam)</i>	Code assessable: If: (i) for a <i>Telecommunications facility (medium impact)</i> ; or (ii) for a change in the ground level of more than 1 metre or if more than 50 cubic metres of material is filled or excavated; or (iii) in a SMOA on SMOA map 2C.	<u>Applicable Codes:</u> (i) For Telecommunications Facility: ▪ Telecommunications Facilities Code. (ii) For Earthworks: ▪ Urban Locality Code - Element (g) (iii) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code – Element (e) (iv) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code
Works associated with reconfiguring a lot:	Code assessable: All circumstances	<u>Applicable Code:</u> Urban Locality Code – Elements (b), (d), (f), (g)
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Reconfiguring a lot:	Code assessable: All circumstances	<u>Applicable Codes:</u> ▪ Urban Locality Code - Elements (b), (d), (f) and (g); AND (i) If in a SMOA on SMOA map 2F: ▪ Cultural Features Overlay Code (ii) If in a SMOA on SMOA map 2C: ▪ Natural Features and Resources Overlay Code – Element (e)
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	Exempt: All circumstances	Nil

URBAN LOCALITY CODE

3.4.2 Urban Locality Code

(1) PURPOSE OF THE CODE – Overall Outcomes:

- (a) The purpose of the Urban Locality Code is the achievement of the overall outcomes sought for the Urban Locality.
- (b) *The overall outcomes sought for the Urban Locality are that development is located, designed and operated so:*
 - (i) *development:*
 - (A) *recognises the constraints of land form;*
 - (B) *wherever possible, retains and enhances significant site vegetation;*
 - (C) *protects water ways and drainage features;*
 - (D) *protects environmental values of the locale;*
 - (E) *protects defined cultural heritage values; and*
 - (F) *protects the landscape and streetscape values associated with the Shire;*
 - (ii) *development is not located in areas subject to natural or man made hazards;*
 - (iii) *development contributes positively to reasonably expected levels of amenity, safety and wellbeing integral to sustaining a high standard of urban living;*
 - (iv) *development is effectively and economically serviced with utility and transport infrastructure appropriate for its use and the environment and which results in a consolidated and orderly settlement pattern;*
 - (v) *the safe, effective, efficient and attractive operations of roads are maintained whilst intrusive traffic in a zone is minimised;*
 - (vi) *uses, lots and works are adequately buffered from activities on adjacent land to protect the integrity and viability of:*
 - (A) *productive rural land and intensive rural enterprises;*
 - (B) *major utility installations;*
 - (C) *sub-arterial and higher order roads¹;*
 - (D) *major community, commercial and industrial activities; and*
 - (E) *the amenity of residential and rural residential areas;*
 - (vii) *development is compatible with or complements the attractive, uncluttered urban character and its high quality amenity inherent in the Shire's urban settings;*
 - (viii) *non-residential uses outside the Business and Commercial and Industrial zones are subservient in nature to uses predominating in the locale and they conveniently service a public need whilst presenting a low key, small-scale character; and*
 - (ix) *uses are located in an appropriate zone and/or preferred land use area having regard to the character and amenity of the zone and/or preferred land use area and other uses lawfully conducted therein so as to limit conflict between incompatible urban land uses.*

¹ Road classifications are shown on the Zone maps

- (x) *convenient, safe and high quality pedestrian and cycling environments, connecting urban, business and commercial localities, are provided where practical.*
- (c) ***For the Residential zone, the overall outcomes sought for the zone, which are in addition to those for the Locality, are that development is located, designed and operated so:***
 - (i) *residential development is responsive to community needs for affordable, quality housing that provides for a mix of accommodation types so residential density moderately increases in proximity to the Business and Commercial zone; or*
- (d) ***For the Business and Commercial zone the overall outcomes sought for the zone, which are in addition to those for the Locality, are that development is located, designed and operated so:***
 - (i) *the vital, vibrant and prosperous hub of business, commercial and civic opportunities in the core of the zone are protected from inappropriate uses that lessen the productive commercial base or the lifestyle enjoyed by the community; and*
 - (ii) *nominated centres in the zone accommodate the needs of the community and visitors for a broad range of major retail, commercial, business, community and recreational activities through logical and orderly infill and redevelopment, with less intensive and active premises being located on the frame of the zone.*
- (e) ***For the Industrial zone the overall outcomes sought for the zone, which are in addition to those for the Locality, are that development is located, designed and operated so:***
 - (i) *development does not adversely affect the effective operation and sustainable growth and diversification opportunities of existing major industrial activities;*
 - (ii) *nominated industrial nodes in the zone support business-industry activities that are accommodated through logical and orderly infill and redevelopment;*
 - (iii) *premises at highway entry points to townships have a high standard of visual amenity and*
 - (iv) *non-industrial activities are limited to those uses which are necessarily and reasonably associated with or supportive of and operate safely with industrial uses or otherwise are compatible with or complementary to the effective operations and development of an industrial area.*
- (f) ***For the Parks and Open Space zone the overall outcomes sought for the zone, which are in addition to those for the locality, are that development is located, designed and operated so:***
 - (A) *development satisfies community and visitor needs for a range of accessible, functional, attractive and safe, active and passive open space, leisure, recreational, tourist, sports, entertainment and associated uses; and*
 - (B) *areas with ecological, landscape, cultural heritage or hydraulic values are conserved whilst informal recreational usage may occur in the areas where in a manner compatible with maintaining the values.*

(2) ELEMENTS:

(a) Land use and development

(i) Consistent uses

Specific Outcome:

O1 Uses are consistent and preferred for development in the Urban Locality, except if:

- (a) listed in O2 as an inconsistent use; or
- (b) conflicting with this Code.

(ii) Inconsistent uses

Specific Outcome:

O2 The following uses or use classes conflict with this Code:

(a) In the Residential zone:

(i) Residential uses for:

- (A) a Caravan park,
- (B) more than two (2) Dwelling houses on a lot, or
- (C) a Dwelling house and a Caretakers residence on the same site.

(ii) Commercial uses in the Residential zone for a:

- (A) Brothel,
- (B) Hotel,
- (C) Major tourist facility,
- (D) Market,
- (E) Office,
- (F) Produce store,
- (G) Restaurant and/or Take-away food store,
- (H) Sales or hire premises,
- (I) Shop (other than where under 50 m² in gross floor area).

(iii) all Industrial uses.

(iv) Community uses comprising Major utilities unless if:

- (A) for premises listed in Schedule 5, Division 1 for not more than a 10% increase in gross floor area calculated from the commencement day; or
- (B) by a public sector entity in an existing building on land under Council's control in the following circumstances:
 - 1. for not more than a 10% increase in gross floor area calculated from the commencement day, or
 - 2. not involving flood lighting.

(v) Rural uses except for:

- (A) Animal keeping (aviary), or
- (B) Farming (animal husbandry for apiary).

Specific Outcome:

(b) In the Business and Commercial zone:

- (i) *Commercial uses for a Brothel.*
- (ii) *Rural uses.*
- (iii) *Residential uses for a:*
 - (A) *Dwelling house other than for an expansion of an existing dwelling which does not exceed a 10% increase on gross floor area calculated from the commencement day, or*
 - (B) *Caravan park.*
- (iv) *Industrial uses for a:*
 - (A) *Borrow pit,*
 - (B) *Extractive industry, or*
 - (C) *High impact industry.*

(c) In the Industrial zone:

- (i) *Commercial uses for a Shop (over 50 m² in gross floor area).*
- (ii) *Community uses for a Child-care centre.*
- (iii) *Rural uses except for:*
 - (A) *Farming, or*
 - (B) *Rural service industry.*
- (iv) *Residential uses except for a:*
 - (A) *Caretakers residence,*
 - (B) *Dwelling house involving an expansion to an existing dwelling which does not exceed a 10% increase in gross floor area calculated from the commencement day, or*
 - (C) *Home-based business.*
- (v) *Recreational uses for Outdoor recreation.*

(d) In the Parks and Open Space zone:

- (i) *Rural uses except for:*
 - (A) *Animal keeping (aviary),*
 - (B) *Farming (animal husbandry for stables), or*
 - (C) *Intensive animal husbandry (stables, zoo, aquarium or aviary).*
- (ii) *Residential uses for a:*
 - (A) *Accommodation building except motel, guest house or student accommodation located on a showground, racecourse or golf course listed in Schedule 5, Division 2,*
 - (B) *Caravan park unless located on a showground or racecourse listed in Schedule 5, Division 2.*
 - (C) *Annexed unit,*
 - (D) *Dwelling house, or*
 - (E) *Multiple dwelling unit.*
- (iii) *Commercial uses except for:*
 - (A) *Major tourist facility,*
 - (B) *Market,*
 - (C) *Restaurant and/or take-away food store,*

Specific Outcome:

- (D) *Shop* (under 50m² in gross floor area), or
 - (E) *Small-scale tourist facility*.
- (iv) *All Industrial uses*.
- (v) *Community uses* for *Major utility* except:
 - (A) for a *Telecommunications facility*, or
 - (B) if:
 - (1) by a public sector entity in an existing building on land under Councils control in the following circumstances:
 - a. for not more than a 10% increase in gross floor area calculated from the commencement day,
 - b. not involving flood lighting, or
 - c. not involving a Cultural Heritage Site shown on SMOA map 2F.

(b) Density and design for reconfiguring**(i) Reconfiguring a lot in the Locality****Specific Outcomes:****O3 For reconfiguring a lot in the Urban Locality:**

- (a) significant habitat, landscape, drainage and cultural heritage features are conserved;
- (b) significant views and vistas to landmarks defining the region are protected;
- (c) local amenity, wellbeing, character and the effective operations of surrounding consistent development is maintained;
- (d) risk to people and property from development is minimised to an acceptable level in terms of:
 - (i) lands below the highest known flood,
 - (ii) drainage problem lands below 1% slope,
 - (iii) slopes over 15% in gradient,
 - (iv) land subject to known soil erosion incidents, or
 - (v) lands supporting high impact uses and works and major transport networks;
- (e) lots offer aspect, grade and form that are appropriate to proposed uses in terms of:
 - (i) amenity and character on the site and surrounds,
 - (ii) energy efficient and climatically responsive building sites,
 - (iii) effective management of land and water resources,
 - (iv) minimizing earthworks and engineering structures,
 - (v) pedestrian and cyclist accessibility,
 - (vi) safety,
 - (vii) proximity to open space, community facilities and services;
- (f) infill and expansion, including staged development, maintains an orderly, logical and co-ordinated pattern of lots, streets and roads; and
- (g) rear and hatchet shaped lots are minimised.

Specific Outcomes	Probable Solutions
<p>O4 Lots are located, designed and developed so that useable lots with sufficient area and suitable shape and proportions:</p> <ul style="list-style-type: none"> (a) provide for the effective, safe, attractive and adequate: <ul style="list-style-type: none"> (i) location and operation, and (ii) access, and (iii) servicing, of uses and works associated with consistent uses, (b) provide appropriately for local topography so flood immune, stable and free draining building areas, accesses and works are achieved, and (c) provide that a proliferation of accesses to collector and higher order roads is minimised. 	<p>S4. Other than reconfiguration for a Community Titles Scheme or for any <i>Community Use Class</i>, lots comply with the design parameters set out at the end of the Code in:</p> <ul style="list-style-type: none"> (a) Table S4.1A for the Residential zone, or (b) Table S4.1B for the Industrial zone. <p>S4. For reconfiguration involving a Community Title Scheme the number of lots on the Standard Format Plan comprising the Scheme does not exceed the number of lots complying with the design parameters set out in the relevant parts of Tables S4.1 A or B at the end of this Code.</p>

(ii) *Reconfiguring a lot in the Zones*

Specific Outcomes:

- O5** For reconfiguring a lot in the Residential zone, the Specific Outcomes sought for reconfiguring, which are in addition to that for the Locality, are that new lots:
- (a) are designed and located so urban lots are buffered to an acceptable level against the adverse affects of incompatible uses (or potential uses) on adjoining land in another zone;
 - (b) that adjoin any sub-arterial or higher order roads are reconfigured to ensure new residences have adequate privacy and amenity;
 - (c) permit the siting and construction of a range of housing types and lot sizes connected to town utility services and meeting community needs; and
 - (d) on sites surrounding the Commercial and Business zone are reconfigured for a moderate increase in the residential densities in support of services and facilities therein.
- O6** For reconfiguring a lot in the Business and Commercial zone and the Industrial zone, the Specific Outcome sought for reconfiguring, which is in addition to that for the Locality, is that new lots are designed and located to result in an appropriate mix of lot sizes to optimise business and industry viability.
- O7** For reconfiguring a lot in the Parks and Open Space zone, the Specific Outcome sought for reconfiguring, which is in addition to that for the Locality, is that new lots are designed and located to accommodate consistent uses in the zone in support of lawful open space, recreational or sports activities on the site.
-

(iii) *Inconsistent reconfiguring a lot*

Specific Outcomes:

- O8** Reconfiguring a lot in the Residential zone is inconsistent if reconfiguring results in a lot comprising:
- (i) a rear or hatchet shaped lot under 800m² in area, or
 - (ii) an area of less than 400sqm.
-

(c) Character and amenity**(i) Amenity**

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
09	Uses and associated works are located, designed and operated to minimise adverse affects on the following: <ul style="list-style-type: none"> (a) the existing quality of air, water, soil and acoustic and visual environments characterising the local area, (b) the privacy and amenity of the occupants of adjacent properties and public spaces, (c) the well being and safety of people using the premises and of people, animals and property at adjacent premises and other nearby sensitive receptors, and (d) the effective operations of adjacent activities, <i>Major utilities</i>, trafficked roads, stock routes and the Bicentennial Trail. 	S9.1	Uses and associated works: <ul style="list-style-type: none"> (a) for the following non-residential uses, are separated from the property boundary of a sensitive receptor by at least: <ul style="list-style-type: none"> (i) for a <i>Commercial use</i>, <i>Recreational use</i> or for an <i>Industrial use</i> other than specified below – 10 metres, or (ii) for a <i>Rural service industry</i>, <i>General industry</i> or a <i>Major utility</i> – 25 metres, and (b) for circumstances specified in (a), are screened from view from any adjacent sensitive receptor by landscape planting of at least 2 metres deep to the relevant property boundaries, (c) for other uses, screened from view from adjacent residential uses by landscape planting of at least 1 metre deep to the relevant property boundaries, and (d) are buffered from the adjacent sensitive receptor by solid screen fencing of a height of not less than 1.8 metres on any common boundary/s.
		S9.2	<i>Residential uses</i> are buffered along common boundaries with land: <ul style="list-style-type: none"> (a) included in the Rural Locality, (b) fronting sub-arterial or higher order roads², any stock route or the Bicentennial Trail, (c) included in the Industrial zone, or (d) used for <i>Commercial</i> or <i>Industrial uses</i>, by landscape planting at least 2 metres deep.

Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
010	Uses and associated works are located, designed and operated to integrate with local streetscape characterising roads and public spaces.	S10.1	Development is laid out to be screened from view from any abutting road frontage or a public space by landscape planting at least 1 metre deep to the relevant property boundaries.

² Road classifications are shown on the Zoning maps

(ii) *Appearance and scale*

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
011	Uses and associated works are located and designed, and of a type, finish and scale so:	S11.1	Height: Buildings or structures, other than for a <i>Community Use Class</i> , are not higher than the following measured above ground level:
	(a) Throughout the Urban Locality:	(a)	in the Residential zone - 8.5 metres.
	(i) the scale and character of the surrounding well-established built form, streetscape and civic spaces is maintained or complemented,	(b)	in the Industrial zone:
	(ii) the qualities of places with architectural, cultural, historical or streetscape/landscape values are protected,	(i)	except for (b)(ii) below - 8.5 metres; or
	(iii) overshadowing or overlooking of adjoining residential properties or impacts on natural lighting and ventilation or privacy within and surrounding the site is minimised to an acceptable level,	(ii)	11.5 metres if:
	(iv) noise attenuation devices are compatible with the setting,	(A)	set back at least 20 metres from a street, the Residential zone, the Rural Residential zone or a <i>Community use</i> ; and
	(v) materials and finishes visible from roads and adjoining residences are not excessively contrasting or reflective, and	(B)	the difference in height relative to existing buildings is not more than one storey.
	(vi) adequate screening of materials stored outdoors when viewed from adjacent premises and public spaces is maintained.	(c)	for an outbuilding - one (1) storey or 3.5 metres
	(b) Additionally, in the Residential zone:	S11.2	Set backs: As specified for a use in the applicable use code in Part 4, Division 2 or:
	(i) the low density residential character of the surrounds is maintained.	(a)	In the Residential zone: Uses and associated works are located the following from the property boundary:
	(c) Additionally, in the Business and Commercial zone:	(i)	6 metres from any trafficable road including stock route or Bicentennial Trail, and
	(i) a common, unified commercial character expressed through contemporary architectural practices is protected,	(ii)	3 metres from any other boundary.
	(ii) major pedestrian areas and visually prominent locations support activities which provide continuity of building elevations and	(b)	In the Industrial Zone: Uses and associated works are set back from the property boundary to a road, a minimum of:

Specific Outcomes		Acceptable Solutions (if self assessable)	Probable Solutions (if code assessable)
	maintain interesting, safe, uncluttered, pedestrian friendly and attractive street frontages,	(i) 8 metres from a sub-arterial or higher order road ³ , or	
(iii)	streets and civic spaces maximise social interaction without impeding movement or public safety,	(ii) for other roads and streets, (A) for a <i>General industry</i> – 8 metres, (B) for a <i>Light industry</i> – 4 metres, or (C) in all other circumstances – 6 metres.	
(iv)	buildings fronting landmarks, at the entry to the zone and on corner sites have heights, set backs, decorative treatments and orientations to protect and complement prominent locations,	(c) In the Business and Commercial zone: Buildings or structures are set back to a property boundary as follows: (i) from the principal street frontage and any public spaces - a distance within 20% of the average set back of the adjoining buildings, and (ii) from the Residential zone - for a distance equal to half the height of the building.	
(v)	car parking areas and structures and other vehicle standing/movement areas remain visually unobtrusive in the streetscape and protect the safe pedestrian and cycle use of pathways,		
(vi)	the plan form and facades of buildings complement the traditional regular form of buildings,		
(vii)	roof forms screen top level structures and works from public view and provide that the coherent roofscape and attractive skyline silhouettes are maintained, and	S11.3 Building Scale: (a) In the Residential zone: (i) Buildings have an unarticulated wall length not exceeding 15 metres.	
(viii)	buildings abutting the Residential zone have a scale, mass and character complementary to that of buildings in the residential area.	(b) In the Business and Commercial zone: (i) if adjoining land in the Residential zone or Rural Residential Locality, the unarticulated length of buildings or structures is not more than half of the length of the adjoining property boundary.	
(d)	Additionally, in the Industrial zone: (i) where at the entry to the Industry Zone, on corner sites, adjacent to the residential areas or fronting collector and higher order roads, buildings have a scale, bulk, appearance and character to protect and complement these prominent locations and minimise overbearing built forms or activities which may be obtrusive within established streetscapes, (ii) roof forms screen top level	(c) In the Industrial zone: (i) the length of any unarticulated, featureless building wall facing a collector or higher order road, public space or dwelling unit is not more than 30 metres, and (ii) if adjoining land in the Residential zone or Rural Residential Locality, the unarticulated length of buildings or structures is not more than half of the length of the adjoining property	

³ Road classifications are shown on the Zoning maps

Specific Outcomes	Acceptable Solutions (if self assessable)	Probable Solutions (if code assessable)
(iii) structures and works from public view from sub-arterial and higher order roads, and staging of development allows for optimisation of orderly and efficient development of the balance of the site	boundary.	
(d) In the Parks and Open Space zone:	11.4 Site Cover:	
(i) buildings and structures are visually attractive and functional.	(a) In the Residential zone:	
	(i) The maximum site cover is:	
	(A) <i>Residential uses</i> - 50% except where on a lot under 600m ² in area when the site cover does not exceed 60%,	
	(B) <i>Industrial</i> or <i>Commercial uses</i> – 60%, or	
	(C) For other uses – 40%.	
	(b) In the Industrial zone:	
	(i) The minimum area for landscape planting is 3% of the site, and	
	(ii) The maximum site cover is:	
	(A) <i>Industrial uses, Commercial uses or Rural service industry</i> – 75%,	
	(B) <i>Community use</i> – no specific requirement, or	
	(C) For other uses – 40%.	
	S11.5 On-Site Storage:	
	Any on site storage that faces a road frontage, park or Residential zoned land is screened by a 1.8 metre high fence around the full perimeter.	
	S11.6 Materials and Finishes:	
	(a) In the Urban Locality:	
	(i) Any reflective material has:	
	(A) a level of light reflectivity of no more than 20%; and	
	(B) a level of heat transmission of not less than 20%.	

Specific Outcomes	Acceptable Solutions (if self assessable)
	Probable Solutions (if code assessable)
	<p>S11.7 <i>Pedestrian Shelter:</i></p> <p>(a) In the Business and Commercial zone:</p> <p>(i) Buildings adjacent to streets, roads, public thoroughfares and civic spaces are designed and located to provide continuous shelter for pedestrian movement through verandas, balconies, colonnades, awnings, covered pergolas or arcades complying with the following:</p> <p>(A) minimum width of 3.2 metres or otherwise replicating the width for adjoining buildings, but not more than 600mm off the kerb, and</p> <p>(B) head-height clearance of 3.0 to 4.2 metres above pavement height.</p>

(iii) *Landscaping*

Specific Outcomes:
<p>O12 Landscaping of urban spaces is designed⁴ and located to:</p> <p>(a) integrate with established streetscape and landscape,</p> <p>(b) protect the visual and landscape quality of the major roads, landmarks and entry points,</p> <p>(c) integrate with the pedestrian and cycle movement system to maximise comfort and safety,</p> <p>(d) ensure vehicular and pedestrian sight lines are protected,</p> <p>(e) protect overhead and underground services,</p> <p>(f) integrate with site topography, soils and natural drainage systems,</p> <p>(g) protect and enhance areas with ecological, scenic, aesthetic and cultural heritage value,</p> <p>(h) be easily and readily maintained, optimising the efficient use of water through planting of endemic species that minimise maintenance costs, and</p> <p>(i) offer effective screening and buffering of incompatible activities:</p> <p>(i) from view from roads and other public open spaces, and</p> <p>(ii) from view and audibility regarding sensitive receptors, or</p> <p>(j) additionally, in the Business and Commercial zone, landscaping is designed and located to:</p> <p>(i) offer functional, comfortable, safe and attractive places in all weather conditions, and</p> <p>(ii) complement the scale and composition of the sub-tropical, country town commercial architecture of the zone.</p>

⁴ Refer to Council's Planning Scheme Policy on Landscaping.

(iv) *Floodlighting*

Specific Outcomes:	
O13	Light spill associated with flood lighting installed on premises is minimised to an acceptable level having regard to:
(a)	potential nuisance to adjoining premises and safety for road users and aircraft operation, and
(b)	ambient levels of light in the locale.

(v) *Fences and walls*

Specific Outcomes		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
014	Fences and walls are consistent with the outcomes for the Urban Locality if they:	S14.1	The maximum height of any fence or wall does not exceed:
	(a) complement established streetscape, built and landscape form,	(a)	for front fences and walls:
	(b) maintain local character, amenity, privacy and environment, and	(i)	metres if of solid construction, or
	(c) assist with noise attenuation, visual screening and public safety.	(ii)	up to 1.5 metres if gaps permit 50% transparency, or
	OR	(b)	for side and rear boundary fencing - 1.8 metres
	Fences and walls are inconsistent with the outcomes sought for the Urban Locality if located forward of the building line and over 2 metres in height in all but the Industry zone.	(c)	Fences or walls over 1.2 metres in height are tapered to 1.2 metres in height over a length of 4 metres toward any road frontage; and.
		(d)	Fences and walls are not constructed of barbed wire or other hazardous fencing material in the residential zone.

(vi) Advertisement devices

Specific Outcomes		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O15	Advertisement devices are consistent with the outcomes sought for the Urban Locality if:	S15.1	Advertisement devices are designed and located in accordance with the standards in Schedule 4 ⁵ .
	(a) compatible with the:		
	(i) character of the predominant built form, streetscape and landscaping on the site and adjacent properties, and		
	(ii) amenity of the local area; and		
	(b) located and designed so:		
	(i) as not to create a hazard to people and vehicles,		
	(ii) materials and styles complement those in buildings on-site,		
	(iii) as to integrate with the design, scale and proportions of buildings, works and landscaping on the site,		
	(iv) a proliferation of signage and associated visual and physical clutter is minimised, and		
	(v) the use of roof advertising panels and above awning signs is avoided.		
	OR		
	Advertisement devices are inconsistent with the outcomes sought for the Urban Locality if in the Residential zone.		

(vii) Public safety and security in the Business and Commercial, Industrial or Parks and Open Space zones

Specific Outcomes		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O16	Personal safety and property security are optimised through the design of buildings, car parks and urban spaces to incorporate:	S16.1	Development is designed and located in accordance with the standards nominated in Schedule 8.
	(a) opportunities for surveillance; and		
	(b) clear definition of boundaries between private and public spaces.		

⁵ For signs located on properties fronting a State-controlled road, compliance is had with the Department of Main Roads “*Guide to the Management of Roadside Advertising*”

(d) Land and water resource management

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
017	Development is located, designed and constructed to function effectively in a manner that minimises disturbance to the geotechnical, physical, hydrological and environmental characteristics of the site and its setting, including:	S17. 1	Uses and associated works are confined to:
	(a) related to degradation of the environmental values of both land and water resources and receiving environments,	(a)	free draining areas with a cross fall of at least 0.5-1%,
	(b) significant remnant native vegetation important to land stability, salinity and erosion land management as well as to landscape, biodiversity, riparian and habitat management,	(b)	slopes not exceeding:
	(c) hydrological processes of flood plains and drainage systems,	(i)	for <i>Residential uses</i> or a <i>Small-scale tourist facility</i> – 15%,
	(d) ecological values of waterways and drainage features,	(ii)	for associated works including driveways – 20%, or
	(e) the propensity for any natural hazard related to flooding, landslip and bushfire to adversely affect people, property, economic activity and the environment ⁶ ,	(iii)	for all other circumstances not specified for a use in any applicable use code in Part 4, Division 2 – 10%,
	(f) soil conservation works,	(c)	for storage areas, vehicle movement areas, essential infrastructure, and buildings and structures, they are located at ground level to be at least:
	(g) quality and quantity of surface and ground water resources, and	(i)	for habitable buildings:
	(h) landscape character.	(A)	above land inundated by the 1% Annual Exceedance Probability (EAP) flood event where known, or
		(B)	300mm above the highest known flood,
		(ii)	for <i>Major utilities</i> or <i>Special uses</i> – above land inundated by the 0.5% Annual Exceedance Probability (AEP) flood event, or
		(iii)	for other uses and works – 100mm above the highest known flood event,
		(d)	areas outside stormwater discharge points, overland flow paths, watercourses and natural drainage features, and
		(e)	existing cleared lands or otherwise areas not supporting significant remnant native vegetation.

⁶ Development which is not compatible with the nature of a natural hazard is either:

- (a) in the public interest,
- (b) not catered to by another site which is suitable and available for the proposal, or
- (c) minimises adverse impacts from natural hazards and does not create an unacceptable risk to people and property.

The parameters will be determined for assessable development in accordance with the *State Planning Policy Guideline – Mitigation of Adverse Impacts of Flood, Bushfire and Landslide*, Queensland Government, June, 2003

Specific Outcomes	Acceptable Solutions (if self assessable)
	Probable Solutions (if code assessable)
	<p>S17.2 Areas for storage, handling, packaging or processing are set back to water resources in accordance with Table S17.2 at the end of this Code unless otherwise specified for a use in any applicable use code in Part 4, Division 2.</p> <p>[NOTE: This set back requirement applies to watercourses located on both the premises and adjoining premises]</p>

(e) Vehicular parking, access and movement

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
018	Vehicle parking, access and manoeuvring areas are provided, designed and constructed to:	S18.1	(a) Vehicle parking and loading/unloading facilities are provided:
	(a) integrate safely, attractively and functionally with the site layout and with the access arrangements of the site and adjoining premises,		(i) for a use identified in Column 1 of Table S1.1 in Schedule 1 at the corresponding rate nominated in Column 2 and 3 of the Table, and
	(b) integrate with the streetscape,		(ii) in accordance with the design and construction standards detailed in Division 2 of Schedule 1.
	(c) safely, conveniently and effectively service the use without impacting negatively on the:		
	(i) amenity, character and safety of adjacent premises or stock routes and Bicentennial Trail,	(b)	Site ingress and egress:
	(ii) safety and efficiency of roads and footpaths providing access to the site, or		(i) comprise one (1) access point per created lot or development site,
	(iii) intersection works or State-controlled roads servicing the site,		(ii) in the Residential zone, for other than a <i>Dwelling house</i> proposed on an existing lot, results in no increase in the number of accesses or intersections entering sub-arterial or higher order roads,
	(d) cater for the amount and type of traffic generated by the nature and scale of the use, including for safe and effective loading and unloading of goods and movement of pedestrians and cyclists,		(iii) comprise a vehicular crossover located, designed and constructed in accordance with the standards nominated in Table S2.7 (a)(3) of Schedule 2,
	(e) allow ease of access by people with limited mobility (eg those in a wheelchair or walker, with prams, etc),		(iv) allows for forward entry and exit for vehicles associated with the premises, and
	(f) provide for emergency vehicle access, and		(v) if adjoining a road intersection, result in the access having a set back of at least the distance for a use specified in any applicable use code in Part 4, Division 2 or:
	(g) where possible, in the Business and Commercial zone and the Industrial zone, provision is made for:		(A) 30 metres from an intersection with traffic lights or islands, or
	(i) access from sub-arterial and higher order roads by an ingress/egress shared with abutting <i>Commercial</i> or <i>Industrial uses</i> on abutting sites,		(B) 15 metres from an uncontrolled intersection.
	(ii) access from State-controlled roads by side or rear roads, and		
	(iii) common use parking linked to parking and access on adjoining non-residential sites.		

(f) Infrastructure

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
019	<p>(a) Water supply, sewerage, drainage, transport infrastructure, power, street lighting, waste management and communications are provided to meet the appropriate standards of service and construction at the least whole-of-life cost, including avoiding unnecessary duplication and being robust and fit for the purpose and intended period of operations and:</p> <p>(i) are integrated with the design, construction and operation of existing systems to facilitate:</p> <p>(A) effective use of spare capacity in existing systems,</p> <p>(B) orderly and timely provision of future systems,</p> <p>(C) logical and co-ordinated development,</p> <p>(D) for transport infrastructure, functional, efficient, effective, safe, convenient and equitable access within the Locality, and</p> <p>(E) for stormwater, the approximation of or improvement upon conditions in existence regarding quality and quantity prior to the proposed development.</p>	S19.1	<p>(a) The road frontage of the development is constructed to:</p> <p>(i) the standard of service for reserve/carriageway width, drainage and footpaths in Tables S2.3 or S2.4 of Schedule 2, and</p> <p>(ii) if (i) is not fulfilled, construction in accordance with the standards in Table S2.6 of Schedule.</p> <p>(b) Development is connected between the property access point on the frontage of the premises and the nearest higher order road nominated on the Zone maps by a formed, constructed and gazetted public road to:</p> <p>(i) the standards of service specified for a use in the applicable use code in Part 4, Division 2, or</p> <p>(ii) for other development, the standards of service nominated in Table S2.3 or S2.4 of Schedule 2.</p> <p>(c) Water supply, sewerage and stormwater drainage is provided to the applicable standard of service and construction nominated for:</p> <p>(i) a use in the applicable use code in Part 4, Division 2, or</p> <p>(ii) for other development, as specified in Divisions 3 and 4 of Schedule 2.</p> <p>(d) Premises are supplied with reticulated electricity/communications services.</p> <p>(e) An area is dedicated to the collection and/or storage of solid waste on the premises which is:</p> <p>(i) level and provided with impervious hard stand and drained,</p> <p>(ii) if facing a road frontage, park or Residential zoned land, is screened by a 1.8 metre high fence around the full perimeter, and</p> <p>(iii) banded if wastes are hazardous or dangerous.</p>

Specific Outcomes	Acceptable Solutions (if self assessable)
	Probable Solutions (if code assessable)
<p>(b) Infrastructure does not result in:</p> <ul style="list-style-type: none"> (i) adverse affects on the area relative to: <ul style="list-style-type: none"> (A) ecological, environmental, hydrological values, (B) land resources, or (C) character. (ii) adverse affects on the well being, safety or amenity enjoyed by the community of an area, (iii) risk or nuisance to any property or people, (iv) adverse affects on upstream or downstream systems, (v) unreasonable cumulative impacts on the water quality in surface and groundwater systems relative to their role for the community, or (vi) adverse changes in the volume, timing or quantity of stormwater discharged through or from the property. 	

(g) Earthworks

Specific Outcomes		Acceptable Solutions (if self assessable)	
		Probable Solutions (if code assessable)	
020	<p>Filling, draining, grading or excavation of land provides for compacted, finished levels which secure flood free, stable and free draining building and infrastructure sites appropriate to the intended use and minimising impacts to an acceptable level within and off the site regarding:</p> <ul style="list-style-type: none"> (a) privacy and visual and community amenity, (b) environmental values in receiving environments, (c) flooding and drainage flow rates, volumes and natural flood storage capacity, (d) potential for point source discharge or concentration of flows, (e) land and foundation stability, (f) erosion or saline prone lands, (g) soil conservation works, (h) riparian lands, (i) site contamination on the site or through imported material, (j) life and property, and (k) public utilities. 	S20.1	<p>Filling, drainage, grading or excavation of land is undertaken so that:</p> <ul style="list-style-type: none"> (a) land has a minimum slope of 0.25%, (b) land is free draining by gravitation into roads or other drainage networks, (c) cut or fill over 200mm vertical height is set back at least 2 metres from: <ul style="list-style-type: none"> (i) site boundaries, (ii) lands below the highest known flood level, (iii) land used for <i>Local</i> or <i>Major utilities</i>, or (iv) overland flow paths, (d) batter slopes are not steeper than 33%, (e) terracing is stepped at equal horizontal and vertical intervals, and (f) works do not: <ul style="list-style-type: none"> (i) involve any physical alteration to a watercourse, (ii) result in net filling exceeding 50 cubic metres, or (iii) occur on slopes over 15% in grade.
		S20.2 ⁷	<p>Where the excavation and/or filling is intended to or causes the retention of water (such as a dam):</p> <ul style="list-style-type: none"> (a) the structure will safely withstand the hydraulic loading; (b) a spillway for overflow is provided in a position to ensure scour damage or nuisance to adjacent lots does not occur; and (c) no adverse impact or interference is made on local flow patterns.

⁷ Council may require as part of its Information Request, certification by a Registered Professional Engineer of Queensland that the development complies with the probable solutions listed.

TABLE S4.1A – DESIGN PARAMETERS FOR RECONFIGURING A LOT IN THE RESIDENTIAL ZONE

Minimum Lot Size		Lot Dimensions	
CONVENTIONAL LOTS (including rear and hatchet shaped lots):			
(a)	800m ²	(a)	Maximum width to depth ratio for a lot of 1:4;
(b)	For rear and hatchet shaped lots:	(b)	Except as provided for in (c) below, minimum frontage for a lot:
(i)	the minimum lot size excludes the area of the access strip, and	(i)	if a corner lot – 25m
(ii)	they do not relate to more than 10% of the subdivision.	(ii)	otherwise – 20 metres;
		(c)	If the frontage at the property boundary is less than the minimum specified in (b) above, the minimum frontage must be achieved when measured 6 metres inside the property and parallel to the front property alignment;
		(d)	For rear or hatchet shaped lots, the minimum frontage includes the proposed access strip. Configuration involving a rear or hatchet shaped lot does not:
		(i)	create more than one rear/hatchet shaped lot behind a full frontage lot,
		(ii)	provide access to more than one rear lot by way of easements on contiguous lands;
		(e)	Lots with minimum area and dimensions to enable:
		(i)	a 10 metres by 15 metres building area measured 6 metres from the frontage of the site at ground level 300mm above the highest known flood and on slopes of 10% or less, and
		(ii)	driveways to traverse slopes of 20% and less grade.
CONSTRAINED LOTS:			
Where the minimum building areas of 10 by 15 metres will involve more than 50% of that area having excavation or fill associated with slopes over 10% in gradient, the minimum lot size is:		(a)	Maximum width to depth ratio for a lot of 1:4;
		(b)	Minimum frontage of 20m; and
		(c)	Verification by qualified geotechnical engineers of soil/slope stability if site slopes exceed 20%, plus availability of reticulated sewerage and water supply.
(i)	Slopes of 10-15% - 1000sqm		
(ii)	Slopes of 16 – 20% - 1500sqm		
(iii)	Slopes of 21 – 25% - 2000m ²		

TABLE S4.1B – DESIGN PARAMETERS FOR SUBDIVISION IN THE INDUSTRIAL ZONE

Zone	Minimum Lot Size (m²)	Minimum Frontage (m)
Industrial Zone	1000	20

TABLE S17.2 – SET BACK TO WATER RESOURCES

Minimum set back from:	Minimum Set back (metres)
Top bank of river, creek, stream or wetland	50
Edge or potable water supply for site or surrounds	30
Centre line of gully	15

3.5 - 3.8

SMOAs

NATURAL FEATURES AND RESOURCES OVERLAY CODE

Division 3 – Assessment Provisions for Special Management Overlay Areas (SMOA)

3.5 Preliminary

- (1) The provisions of this Division comprise the Codes for Special Management Overlay Areas (SMOAs) outlined in Table 2 of Section 1.4 of Part 1 of this planning scheme.
- (2) Applicability of each of the Elements in this Division is determined by the *Tables of Assessment Categories and Assessment Criteria* for each zone set out in Division 2 of this Part and by reference to SMOA Overlay Maps – 2A – 2F.

3.6 Natural Features and Resources Overlay Code

(1) PURPOSE OF THE CODE – Overall Outcomes:

- (a) *The Purpose of the Natural Features and Resources Overlay Code is the achievement of the overall outcomes sought for the Special Management Overlay Areas (SMOA) identified on the Natural Features and Resources Overlays.*
- (b) *The overall outcomes sought for the Natural Features and Resources SMOA are that development of identified places, areas, landscapes, features and sites:*
 - (i) *is located, designed and operated to protect the significant values of the various natural features and resources in the Shire in terms of:*
 - (1) *physical change,*
 - (2) *damage or removal,*
 - (3) *visibility,*
 - (4) *accessibility,*
 - (5) *visual detracting, or*
 - (6) *on-going availability of resources for productive use without significant conflict with other uses; and*
 - (ii) *avoids or minimises, within acceptable levels, any significant risks to the natural or built environment or human wellbeing or safety.*

(2) ELEMENTS:

(a) SMOA map 2A - Mineral and Extractive Resources and Buffer Areas:

Specific Outcomes:

- O1 Development on a site depicted on SMOA map 2A as a Pit, Resource or Tenure:**
 - (1) **provides for access to and the winning of the entire resource in an efficient and viable manner that avoids significant adverse affects on the surrounding environment,**
 - (2) **is compatible with extraction or mining operations, and**
 - (3) **minimises unacceptable alienation of the resource.**
 - O2 Development on sites within buffer areas to Pits, Resources or Tenures depicted on SMOA map 2A are located, designed and operated to be compatible with:**
 - (1) **the winning of the entire resource from the adjacent site in the manner outlined in O1; and**
 - (2) **transportation operations associated with the winning of the entire resource from the adjacent site.**
-

(b) SMOA map 2B - Natural Hazard Risk Management Areas – Possible Bushfire Hazard Areas¹:

(i) General:

Specific Outcomes:

- O3** Development which would be placed at unacceptable risk from, increase the extent or severity of, or is incompatible² with bushfire maintains the safety of people and property by:
- (1)** avoiding areas shown as moderate through to and including very high potential bushfire risk areas on SMOA map 2B; or
 - (2)** mitigating the risk of development in the nominated areas through:
 - 1.** lot design and the siting of buildings and uses so:
 - i.** high intensity uses are located on the least bushfire prone area on the site and activities least susceptible to fire are sited closest to the bushfire hazard,
 - ii.** efficient emergency access is optimised, and
 - iii.** bushfire risk is effectively minimised having regard to aspect, elevation, slope and vegetation, and
 - 2.** including firebreaks that provide adequate:
 - i.** set backs between buildings/structures and hazardous vegetation, and
 - ii.** access for fire fighting or other emergency vehicles; and
 - 3.** providing adequate road access for fire fighting/other emergency vehicles and safe evacuation (refer Figure A below as an example); and
 - 4.** providing an adequate, reliable and accessible water supply with sufficient capacity for pumping during bushfire incidents for fire fighting purposes and which is in addition to providing for other consumption needs.
- O4** Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk on a site on land shown on SMOA map 2B.
- O5** *Community uses* in any area shown on SMOA map 2B as Possible Bushfire Hazard Area is able to function effectively during and immediately after bushfire events.
-

¹ Lands shown on SMOA map 2B as being Risk 2 or 3 - Possible Bushfire Hazard Area, are designated bushfire potential areas for the purposes of the SBR (Section 55) and the BCA

² Development which is not compatible with the nature of a natural hazard is either:

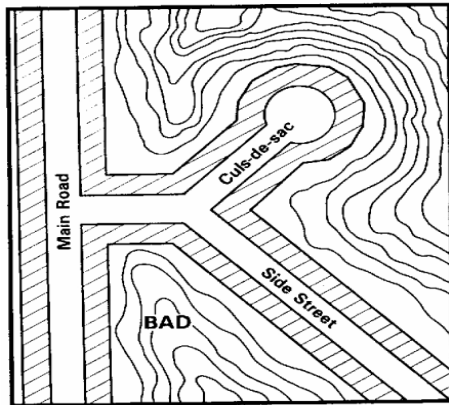
- in the public interest,
- not catered to by another site which is suitable and available for the proposal, or
- minimises adverse impacts from natural hazards and does not create an unacceptable risk to people and property.

The parameters will be determined for assessable development in accordance with the *State Planning Policy Guideline – Mitigation of Adverse Impacts of Flood, Bushfire and Landslide*, Queensland Government, June, 2003

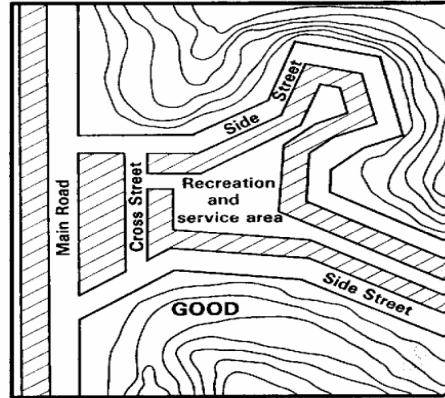
(b) SMOA map 2B - Natural Hazard Risk Management Areas – Possible Bushfire Hazard Areas continued:

Figure A

Road layouts facilitate easy and safe access and movement by emergency vehicles in the event of encroaching fire and provides that an alternative safe access (if one direction is blocked in the event of fire) is maintained at all times as illustrated below.



Poor design with high fire risk. Hazardous ridge top development has no breaks and obstructs fire fighters.



Better design. Ring road system provides a fire break and access for fire fighters.

From *Bushfire Hazard Planning in Queensland* (Rural Fire Service + Dept. Local Government and Planning), 1998.

(ii) Possible Bushfire Risk Area Management for Dwelling House, Annexed Unit and Caretakers Residence:

Specific Outcome	Acceptable Solutions (if self assessable)
	Probable Solutions (if code assessable)
O6 Major risks to the safety of property and to the wellbeing of occupants in areas which may be at moderate to very high risk from bushfire incidents is minimised through appropriate siting, servicing and managing of residential premises.	<p>S6.1 New dwelling units within areas depicted on SMOA map 2B are located:</p> <p>(1) centrally within an existing cleared area on a lot which allows a regular shaped area (with a minimum dimension of 50 metres) of 5000m² to be identified that:</p> <ol style="list-style-type: none"> 1. is free of highly combustible vegetated areas, and 2. is on southerly to easterly facing slopes not exceeding 15% slope, or 3. on flat lands not exceeding 15% gradient at the base of north to western facing slopes, or <p>(2) a fire protection buffer³ is established around the complete perimeter of the dwelling unit within a lot for a minimum width of:</p> <ol style="list-style-type: none"> 1. 50 metres to that part of the dwelling unit on north to westerly slopes or within 50 metres of a ridgeline, and 2. elsewhere, 30 metres.

³ Details on the establishment and maintenance of the fire protection buffer may be found in Planning Scheme Policy 4

(c) SMOA map 2C - Environmental Management Areas – Critical Nature Conservation Network, Conservation State Lands and Buffer Areas to Conservation State Lands:

Specific Outcomes:

- O7 Development on a site depicted on SMOA map 2C as being a critical nature conservation network, conservation state lands or within the buffer area to a conservation state land, is designed and operated so as not to cause significant adverse affects on the environmental values associated with the areas, including those adverse affects related to the following which cannot reasonably be mitigated or rectified by rehabilitation using non-invasive native species:
- (1) management of fire risk, including the use of natural firebreaks and local, endemic, fire resistant species;
 - (2) changes to natural drainage and riparian lands (including bed and bank stability);
 - (3) loss of or disturbance to significant native vegetation or habitat or stabilising vegetation;
 - (4) unmanaged public access;
 - (5) downstream water quality, particularly linked to on-site effluent and stormwater quality management;
 - (6) erosion and sediment movement associated with land disturbance;
 - (7) introduction and management of animal and plant pests;
 - (8) changes to natural activities of animals with respect to the location and affects of uses, fencing, lighting and the like;
 - (9) fragmentation of wildlife and ecological corridors or significant habitats;
 - (10) groundwater contamination or negative affects on groundwater levels;
 - (11) salinisation of land and water resources.
-

(d) SMOA map 2C - Environmental Management Areas – Major Wetlands and Buffers:

Specific Outcomes:

- O8 Development on lands shown on SMOA map 2C as wetlands or within buffers to wetlands are designed, located and operated so no significant adverse affects are caused to these areas in terms of:
- (1) habitat, ecological processes and environmental values,
 - (2) water quality including groundwater quality and levels,
 - (3) hydrological processes,
 - (4) landscape quality, or
 - (5) land and soil stability and salinity levels.
-

(e) SMOA map 2C - Environmental Management Areas – Water Quality Elements:

Specific Outcomes:

- O9 Development on lands within identified water resources and associated catchment areas to Bjelke Petersen Dam, in waterways and other drainage features or in riparian land buffers shown on SMOA map 2C are designed, located and operated so no significant adverse affects are caused to these areas in terms of:
- (1) surface and groundwater hydrology (both upstream and downstream),
 - (2) environmental and ecological processes of water resources,
 - (3) habitat and landscape values of water resources,
 - (4) water quality arising from migration of sediment, pollutants or nutrients into waterways,
 - (5) stream or bank stability, or
 - (6) quantity and availability of raw water within any refrerrable dams which is fit for its intended purposes of consumption.
-

(f) SMOA map 2D - Economic Resources – Good Quality Agricultural Land:

(i) General (other than for Dwelling Units):

Specific Outcomes:

- O10 Land depicted in SMOA map 2D as Class A, B or C1 good quality agricultural land is retained for productive rural use of the soil by:
- (1) conducting uses other than *Farming* and *Forestry business* on good quality agricultural land only if they are:
 1. temporary in nature, or
 2. do not reduce the productive capacity of the site and the surrounds.
 - (2) avoiding the use of identified land for other uses other than outlined in (1) unless it can be demonstrated⁴ that:
 1. the land is not actually good quality agricultural land;
 2. development is for farm restructuring to optimise productive usage of the site;
 3. development is essential for better management of land and water resources to prevent degradation or waste; or
 4. there is an overriding community need in terms of public benefit for the proposal and the proposal cannot be located on alternative sites that are not identified as good quality agricultural land, including if:
 - a) the proposed location has features that make it desirable for the proposal; and
 - b) the features are not available in areas not identified as good quality agricultural land.
 - (3) avoiding significant conflicts between the agricultural use of the subject land and the use of adjoining land
-

⁴ Assessable development pertaining to this circumstance will be required (as part of any information request) to be accompanied by an accredited agronomist report determining the exact agricultural land capability and classification and land/crop suitability of the land under the Guidelines to SPP 1/92. The terms of reference for such report are outlined in PSP No.1

(ii) Dwelling Units on Good Quality Agricultural Land:

Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O11	New dwelling units are located such that the productive rural use of soils on the site is not prejudiced.	S11.1	Where located on a site depicted in SMOA Class A or B land on SMOA map 2D, dwelling units are located on land with the least agricultural value, comprising an area where over 70% of the area for the use has: <ul style="list-style-type: none"> (1) shallow soils less than 0.4 metres in depth;and (2) 50% of the area comprises rocks of 200mm or greater in diameter.

(iii) Dwelling Units within 500 metres of Good Quality Agricultural Land:

Specific Outcome		Acceptable Solution (if self assessable)	
		Probable Solution (if code assessable)	
O12	New dwelling units are located such that the productive rural use of soils on the surrounds is not prejudiced.	S12.1	Any dwelling unit in the Rural Locality located on a site: <ul style="list-style-type: none"> (1) which is not affected by SMOA Class A or B depicted on SMOA map 2D, and (2) which is located within 500 metres of a lot on which 50% or more of the land is included in SMOA Class A and B (which Classes are depicted in SMOA map 2D), is: <ul style="list-style-type: none"> 1. located 100 metres from the boundary to the lot included in Class A or B land on SMOA map 2D, or 2. provided with a 40 metres wide buffer which screens views from the new dwelling to the surrounding lot(s) comprising a Class A or B classification.

(g) SMOA map 2D(i) - Economic Resources – Buffer Area Management to Intensive Animal Husbandry Purposes:

Specific Outcomes:

- O13 Development on sites within the buffer areas to *Intensive animal husbandry* enterprises depicted on SMOA map 2D(i) are located, designed and operated⁵ to:
- (1) protect the integrity and operations of the lawful *Intensive animal husbandry* uses, and
 - (2) be compatible with the operations, impacts and risks associated with the lawful *Intensive animal husbandry* uses, or
 - (3) minimise impacts, risks and nuisance to a level where reasonable safety and amenity of occupants and the safety of property is provided for by the effective separation, buffering, location and/or building treatments for the new development relative to the enterprise.
-

(h) SMOA map 2D(i) - Economic Resources – Buffer Area Management to Industrial Zoned Land:

Specific Outcomes:

- O14 Development in the Rural or Rural Residential Locality or Residential zone on a site within 200 metres measured from the edge of the Industrial zone shown on SMOA map 2D(i) is located, designed and operated to:
- protect the integrity and operations of industrial usage of the Industrial zone, and
 - be compatible with the operations, impacts and risks associated with industrial usage of the Industrial zone, or
 - minimise impacts, risks and nuisance to a level where reasonable safety and amenity of occupants and the safety of property is provided for by the effective separation, buffering, location and/or building treatments for the new development relative to the Industrial zone.
-

⁵ Any dwelling unit in the Rural Locality located on a site within 1km proximity of an approved and lawful *Intensive animal husbandry* facility depicted on SMOA map 2D(i) should be located outside whichever of the following is the greater:

- (a) the approved receptor distance to the facility, or
- (b) the following as measured from the approved facility:
 - (i) a 1km radius of the pens, ponds, yards and stockpiles, or
 - (ii) 300 metres from spray and injection application of treated waste water, and
 - (iii) 100 metres of any manure disposal area.

3.7 Community Facility Overlay Code

(1) PURPOSE OF THE CODE – Overall Outcomes:

- (a) *The Purpose of the Community Facility Overlay Code is the achievement of the overall outcomes sought for the Special Management Overlay Areas (SMOAs) identified on the Community Facility Overlay.*
- (b) *The overall outcomes sought for the Community Facility SMOA are that development of identified infrastructure:*
 - (i) *is located, designed and operated to protect the significant values of the community facility infrastructure features in terms of:*
 - (1) *physical change;*
 - (2) *damage or removal;*
 - (3) *visibility;*
 - (4) *accessibility; or*
 - (5) *visual detracting; and*
 - (ii) *avoids or minimises, within acceptable levels, any significant risks to the natural or built environment or human wellbeing or safety.*

(2) ELEMENTS:

(a) SMOA map 2E - Protecting Major Utilities⁶:

Specific Outcomes:

- O1** Development on sites within the buffer areas to *Major utilities* for sewerage treatment plants or waste management purposes depicted on SMOA map 2E are located, designed and operated to:
 - (1) protect the integrity and operations of the lawful use(s) being buffered, and
 - (2) be compatible with the operations, impacts and risks associated with the lawful use(s) being buffered, or
 - (3) minimise impacts, risks and nuisance to a level where reasonable safety and amenity of occupants and the safety of property is provided for by the effective separation, buffering, location and/or building treatments for the new development relative to the facility.
- O2** Development on sites within the buffer area to *Major utilities* for a water uptake (including bores, weirs and river off-takes) depicted on SMOA map 2E, are located, designed and operated to protect the integrity and operations of the water uptake facility from inappropriate development.
- O3** Development on sites within the buffer to *Major utilities* for Powerlink approved transmission routes or sub stations depicted on SMOA map 2E, are located, designed and operated to protect the integrity and operations of the electricity purposes from inappropriate development.

⁶ Technical terms of reference for establishing compatibility are outlined in Planning Scheme Policy No. 1

3.8 Cultural Features Overlay Code

(1) PURPOSE OF THE CODE – Overall Outcomes:

- (a) *The Purpose of the Cultural Features Overlay Code is the achievement of the overall outcomes sought for the Special Management Overlay Areas (SMOAs) identified on the Cultural Features Overlay.*
- (b) *The overall outcomes sought for the Cultural Features SMOA are that identified places, areas, landscapes, features or sites are not subjected to changes that disregard or would significantly reduce the capacity of an individual to appreciate those places, areas, landscapes, features, and sites, their existing character, or the memories or history they represent, in terms of:*
 - (i) *visibility;*
 - (ii) *visual detraction;*
 - (iii) *public accessibility or physical change; and*
 - (iv) *damage or removal.*

(2) ELEMENTS:

(a) Non-Indigenous Cultural Heritage Sites:

Specific Outcomes:

- O1 Development involving a site listed in Schedule 6 and shown on SMOA map 2F, provides for the conservation of the cultural heritage values of the heritage listed site.**
- O2 Development on lands shown on SMOA map 2F as being in the area of influence to a site listed in Schedule 6, is located, designed and operated to:**
 - (1) be compatible with the cultural heritage significance of the listed site so as not to detrimentally impact on its values or its setting; and**
 - (2) not obscure the appearance or prominence of the place when viewed from adjacent public or semi-public streets or open spaces, nor intrude into the place.**