

Bowen Shire Council

Planning Scheme 2006

Statutory Instrument

July 2006



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Commencement date: 1 June, 2006



Integrated Planning Act 1997

Citation

Bowen Shire Planning Scheme 2006

Adoption:

The Council of the Shire of Bowen adopted the Bowen Shire Planning Scheme 2006 (the planning scheme) on 31 May, 2006.

Commencement Day:

The planning scheme for the Shire of Bowen commences on 1 June, 2006.

Incorporated State Planning Policies:

Pursuant to schedule 1, part 2, section 18, subsection (5A) of the Act, the Minister for Environment, Local Government and Planning, and Women is satisfied the following State Planning Policies are appropriately reflected in this planning scheme:

1. State Planning Policy 1/92 – Development and the Conservation of Agricultural Land;
2. State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities;
3. State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulfate Soils; and
4. State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide – bushfire and landslip components only.

Specific Operational Issues:

The Minister for Environment, Local Government and Planning, and Women requires for the planning scheme, the continued operation and effect of:

1. The Integrated Development Assessment System triggers for Department of Main Roads matters;
2. The State Coastal Management Plan.

Certification:

This document *Bowen Shire Planning Scheme 2006*, together with the associated zoning and overlay maps comprises the planning scheme for Bowen Shire adopted by the Council of the Shire of Bowen for commencement as detailed in this citation.

John Finlay
Chief Executive Officer – Bowen Shire Council



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Commencement date: 1 June, 2006



PART 1 - INTRODUCTION

Division 1 – Relationship to the Integrated Planning Act

1.1 Purpose of the planning scheme

- (1) Bowen Shire Council has prepared this planning scheme as a framework for managing development in a way that advances the purpose of the *Integrated Planning Act 1997* (the Act)¹ by identifying:
 - (a) exempt, self-assessable and assessable development; and
 - (b) outcomes sought to be achieved in the planning scheme area as the context for assessing development.

1.2 Planning scheme functions as part of Integrated Development Assessment System (IDAS)

- (1) The planning scheme functions as part of IDAS² and must be read together with the Act and including the *Integrated Planning Regulation 1998* (the Regulation).

1.3 Planning scheme seeks to achieve outcomes

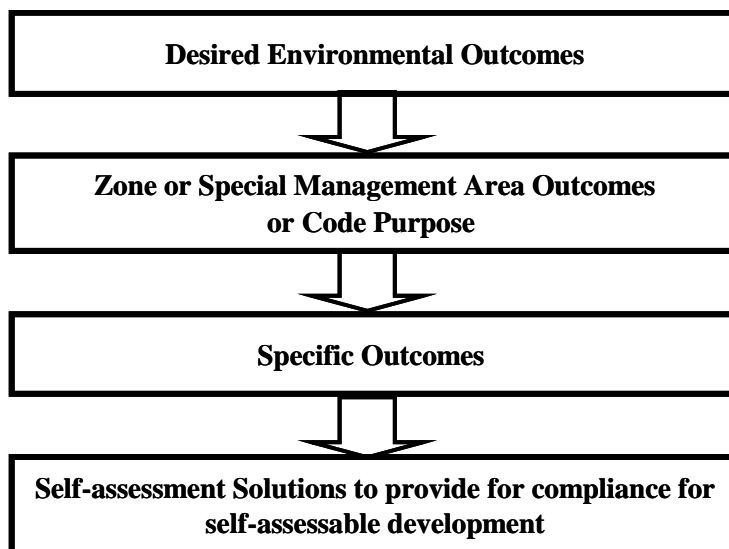
- (1) The planning scheme seeks to achieve outcomes that are identified according to the following levels:
 - (a) Desired environmental outcomes;
 - (b) Overall outcomes for zoned land and special management areas respectively, or for the purpose of a code;
 - (c) Specific Outcomes for zones and special management areas and for uses and other forms of development;
 - (d) Self-assessment Solutions to provide for compliance for self-assessable development.

This vertical integration of outcomes through the planning scheme is depicted on the following diagram.

¹ The purpose of the Act is to seek to achieve ecological sustainability by:

(a) coordinating and integrating planning at the local, regional and State levels; and (b) managing the process by which development occurs; and (c) managing the effects of development on the environment (including managing the use of premises).

² IDAS – Integrated Development Assessment System – is the system detailed in Chapter 3 of the IPA for integrating State and Local Government assessment processes for development.



1.4 Relationship of self-assessment solutions to assessable development

- (1) For assessable development, self-assessment solutions:
 - (a) provide a guide for achieving the related specific outcome in whole or in part; and
 - (b) do not limit the assessment manager’s discretion under the Act³ to impose conditions on a development approval.

1.5 Deciding applications for assessable development

- (1) For the purposes of making a decision about an application requiring code assessment in accordance with Section 3.5.13 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.
- (2) For the purposes of making a decision about an application requiring impact assessment in accordance with Section 3.5.14 of the Act, development that is identified in this planning scheme as inconsistent development conflicts with the planning scheme.

Division 2 – Planning Scheme Structure

1.6 Division into zones and precincts

- (1) The planning scheme divides the planning scheme area into 7 zones. These are shown on Zoning Maps 01-13 and are as follows:
 - (a) Rural Zone;
 - (b) Park Residential Zone;
 - (c) Residential Zone;
 - (d) Business Zone;

³ IPA, Chapter 3 (Integrated Development Assessment System (IDAS)), Part 5 (Decision stage), Division 6 (Conditions)



- (e) Industry Zone;
 - (f) Open Space Zone; and
 - (g) Special Purposes Zone.
- (2) The Residential Zone incorporates 3 preferred use precincts as follows:
- (a) Residential 1 (R1) precinct;
 - (b) Residential 2 (R2) precinct;
 - (c) Tourism Residential (TR) precinct
- (3) The Business Zone incorporates 2 preferred use precincts as follows:
- (a) Central Business (CB) precinct; and
 - (b) Local Business (LB) precinct.

1.7 Special management areas overlay the planning scheme area

- (1) Special management areas overlay the planning scheme area as identified on Overlay Maps and as set out in Table 1:

Table 1 – Special Management Areas

Column 1 Special Management Areas	Column 2 Overlay Map/Schedule Reference
(a) Natural Features and Resources Overlay	
<ul style="list-style-type: none"> ▶ Protected Areas ▶ Extractive Resources⁴ ▶ Aviation Facilities 	O1, O1A and O1B
▶ Good Quality Agricultural Land	O2
▶ Bushfire Hazard	O3
▶ Don River Flood Plain	O4
▶ Storm Surge Hazard	O5, O5A-O5I
▶ Acid Sulfate Soils	O6
<ul style="list-style-type: none"> ▶ Wetlands ▶ Waterways 	O7
(b) Cultural Features Overlay	
▶ Heritage Place	Schedule 3

⁴ The Extractive Resources Special Management Area comprises mining tenements including mining leases, mineral development licences and mining claims as defined in the *Mineral Resources Act 1989* and key resource areas.



1.8 Planning scheme maps illustrate spatial implementation measures

- (1) The planning scheme includes planning scheme maps (identified in Column 1 of Table 2 below) that have a purpose relating to the implementation of measures included in the planning scheme (explained in Column 2 of Table 2 below).

Table 2 – Planning Scheme Maps

Column 1 Planning Scheme Map		Column 2 Purpose
PSM 1	Shire Outline Map	Illustrates the spatial representation of the achievement of the desired environmental outcomes – [refer Section 1.14].
PSM 2	Don River Flood Plain - Planned Flood Profile	Illustrates the maximum water surface elevation (as a series of contours) resulting from the Planned Flood Discharge in the Don River Flood Plain.
PSM 3	Shire Road Hierarchy	Illustrates the road hierarchy within the Shire.

1.9 Roads, watercourses and areas appearing to be unzoned

- (1) If a road reserve or watercourse in the planning scheme area is not shown as being covered by a zone on the zoning maps, the following applies:
- If the road reserve or watercourse is adjoined on both sides by land in the same zone –the road reserve or watercourse has the same zoning as adjoining land;
 - If the road reserve or watercourse is adjoined on one side by land in a zone and adjoined on the other side by land in another zone – the road reserve or watercourse has the same zoning as the adjoining land and the centreline of the road reserve or watercourse is the boundary between the two zones;
 - If the road reserve or watercourse is adjoined on one side only by land in a zone – the entire road reserve or watercourse has the same zoning as the adjoining zoned land.
- (2) To remove any doubt, it is declared that subsection (1) also applies to a closed road if the road is closed after the commencement of the planning scheme.
- (3) Areas above the high water mark other than road reserves and watercourses that are not shown as being covered by a zone are deemed to be included within the zone that adjoins the land. To remove any doubt, if an area is adjoined by more than one zone, then the applicable zoning will be determined in the same manner as described in (1)(b) of this section.



1.10 Determining if development is exempt, self-assessable or assessable under the planning scheme

(1) Tables for identifying if development is exempt, self-assessable or assessable within the zones and special management areas of the planning scheme are as follows:

(a)	Rural Zone	Table 3	A - Material change of use B - Other forms of development
(b)	Park Residential Zone	Table 4	A - Material change of use B - Other forms of development
(c)	Residential Zone	Table 5	A - Material change of use B - Other forms of development
(d)	Business Zone	Table 6	A - Material change of use B - Other forms of development
(e)	Industry Zone	Table 7	A - Material change of use B - Other forms of development
(f)	Open Space Zone	Table 8	A - Material change of use B - Other forms of development
(g)	Special Purposes Zone	Table 9	A - Material change of use B - Other forms of development

(2) The tables also distinguish between assessable development that is categorised under the planning scheme as requiring code assessment or impact assessment.

(3) If a development is affected by either zoning or overlays, the higher level of assessment category nominated within the tables applicable to the particular form of development shall prevail as follows:

- (a) code assessable prevails over self-assessable;
- (b) impact assessable prevails over self-assessable and code assessable;
- (c) development that is identified as exempt, is exempt from assessment under the planning scheme.

(4) A ‘temporary event’⁵ is not development for purposes of regulation under this planning scheme.

(5) Land designated for community infrastructure identified in schedule 5 to this planning scheme is, pursuant to chapter 2, part 6 of the Act, exempt to the extent that development would otherwise be self-assessable or assessable under this planning scheme.

⁵ Temporary event is an administrative term defined in division 2, schedule 1 of this planning scheme.



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- (6) To remove any doubt, in the event that development is located beyond the high water mark (i.e., over the sea) and is thereby exempt from assessment under this planning scheme, any facility, activity or aspects associated with the development which is located on zoned land or affected by a special management area shall be deemed to be development in its own right⁶ and shall be assessable in accordance with the provisions of paragraphs (1) to (5) of this section.

1.11 Types and application of codes

- (1) The planning scheme includes the following codes:
- (a) codes applying to zones identified on the Zoning Maps; and
 - (b) codes applying to special management areas identified on the Overlay Maps; and
 - (c) codes applying to development for a specific use; and
 - (d) codes applying throughout the planning scheme area to specific types of works.
- (2) Codes for zones identified on the Zoning Maps and special management areas identified on the Overlay Maps are included in Part 3 of this planning scheme.
- (3) Codes included in Part 4 of this planning scheme are assessment provisions for:
- (a) specific uses; and
 - (b) specific issues.

⁶ Ordinarily development such as car parking would be considered to be ancillary to a use and as such, it may not be assessable development for a car park but rather it would only be assessable as part of the assessable use to which it is ancillary. This provision is intended to deem facilities, activities and aspects of a development that may otherwise be considered as ancillary to a development proposal to be assessable as stand alone development with the level of assessment dependent on the zoning and the affect of any special management area in which they are located.



Division 3 – Shire Outline

1.12 Introduction

- (1) This division provides an explanation of the strategic framework supporting the planning measures embodied in this planning scheme.

1.13 Shire outline map

- (1) PSM 1 – Shire Outline Map is a spatial representation of the achievement of the desired environmental outcomes identifying the broad development pattern and corresponding community infrastructure resulting from the implementation of the planning scheme measures.
- (2) The Shire Outline Map does not provide a basis for development assessment under the planning scheme.

1.14 Outline of the planning scheme

- (1) The effects of parts 3, 4 and 5 of this planning scheme on the location and nature of land use and development depicted on the Shire Outline Map is explained as follows:

(a) Land use pattern

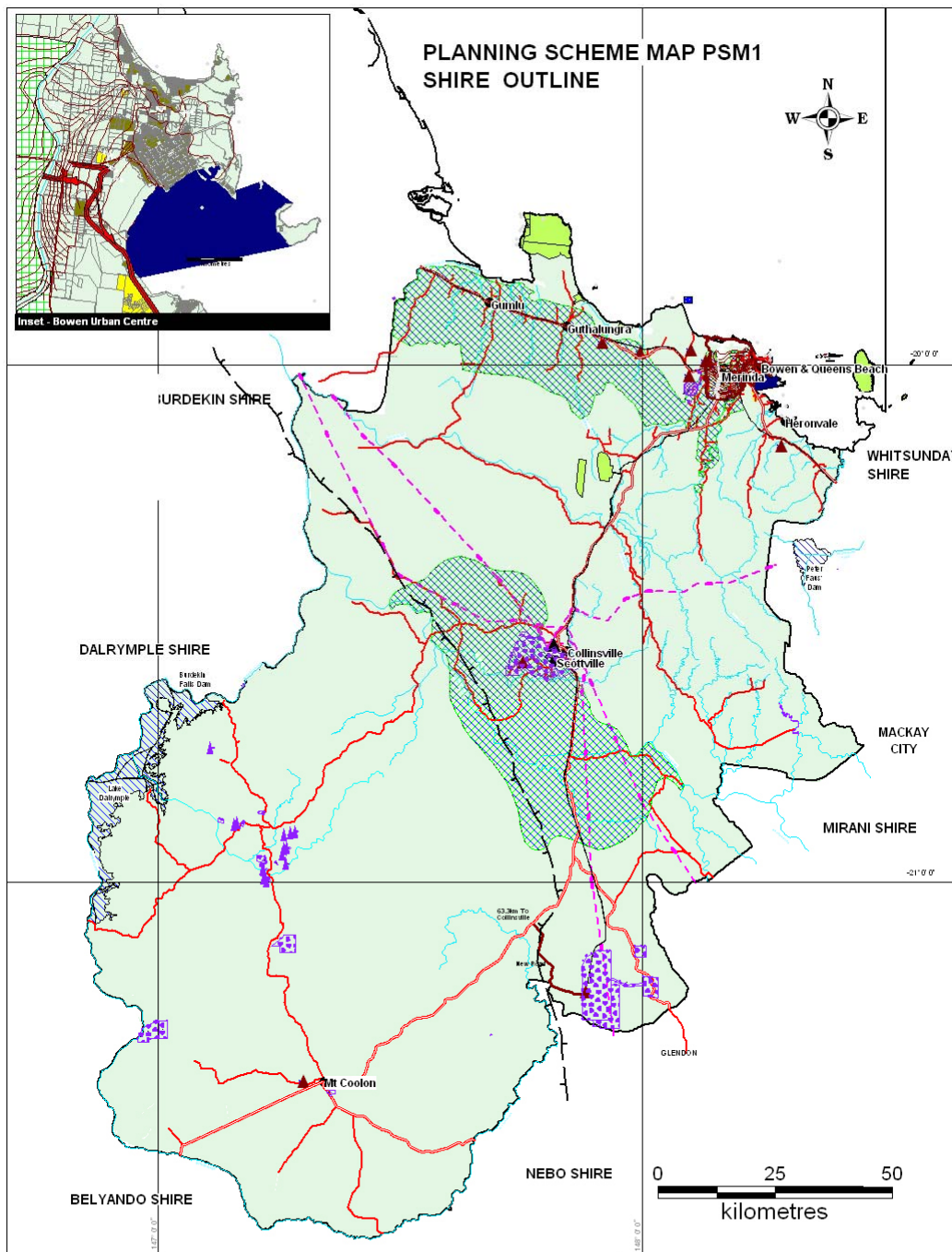
Nomination	Explanation
Urban	<ul style="list-style-type: none"> ▶ Unconstrained land in Bowen and Collinsville accommodating urban growth and development of land uses, facilities and services supporting such urban growth.
Park Residential	<ul style="list-style-type: none"> ▶ Land to the west of the Bowen urban area and south-east of Mt Gordon adjacent to the Bruce Highway providing for low density urban style living in a rural setting.
Rural	<ul style="list-style-type: none"> ▶ Agricultural land and land not required to satisfy expected urban growth.
Areas of Significant Constraints	<ul style="list-style-type: none"> ▶ Land with significant constraints to development and possessing significant environmental values requiring careful management. ▶ Crown land possessing significant environmental values.

(b) Other nominations

Nomination	Explanation
Centres	<ul style="list-style-type: none"> ▶ The hub of retailing, business and administrative/ community services for the Shire focussed on Bowen. ▶ A centre at Collinsville providing local service and community functions for residents of the town and the surrounding rural area and the nearby coal mine and power station. ▶ Other minor centres at Gumlu, Guthalungra, Merinda, Heronvale, Scottville and Mt Coolon providing limited services to local residents and, in certain instances, travellers.



Nomination	Explanation
State-controlled Roads, Higher Order Roads and Railway	<ul style="list-style-type: none"> • Settlement areas connected within the Shire and to areas outside the Shire by existing highways and major roads. • Bowen connected with areas to the north and south via the North Coast Railway Line as an alternative to road transport of both passengers and freight.
Major Powerlines	<ul style="list-style-type: none"> • High voltage electricity transmission corridors
Major Rivers	<ul style="list-style-type: none"> • Identified major rivers in the Shire
Extractive Industry, Mining Tenements and Key Resource Areas	<ul style="list-style-type: none"> • Mining Tenements include mining leases, mineral development licences and mining claims as defined in the <i>Mineral Resources Act 1989</i> and Key Resource Areas include significant current and future mineral and extractive resource areas.
Major Gas Pipelines	<ul style="list-style-type: none"> • Major high pressure gas pipelines
Abbot Point Port Facilities	<ul style="list-style-type: none"> • Major port facilities associated with the export of coal from Bowen Basin mines.
Bowen Boat Harbour	<ul style="list-style-type: none"> • Major boat harbour owned and operated by the Queensland Government.
Collinsville Power Station	<ul style="list-style-type: none"> • Major electricity generation facility.



**BOWEN SHIRE
PLANNING
SCHEME**

31 May 2006

LEGEND		
● Centres	▲ Collinsville Power Station	▲ Extractive Industry
— Proposed Cerito Alignment	— Major Rivers	— State Controlled Road
— Major Gas Pipelines	— Major Powerlines	— Higher Order Road
— Rail Corridor	■ Urban	■ Proposed Bowen Bypass
	■ Park Residential	
	■ Rural	
		■ Don River Flood Plain
		■ Protected Areas
		■ Agricultural Land
		■ Key Resource Area
		■ Mining Tenements
		■ Abbot Point Port Facilities
		■ Bowen Boat Harbour

Commencement date: 1 June, 2006



Division 4 - Interpretation

1.15 Dictionary

- (1) The dictionary in schedule 1 defines particular words used in this planning scheme as follows:
 - (a) defined uses and other development activities (Division 1); and
 - (b) administrative terms (Division 2).
- (2) Terms used in this planning scheme that are defined in the Act have the meaning assigned by the Act.
- (3) Terms used in this planning scheme that are not defined in the dictionary or by the Act, that are defined in a local law of the Shire of Bowen have the meaning assigned by the local law.
- (4) Except if defined in the dictionary, by the Act or in a local law, terms defined in an Act of the Queensland Parliament have the meaning assigned by the legislation if relevant to development subject to this planning scheme.
- (5) Terms otherwise undefined in this planning scheme shall have the meaning assigned to them in common usage, unless the context otherwise indicates or requires. For undefined terms, a common reference that will be relied on by Council is the latest edition of the Macquarie Australian Dictionary.
- (6) Where footnotes appear in the planning scheme, they provide explanatory information only and do not form part of the planning scheme. Reference should be made to any source document cited in any footnote if further or better details are required of the information provided.

1.16 Explanatory notes

- (1) The Bowen Shire Planning Scheme Explanatory Notes are declared to be extrinsic material under the *Statutory Instruments Act 1992*, section 15 that assist interpretation of the provisions of this planning scheme.⁷

⁷ The explanatory notes are in two parts. Part 1 addresses expectations for growth and change in the planning scheme area and how the planning scheme responds. Part 2 provides an explanation of the planning scheme provisions. The *Statutory Instruments Act 1992* allows a statutory instrument (such as a planning scheme) to identify material (in the case of the Bowen Shire Planning Scheme Explanatory Notes) that may be used to assist in the interpretation of provisions of that instrument.



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PART 2 - SHIRE WIDE OUTCOMES

Division 1 – Ecological Sustainability

2.1 Achieving the Desired Environmental Outcomes

- (1) The desired environmental outcomes are based on the elements of ecological sustainability defined by the Act and are the basis for the measures of the planning scheme.
- (2) Ecological sustainability for the Shire will be advanced if each desired environmental outcome is realized to the extent practicable having regard to all other desired environmental outcomes.

2.2 Desired Environmental Outcomes

- (1) The desired environmental outcomes for Bowen Shire are:
 - (a) Development does not adversely affect the values of the Shire's natural environment including coastal areas, wetlands, beaches, headlands, waterways, Protected Areas, undeveloped hillslopes, and areas of significant native vegetation, from any adverse effects accruing from clearing, soil degradation and pollution due to erosion and contamination, acidification, salinity, waste disposal and any modifications to natural processes.
 - (b) Development does not adversely affect the quality and quantum of water available for a range of consumptive uses throughout the Shire.
 - (c) Risks to safety, property and the environment are not increased by the interaction of development and natural or other hazards, including flooding, bushfire, disturbance of acid sulfate soils, storm surge, cyclonic weather events and landslide.
 - (d) Development protects the economic values of natural resources including good quality agricultural land, extractive and mineral resources, vegetation and water.
 - (e) Development provides a benefit to and satisfies an economic demand of residents of the area in which it is located.
 - (f) Opportunities for maintaining and improving employment resulting from advancements in information technology and emerging business/industry trends are maximised.
 - (g) The Shire's tourism industry is strengthened and expanded based on the sustainable use of natural, cultural and man-made assets and the orderly provision of services and facilities.
 - (h) Bowen continues to function as the main business centre and administrative hub for the Shire.
 - (i) Growth and community development within the Shire focussed on the existing Bowen and Collinsville urban areas to facilitate the efficient use, timely and orderly expansion and continued operation of infrastructure.
 - (j) Development facilitates diverse housing choice, including affordable housing, that is responsive to the changing demographic structure of the Shire's population and promotes equity in access to goods and services.



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- (k) Development promotes the efficient use and provides for the orderly expansion of the Shire's movement system, including motorised and non-motorised modes.
 - (l) Development occurs in an area:
 - (i) which is suitable and compatible with the nature of the development; and
 - (ii) in which services and facilities required in respect of the development are existing, planned or provided by the development.
 - (m) Development does not adversely affect:
 - (i) the community's health and safety;
 - (ii) the amenity enjoyed by people in different areas of the Shire; and
 - (iii) the safe and efficient operation of the transport, energy and other infrastructure supporting the Shire and surrounding region.
 - (n) Development reflects the community's reasonable expectations and harmonises with the natural environment and does not prejudice the Shire's existing scenic amenity, particularly along the coastal plain.
 - (o) The community values of places and landscapes reflecting the community's history and identity are not detrimentally affected by development.



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

Division 1 - Preliminary

3.1 Development assessment categories and assessment criteria

- (1) This part contains assessment tables that set out the assessment category⁸ for development within zones and as affected by any special management area.
- (2) The assessment tables comprise:
 - (a) Part A – specifying assessment categories for making a material change of use, including works associated with a material change of use⁹; and
 - (b) Part B – specifying assessment categories for other development not associated with material change of use¹⁰.
- (3) The assessment tables identify in:
 - (a) Column 1:
 - (i) For Part A – Defined Uses the subject of the assessment table.
 - (ii) For Part B – 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.
- (4) The codes nominated in Column 3 as assessment criteria for development are applicable as follows:
 - (a) For self-assessable development:
 - (i) Applicability is limited to the elements of the codes for which self-assessment solutions are specified; and
 - (ii) Compliance with the self-assessment solutions is mandatory.

⁸ Information about assessment categories is provided in the Bowen Shire Planning Scheme Users Guide 2.

⁹ Works associated with an application for material change of use may be assessed together with the material change of use. Also, see Bowen Shire Planning Scheme Explanatory Notes (Part 2) giving examples that explain the type of development involved in different proposals.

¹⁰ See Bowen Shire Planning Scheme Explanatory Notes (Part 2) giving examples that explain the type of development involved in different proposals.



-
- (b) For code assessable development:
- (i) Development is assessed against the purpose and the overall and specific outcomes of the code; and
 - (ii) Development conflicts with and does not comply with the code if it is inconsistent¹¹ with the overall outcomes or specific outcomes¹².
- (c) For impact assessable development:
- (i) Development may be assessed against the purpose and the overall and specific outcomes of any relevant code; and
 - (ii) Development conflicts with the planning scheme if it is inconsistent with any relevant code.
- (5) If pursuant to (2)(a) above, 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 the Table of Assessment Categories for development other than material change of use in the same zone also apply to the assessment of the assessable development.

¹¹ Development nominated as inconsistent development conflicts with and does not comply with an applicable code – refer section 1.5 of this planning scheme.

¹² For code assessable development, self-assessment solutions provide a guide for achieving the relevant specific outcome – refer to section 1.4 of this planning scheme.



Division 2 – Rural Zone

3.2 Table of Assessment Categories and Assessment Criteria

Table 3A - Material Change of Use

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) EXEMPT DEVELOPMENT:		
Park	Exempt All circumstances	
Road	Exempt All circumstances	
(2) SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT WITHIN THE ZONE:		
(a) If for any of the following defined uses:		
Advertising hoarding	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ Signs Code
Animal keeping	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ Animal-related Activities Code
Aquaculture	Self-assessable If not requiring an authority or licence under the <i>Environmental Protection Act 1994</i> and the premises involve: <ul style="list-style-type: none"> ▶ freshwater tanks¹³ with a total production area of <2,000 m² (or <750 m² where oxygen injection is used), or ▶ freshwater ponds¹⁴ with a total surface area of <5 hectares, and no off-site discharge of wastes from the tanks or ponds to natural waters. 	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ Animal-related Activities Code
Bed and breakfast	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ Short-term Accommodation Code

13 Tanks mean water-containing structures not formed by hollowing, excavating or embanking natural surfaces.

14 Ponds mean water-containing structures formed by hollowing, excavating or embanking natural surfaces.



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
Farming	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable</p> <ul style="list-style-type: none"> ▶ If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes; or ▶ If the site is within 300 metres of a sensitive receptor or adjoins land in the Residential Zone; or ▶ If involving irrigation. 	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Rural Zone Code
Forestry business	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ Forestry Business Code
Home-based business	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ Home-based Business Code
Intensive animal husbandry	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ Animal-related Activities Code
Local utility	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Rural Zone Code
Rural service industry	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Rural Zone Code
Telecommunication facilities (medium impact)	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ Telecommunication Facilities Code
<p>(b) If for:</p> <ul style="list-style-type: none"> (i) a defined use listed in (a) above, but not meeting the specified circumstance listed in Column 2 in (a) above for the nominated level of assessment, or (ii) a use not listed in (a) above or not defined in this planning scheme: 		
All	<p>Impact assessable All circumstances</p>	



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(3) SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT AFFECTED BY A SPECIAL MANAGEMENT AREA:		
Farming	<p>Self-assessable If the level of assessment applicable to the proposal is:</p> <ul style="list-style-type: none"> ▶ self-assessable for all other circumstances listed in Column 2 of this table; and ▶ it is on land identified in the Good Quality Agricultural Land Special Management Area on Overlay Map O2; and ▶ not affected by another special management area. <p>Code assessable Other than self-assessable.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.
All, except for Farming	<p>Code assessable If:</p> <ul style="list-style-type: none"> (a) in a special management area on Overlay Maps O1, O3, O4, O5 and O7; or (b) in or adjacent to the Good Quality Agricultural Land Special Management Area on Overlay Map O2 or (c) adjacent¹⁵ to: <ul style="list-style-type: none"> (i) a Protected Area Special Management Area on Overlay Map O1; or (ii) Waterway Special Management Area on Overlay Map O7; or (iii) a Wetlands Special Management Area on Overlay Map O7; <p>or</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ All specific use or issue codes applicable to the proposal under (2)(a) above <p>and</p> <p>For circumstances (a), (b) and (c):</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located

¹⁵ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
	<p>(d) in the Acid Sulfate Soils Special Management Area on Overlay Map O6:</p> <p>(i) located:</p> <ul style="list-style-type: none"> - at or below 5m AHD; or - below 20m AHD where construction will involve excavation below 5m AHD; <p>and</p> <p>(ii) involving:</p> <ul style="list-style-type: none"> - excavating or otherwise removing 100m³ or more of material; or - filling on land below 5m AHD involving 500m³ or more of material with an average depth of 0.5m or more. <p>or</p> <p>(e) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme.</p>	<p>For circumstance (d):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area <p>For circumstance (e):</p> <ul style="list-style-type: none"> ▶ Cultural Features Code

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, except for Minor building work	<p>Code assessable</p> <p>If:</p> <p>(a) involving construction of a Class 1a¹⁶ building on land with natural ground level slopes greater than 15%; or</p> <p>(b) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme and involving:</p> <p>(i) the construction of any new building or structure, or</p> <p>(ii) the demolition, removal or alteration of any existing building or structure; or</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> ▶ Rural Zone Code <p>For circumstance (b):</p> <ul style="list-style-type: none"> ▶ Cultural Features Code

¹⁶ As defined in the BCA.



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
	<p>(c) in the Don River Flood Plain Special Management Area on Overlay Map O4, or</p> <p>(d) in the Storm Surge Hazard Special Management Area on Overlay Map O5; or</p> <p>(e) in the Acid Sulfate Soils Special Management Area on Overlay Map O6.</p> <p>(f) in the Aviation Facilities Special Management Area on Overlay Map O1.</p> <p>(g) in the Bushfire Hazard Special Management Area on Overlay Map O3.</p>	<p>For circumstance (c):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (c) – Don River Flood Plain Special Management Area) <p>For circumstance (d):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (d) – Storm Surge Hazard Special Management Area) <p>For circumstance (e):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area) <p>For circumstance (f):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (i) – Aviation Facilities Special Management Area) <p>For circumstance (g):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (j) – Bushfire Hazard Special Management Area)
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Clearing ¹⁷	<p>Code assessable</p> <p>Other than in association with a self-assessable use or an approved assessable use.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Clearing Code
Placement of On-premises sign	<p>Self-assessable</p> <p>All circumstances except if Code assessable</p> <p>Code assessable</p> <p>If nominated as self-assessable, but unable to comply with the Self-assessable Solutions for the Signs Code</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Signs Code
Engineering work	<p>Code assessable</p> <p>If:</p> <p>(a) in a special management area on Overlay Maps O6 or O7; or</p> <p>(b) adjacent¹⁸ to a Protected Areas Special Management Area on Overlay Map O1; or</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> ▶ Rural Zone Code <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.

¹⁷ Carrying out operational work that is the clearing of native vegetation on freehold land may also be assessable development under Schedule 8 to the IPA.

¹⁸ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
	(c) involving excavation to a depth greater than one (1) metre; or (d) involving filling of land involving a quantity of fill 20m ³ or greater.	For circumstances (c) and (d): <ul style="list-style-type: none"> ▶ Filling and Excavation Code
	Impact assessable If involving the extraction of gravel, rock, sand, soil, stone or other similar material, and, which is not used in connection with construction of the premises.	
(3) OPERATIONAL WORK ASSOCIATED WITH RECONFIGURING:		
All	Code assessable All circumstances	<u>Applicable Codes</u> For all circumstances: <ul style="list-style-type: none"> ▶ Rural Zone Code ▶ Clearing Code ▶ Filling and Excavation Code ▶ Signs Code If in a special management area identified on the Natural Features or Resources Overlay: <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.
(4) RECONFIGURING A LOT:		
All	Code assessable All circumstances	<u>Applicable Codes</u> For all circumstances: <ul style="list-style-type: none"> ▶ Rural Zone Code If in a special management area identified on the Natural Features or Resources Overlay: <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.
(5) OTHER:		
All	Exempt All circumstances	



3.3 Rural Zone Code

(1) Purpose

- (a) The purpose of the Rural Zone Code is the achievement of the overall outcomes sought for the Rural zone.
- (b) The overall outcomes sought for the Rural Zone are:
 - (i) Land used for rural activities such as grazing, agriculture and horticulture is protected from development, which in Council’s opinion would significantly infringe on the landscape setting and rural amenity of the Shire;
 - (ii) Land with productive capacity is preserved for a range of existing and emerging agricultural activities significant to the economy of the Shire and is protected from development that lead to its alienation and fragmentation;
 - (iii) Agriculture, including both extensive and intensive activities is protected from incompatible uses and land use conflicts resulting from the location of non-rural activities on rural land;
 - (iv) Uses and works are located and designed to maximise the efficient use and extension and safe operation of infrastructure;
 - (v) Residential purposes are ancillary to the primary rural purposes in the rural area; and
 - (vi) Mineral and extractive resources and associated transport routes are protected from incompatible development.

(2) Elements

- (a) Land Use and Development
 - (i) Consistent Uses

Specific Outcomes

- O1 (e) Only uses consistent with the overall outcomes for, and preferred for development within the Rural zone, are established in the zone.
- (f) The following uses and use classes are consistent with, and preferred, within the Rural zone:
 - (i) All Rural Purposes.



Specific Outcomes

- O2 Provided the following uses are developed to:
- ▶ be compatible with surrounding Rural Purposes by being of similar scale, intensity and character; and
 - ▶ support preferred uses; and
 - ▶ not adversely affect the amenity of the locality; or
 - ▶ provide recreational or community facilities that are more appropriately located in the Rural zone; they are consistent uses within the Rural Zone:
- (a) Residential Purposes comprising:
 - (ii) Bed and breakfast;
 - (iii) Dwelling house (where for the accommodation of the household involved with the dominant rural purpose undertaken on the premises);
 - (iv) Home-based Business;
 - (b) Extractive industry;
 - (c) Landscape supplies;
 - (d) Local utility;
 - (e) Major utility;
 - (f) Outdoor recreation; and
 - (g) Telecommunications facility (medium impact).

(ii) Inconsistent Uses

Specific Outcomes

- O3 Uses other than:
- ▶ preferred uses nominated in O1; or
 - ▶ consistent uses developed to comply with the provisos set out in O2;
- do not establish in the Rural zone, do not comply with the overall outcomes sought for the Rural Zone and conflict with this code.



(iii) Subdivision Design

Specific Outcomes	Self-assessable Solutions
<p>O4 Reconfigured lots are designed and developed with:</p> <ul style="list-style-type: none"> ▶ sufficient area and suitable proportions for preferred or consistent uses; and ▶ adequate frontage for safe and convenient vehicular and pedestrian access; and ▶ suitable areas within each lot for the location of relevant activities and works; and ▶ sufficient area and contain land suitable for on-site treatment and disposal of domestic effluent, <p>and:</p> <ul style="list-style-type: none"> ▶ do not expose people and works to unacceptable risks from bushfire, landslip, flooding or other natural hazards, and ▶ do not result in the alienation and fragmentation of land identified as being Good Quality Agricultural Land. 	<p>S4 (a) Other than reconfiguring for a Community Titles Scheme, allotments are developed with areas and dimensions that comply with the design standards set out in Table S1 below.</p> <p>(b) For reconfiguring involving a Community Titles Scheme:</p> <ul style="list-style-type: none"> (i) the number of lots on the Standard Format Plan comprising the Community Titles Scheme does not exceed the number of allotments complying with the design standards set out in Table S1 below; unless, (ii) the number of lots on the Standard Format Plan accords with the density of development given by a prior related Development Permit for Material Change of Use.

Table S1 – Design Standards for Subdivision in the Rural Zone

Column 1 Circumstance	Column 2 Minimum Lot Size (ha)	Column 2 Minimum Frontage (metres)
If site is located in the Good Quality Agricultural Land Special Management Area	▶ 60	▶ 300
Otherwise	▶ 100	▶ 500

(iv) Density

Specific Outcomes	Self-assessment Solutions
<p>O5 The density of residential development is compatible with local amenity expressed by the overall outcomes sought for the Rural Zone.</p>	<p>S5 No more than one (1) Dwelling house is constructed on a lot.</p>



(v) Character and Amenity

Specific Outcomes	Self-assessable Solutions
<p>O6 Uses and works are located, designed and operated to minimise adverse impacts on:</p> <ul style="list-style-type: none"> ▶ existing environmental conditions relating to air, water and soil, ▶ the amenity of adjacent properties and public spaces, ▶ significant local and distant views or prominent natural features and landmarks, ▶ the health and safety of people using the premises and adjacent premises; and ▶ existing community infrastructure¹⁹. 	<p>S6 (a) Storage, handling, packaging, processing areas, permanent plant and equipment storage/operation and on-site effluent treatment and disposal areas are located at least the following distance from the nearest sensitive receptor:</p> <ul style="list-style-type: none"> (i) Rural service industry: <ul style="list-style-type: none"> - 300 metres (ii) Otherwise: <ul style="list-style-type: none"> - 100 metres <p>(b) Despite any other provision of this planning scheme, buildings, structures or permanent plant storage/operation are located at least the following setbacks from any rear or side boundary:</p> <ul style="list-style-type: none"> (i) 30 metres to a dwelling unit on an adjoining lot, (ii) 15 metres, otherwise. <p>(c) Earthworks and buildings/structures (other than for play equipment or fencing) are sited a minimum of 100 metres from any wetland or waterway.</p> <p>(d) Outdoor lighting is designed, constructed and operated in accordance with <i>Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting</i>.</p> <p>(e) Mechanical plant and equipment, waste collection and on-site storage areas are fully screened from view at the property boundary.</p> <p>(f) Sensitive receptors are setback from the most proximate boundary of a High Voltage Electricity Transmission Line Easement as follows:</p> <ul style="list-style-type: none"> (i) 20 metres for transmission lines up to 132kV; (ii) 30 metres for transmission lines between 133kV and 275kV; and (iii) 40 metres for transmission lines greater than 275kV.

¹⁹ Refer to *Electrical Safety Act 2002* and *Electrical Safety Regulation 2002* for obligations pertaining to safety obligations and requirements for development that affects electrical infrastructure.



Specific Outcomes	Self-assessable Solutions
<p>O7 Uses and works are located, designed and operated to prevent adverse impacts on the existing quality of the groundwater, streams and surface water storages of the Shire and which provide:</p> <ul style="list-style-type: none"> ▶ bunding, impervious surfaces and integrated drainage and treatment systems to manage water borne pollutants; and ▶ properly designed and constructed, secure, sealed storage facilities for temporary onsite storage of liquid wastes, including waste water pending discharge to a sewer or removal from the site for treatment and disposal at a lawful facility. 	
<p>O8 Building and structures are:</p> <ul style="list-style-type: none"> ▶ of a type and scale which have an attractive, functional appearance; ▶ constructed of materials and finishes compatible with other development in the area; ▶ integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, outlook and off-street parking; and ▶ designed to adequately screen materials stored outside buildings when viewed from adjacent premises and public spaces. 	<p>S8 (a) Height</p> <ul style="list-style-type: none"> (i) Buildings do not exceed 8.5 metres in height; (ii) Supply network infrastructure does not exceed 20 metres in height; (iii) Other structures do not exceed 8.5 metres in height. <p>(b) Setbacks</p> <p>Buildings and structures (other than supply network infrastructure) are setback a minimum of:</p> <ul style="list-style-type: none"> (i) 50 metres from a major transport corridor; (ii) 20 metres from all other roads; and (iii) 6 metres from the boundary of any land within the Park Residential or Residential Zone that adjoins the site.

(vi) Safety and Security

Specific Outcomes
<p>O9 Personal safety and property security are optimised by incorporating features nominated in Schedule 6 to this planning scheme in the design of buildings and spaces, including:</p> <ul style="list-style-type: none"> ▶ opportunities for surveillance; ▶ clear definition of boundaries between private and public spaces; and ▶ robust construction materials.



(vii) Vegetation Management and Landscaping

Specific Outcomes		Self-assessable Solutions	
O10	Development does not impact adversely on the ecological or landscape values of land.	S10	Development does not result in clearing within 100 metres of any wetland or waterway.
O11	<p>Landscaping is designed, established and maintained in a manner to:</p> <ul style="list-style-type: none"> • be an appropriate scale relative both to the width of the street reserve and to the size and nature of development, • incorporate significant existing vegetation where possible, • be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and drainage, • allow adequate lighting and pedestrian and vehicular safety, • effectively screen storage and service areas from views from outside the site, and • provide visual relief and shade, particularly throughout open parking areas. • minimise impact on electricity infrastructure. 	S11	<p>(a) Landscaping near electric lines or substations is designed, installed and maintained so that at maturity, it does not exceed 4 metres in height on land:</p> <ul style="list-style-type: none"> (i) in an electric line shadow; or (ii) within 5 metres of an electric line shadow; or (iii) within 5 metres of the boundary of a substation. <p>(b) On land adjoining an electricity substation, landscaping is setback so that vegetation foliage at maturity is a minimum of 3 metres from the common boundary.</p>

(viii) Cultural Heritage Values

Specific Outcomes	
O12	Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detracting, public accessibility or physical change, damage or removal.

(ix) Steep Land Management

Specific Outcomes		Self-assessable Solutions	
O13	Public safety, lives and property are not placed at unacceptable levels of risk through inappropriately designed development on land with excessive slope or geological instability.	S13	<p>(a) Buildings and structures are located on a site with natural ground level slopes that do not exceed 15%.</p> <p>(b) Slopes greater than 15% are not cleared.</p>



(x) Flood Immunity²⁰

Specific Outcomes

O14 Land on which buildings and structures associated with development nominated in Column 1 of Schedule 7 will be constructed, is immune from a flood event of at least the annual exceedence probability specified in Column 2 of Schedule 7 for the development.

(xi) Vehicle Parking and Movement

Specific Outcomes

Self-assessable Solutions

<p>O15 Development is provided with on-site parking and movement system designed and constructed to:</p> <ul style="list-style-type: none"> ▶ integrate with the site layout including: <ul style="list-style-type: none"> – direct access to a road²¹ providing a level of service required to accommodate traffic generated by the use, and – appropriately designed footpath crossovers, and – provision for safe pedestrian movement between the public footpath and facility entry points; and ▶ accommodate all modes of transport generated by the use; and ▶ facilitate non discriminatory accessibility; and ▶ provide for safe and efficient loading and unloading of goods; and ▶ allow for vehicular queuing necessary for the use; and ▶ provide for passenger set down/pick up necessary for the use. 	<p>S15 (a) Parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme. <p>(b) Loading/unloading facilities are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.</p> <p>(c) Vehicle queuing and set-down/pick-up areas are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.</p> <p>(d) Vehicular access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(e) Pedestrian access is designed and constructed in accordance with the standards nominated in Division 3 Schedule 4 to this planning scheme.</p> <p>(f) Bicycle parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.
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²⁰ The flood immunity parameters listed in Schedule 7 include consideration of storm surge hazard. For further information that may assist applicants including mapping showing projected events refer to *Bowen Shire Storm Tide Study – Final Report* (September 2004).

²¹ Approval is required under the *Transport Infrastructure Act 1994* for any access to a State-controlled Road.



(b) Infrastructure

Specific Outcomes	Self-assessable Solutions
<p>O16 Water supply, wastewater and sullage, drainage, roads, power and communications are provided to meet the appropriate standards of service and construction at least whole-of-life cost, which:</p> <ul style="list-style-type: none"> <p>▶ comprise components and materials that are:</p> <ul style="list-style-type: none"> – readily accessible and available; and – robust and reliable in terms of operational life and purpose; and – easily maintained without unnecessarily requiring specialist expertise or equipment; and ▶ are integrated with the design, construction and operation of existing systems and facilitate orderly provision of future systems. 	<p>S16 Water supply, wastewater and sullage, drainage, roads, power and communications are:</p> <ul style="list-style-type: none"> (g) provided to meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme, and (h) constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme.



Division 3 – Park Residential Zone

3.4 Table of Assessment Categories and Assessment Criteria

Table 3A - Material Change of Use

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) EXEMPT DEVELOPMENT:		
Park	Exempt All circumstances	
Road	Exempt All circumstances	
(2) SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT WITHIN THE ZONE:		
(a) If for any of the following defined uses:		
Advertising hoarding	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Park Residential Zone Code ▶ Signs Code
Annexed apartment	Self-assessable All circumstances except if Code assessable Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Park Residential Zone Code ▶ Annexed Apartment Code
Bed and breakfast	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Park Residential Zone Code ▶ Short-term Accommodation Code
Home-based business	Self-assessable All circumstances except if Code assessable Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Park Residential Zone Code ▶ Home-based Business Code
Local utility	Self-assessable All circumstances except if Code assessable Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Park Residential Zone Code
(b) If for:		
(i) a defined use listed in (a) above, but not meeting the specified circumstance listed in Column 2 in (a) above for the nominated level of assessment, or		
(ii) a use not listed in (a) above or not defined in this planning scheme:		
All	Impact assessable All circumstances	



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(3) ASSESSABLE DEVELOPMENT AFFECTED BY A SPECIAL MANAGEMENT AREA:		
All	<p>Code assessable</p> <p>If:</p> <p>(a) in a special management area on Overlay Maps O1 to O5 and O7;</p> <p>or</p> <p>(b) adjacent²² to:</p> <p>(i) a Protected Area Special Management Area on Overlay Map O1; or</p> <p>(ii) a Good Quality Agricultural Land Special Management Area on Overlay Map O2; or</p> <p>(iii) a Waterway Special Management Area on Overlay Map O7; or</p> <p>(iv) a Wetlands Special Management Area on Overlay Map O7,</p> <p>or</p> <p>(c) in the Acid Sulfate Soils Special Management Area on Overlay Map O6:</p> <p>(i) located:</p> <ul style="list-style-type: none"> - at or below 5m AHD; or - below 20m AHD where construction will involve excavation below 5m AHD; <p>and</p> <p>(ii) involving:</p> <ul style="list-style-type: none"> - excavating or otherwise removing 100m³ or more of material; or - filling on land below 5m AHD involving 500m³ or more of material with an average depth of 0.5m or more. <p>or</p> <p>(d) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> • Park Residential Zone Code • All specific use or issue codes applicable to the proposal under (2)(a) above <p>and</p> <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> • Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located <p>For circumstance (c):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area) <p>For circumstance (d):</p> <ul style="list-style-type: none"> • Cultural Features Code

²² Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Table 3B - Development other than Material Change of Use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria (Applicable Codes)
(1) BUILDING WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All, except for Minor building work	<p>Code assessable</p> <p>If:</p> <ul style="list-style-type: none"> (a) involving the construction of a Class 1a building on land with natural ground level slopes greater than 15%; or (b) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme and involving: <ul style="list-style-type: none"> (i) the construction of any new building or structure, or (ii) the demolition, removal or alteration of any existing building or structure; or (c) in the Don River Flood Plain Special Management Area on Overlay Map O4, or (d) in the Storm Surge Hazard Special Management Area on Overlay Map O5, or (e) in the Acid Sulfate Soils Special Management Area on Overlay Map O6; or (f) in the Aviation Facilities Special Management Area on Overlay Map O1; or (g) in the Bushfire Hazard Special Management Area on Overlay Map O3. 	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> • Park Residential Zone Code <p>For circumstance (b):</p> <ul style="list-style-type: none"> • Cultural Features Code <p>For circumstance (c):</p> <ul style="list-style-type: none"> • Natural Features Code – Element (c) – Don River Flood Plain Special Management Area <p>For circumstance (d):</p> <ul style="list-style-type: none"> • Natural Features Code – Element (d) – Storm Surge Hazard Special Management Area <p>For circumstance (e):</p> <ul style="list-style-type: none"> • Natural Features Code – Element (b) – Acid Sulfate Soils Special Management Area <p>For circumstance (f):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (i) – Aviation Facilities Special Management Area) <p>For circumstance (g):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (j) – Bushfire Hazard Special Management Area)
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Clearing	<p>Code assessable</p> <p>Other than in association with a self-assessable use or an approved assessable use.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> • Clearing Code

Commencement date: 1 June, 2006



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria (Applicable Codes)
Placement of an On-premises sign	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions for the Signs Code</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Signs Code
Engineering work	<p>Code assessable If:</p> <p>(a) in a special management area on Overlay Maps O6 or O7; or</p> <p>(b) adjacent²³ to a Protected Areas Special Management Area on Overlay Map O1; or</p> <p>(c) involving excavation to a depth greater than one (1) metre; or</p> <p>(d) involving filling of land involving a quantity of fill 20m³ or greater.</p> <p>Impact assessable If involving extraction of gravel, rock, sand, soil, stone or other similar material not used in connection with construction of the premises.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> ▶ Park Residential Zone Code <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located. <p>For circumstances (c) and (d):</p> <ul style="list-style-type: none"> ▶ Filling and Excavation Code
(3) OPERATIONAL WORK ASSOCIATED WITH RECONFIGURING:		
All	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Park Residential Zone Code ▶ Clearing Code ▶ Filling and Excavation Code ▶ Signs Code <p>If in a special management area identified on the Natural Features or Resources Overlay:</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.

²³ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria (Applicable Codes)
(4) RECONFIGURING A LOT:		
All	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Park Residential Zone Code <p>If in a special management area identified on the Natural Features or Resources Overlay:</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.
(5) OTHER:		
All	<p>Exempt All circumstances</p>	

3.5 Park Residential Zone Code

(1) Purpose

- (a) The purpose of the Park Residential Zone Code is the achievement of the overall outcomes for the Park Residential zone.
- (b) The overall outcomes sought for the Park Residential Zone are:
 - (i) Development for low density residential purposes:
 - (A) is clustered within a rural or natural landscape setting, and
 - (B) is integrated with the natural environment facilitating resident’s enjoyment of rural amenity and lifestyle, and
 - (C) does not adversely impact on good quality agricultural land, and
 - (D) does not adversely impact on the environmental values of the site and its surroundings, and
 - (E) does not adversely impact on existing open space networks.
 - (ii) Uses and works are located and designed to maximise the efficient use and extension and safe operation of infrastructure.



(2) Elements

(a) Land Use and Development

(i) Consistent Uses

Specific Outcomes

- O1 (a) Only uses consistent with the overall outcomes for, and preferred for development within, the Park Residential Zone, are established in the zone.
- (b) The following uses and use classes are consistent with, and preferred, within the Park Residential zone:
- (i) Annexed apartment,
 - (ii) Bed and breakfast,
 - (iii) Dwelling house,
 - (iv) Home-based business.
- O2 Provided the following uses are developed to:
- ▶ be compatible with surrounding Rural Purposes by being of similar scale, intensity and character; and
 - ▶ support preferred uses; and
 - ▶ not adversely affect the amenity of the locality;
- they are consistent uses within the Park Residential Zone:
- (a) Advertising hoarding
 - (b) Local utility

(ii) Inconsistent Uses

Specific Outcomes

- O3 Uses other than:
- ▶ preferred uses nominated in O1; or
 - ▶ consistent uses developed to comply with the provisos set out in O2;
- do not establish in the Park Residential Zone, do not comply with the overall outcomes sought for the Park Residential Zone and conflict with this code.
-



(iii) Subdivision Design

Specific Outcomes	Self-assessable Solutions
<p>O4 Reconfigured lots are designed and developed with:</p> <ul style="list-style-type: none"> ▶ sufficient area and suitable proportions for preferred or consistent uses; and ▶ adequate frontage for safe and convenient vehicular and pedestrian access; and ▶ suitable areas within each lot for the location of relevant activities and works; and ▶ sufficient area and contain land suitable for on-site treatment and disposal of domestic effluent, <p>and:</p> <ul style="list-style-type: none"> ▶ do not expose people and works to unacceptable risks from bushfire, landslip, flooding or other natural hazards, and ▶ do not result in the alienation and fragmentation of land identified as being Good Quality Agricultural Land. 	<p>S4 (a) Other than reconfiguring for a Community Titles Scheme, allotments are developed with areas and dimensions that comply with the design standards set out in Table S2 below.</p> <p>(b) For reconfiguring involving a Community Titles Scheme:</p> <ul style="list-style-type: none"> (i) the number of lots on the Standard Format Plan comprising the Community Titles Scheme does not exceed the number of allotments complying with the design standards set out in Table S2 below; unless, (ii) the number of lots on the Standard Format Plan accords with the density of development given by a prior related Development Permit for Material Change of Use.

Table S2 – Design Parameters for Subdivision in the Park Residential Zone

Column 1	Column 2	Column 3
Minimum Lot Size (m ²)	Minimum Frontage (metres)	Minimum Depth (metres)
▶ 4 000 m ²	▶ 50 metres	▶ 50 metres

(iv) Density

Specific Outcomes	Self-assessment Solutions
<p>O5 The density of residential development is compatible with local amenity expressed by the overall outcomes sought for the Park Residential Zone.</p>	<p>S5 No more than one (1) Dwelling house is constructed on a lot.</p>



(v) Character and Amenity

Specific Outcomes	Self-assessable Solutions
<p>O6 Uses and works are located, designed and operated to minimise adverse impacts on:</p> <ul style="list-style-type: none"> • existing environmental conditions relating to air, water and soil, • the amenity of adjacent properties and public spaces, • significant local and distant views or prominent natural features and landmarks, • the health and safety of people using the premises and adjacent premises; and • existing community infrastructure²⁴. 	<p>S6</p> <ul style="list-style-type: none"> (a) Non-residential purposes are buffered from adjoining properties used for residential purposes by provision of a: <ul style="list-style-type: none"> (i) 6 metre wide area of landscaping along the principal road frontage; and (ii) 3 metre wide area of landscaping adjacent to other road frontages and side and rear boundaries common with premises used for residential purposes. (b) Outdoor lighting is designed, constructed and operated in accordance with <i>Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting</i>. (c) Mechanical plant and equipment, waste collection and on-site storage areas are fully screened from view at the property boundary. (d) Land subject to reconfiguration and subsequent use for residential purposes is buffered along common boundaries with land included in the Rural Zone by provision of a minimum 40 metre wide area of landscaping adjacent to the common boundary/s. (e) Earthworks and buildings/structures (other than for play equipment or fencing) are sited a minimum of 100 metres from any wetland or waterway. (f) Sensitive receptors are setback from the most proximate boundary of a High Voltage Electricity Transmission Line Easement as follows: <ul style="list-style-type: none"> (i) 20 metres for transmission lines up to 132kV; (ii) 30 metres for transmission lines between 133kV and 275kV; and (iii) 40 metres for transmission lines greater than 275kV.

²⁴ Refer to *Electrical Safety Act 2002* and *Electrical Safety Regulation 2002* for obligations pertaining to safety obligations and requirements for development that affects electrical infrastructure.



Specific Outcomes	Self-assessable Solutions
<p>O7 Uses and works are located, designed and operated to prevent adverse impacts on the existing quality of the groundwater, streams and surface water storages of the Shire and which provide:</p> <ul style="list-style-type: none"> • bunding, impervious surfaces and integrated drainage and treatment systems to manage water borne pollutants; and • properly designed and constructed, secure, sealed storage facilities for temporary onsite storage of liquid wastes, including waste water pending discharge to a sewer or removal from the site for treatment and disposal at a lawful facility. 	
<p>O8 Building and structures are:</p> <ul style="list-style-type: none"> • of a type and scale which have an attractive, functional appearance; • constructed of materials and finishes compatible with other development in the area; • integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, outlook and off-street parking; and • designed to adequately screen materials stored outside buildings when viewed from adjacent premises and public spaces. 	<p>S8 (a) Height</p> <ul style="list-style-type: none"> (i) Buildings do not exceed 8.5 metres in height; (ii) Supply network infrastructure does not exceed 20 metres in height; (iii) Other structures do not exceed 8.5 metres in height. <p>(b) Setbacks</p> <p>Buildings and structures (other than supply network infrastructure) are setback a minimum of:</p> <ul style="list-style-type: none"> (i) 50 metres from a major transport corridor; (ii) 20 metres from other road frontage/s; and (iii) 6 metres from all other boundaries.

(vi) Safety and Security

Specific Outcomes
<p>O9 Personal safety and property security are optimised by incorporating features nominated in Schedule 6 to this planning scheme in the design of buildings and spaces, including:</p> <ul style="list-style-type: none"> • opportunities for surveillance; • clear definition of boundaries between private and public spaces; and • robust construction materials.



(vii) Vegetation Management and Landscaping

Specific Outcomes		Self-assessable Solutions	
O10	Development does not impact adversely on ecological or landscape values of land.	S10	Development does not result in clearing within 100 metres of any wetland or waterway.
O11	<p>Landscaping is designed, established and maintained in a manner to:</p> <ul style="list-style-type: none"> • be an appropriate scale relative both to the width of the street reserve and to the size and nature of development, • incorporate significant existing vegetation where possible, • be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and drainage, • allow adequate lighting and pedestrian and vehicular safety, • effectively screen storage and service areas from views from outside the site, and • provide visual relief and shade, particularly throughout open parking areas. • minimise impact on electricity infrastructure. 	S11	<p>(a) Landscaping near electric lines or substations is designed, installed and maintained so that at maturity, it does not exceed 4 metres in height on land:</p> <ul style="list-style-type: none"> (i) in an electric line shadow; or (ii) within 5 metres of an electric line shadow; or (iii) within 5 metres of the boundary of a substation. <p>(b) On land adjoining an electricity substation, landscaping is setback so that vegetation foliage at maturity is a minimum of 3 metres from the common boundary.</p>

(viii) Cultural Heritage Values

Specific Outcomes	
O12	Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detracting, public accessibility or physical change, damage or removal.

(ix) Steep Land Management

Specific Outcomes		Self-assessable Solutions	
O13	Public safety, lives and property are not placed at unacceptable levels of risk through inappropriately designed development on land with excessive slope or geological instability.	S13	<p>(a) Buildings and structures are located on a site with natural ground level slopes that do not exceed 15%.</p> <p>(b) Slopes greater than 15% are not cleared.</p>



(x) Flood Immunity²⁵

Specific Outcomes

O14 Land on which buildings and structures associated with development nominated in Column 1 of Schedule 7 will be constructed, is immune from a flood event of at least the annual exceedence probability specified in Column 2 of Schedule 7 for the development.

(xi) Vehicle Parking and Movement

Specific Outcomes

Self-assessable Solutions

<p>O15 Development is provided with on-site parking and movement system designed and constructed to:</p> <ul style="list-style-type: none"> ▶ integrate with the site layout including: <ul style="list-style-type: none"> – direct access to a road²⁶ providing a level of service required to accommodate traffic generated by the use, and – appropriately designed footpath crossovers, and – provision for safe pedestrian movement between the public footpath and facility entry points; and ▶ accommodate all modes of transport generated by the use; and ▶ facilitate non discriminatory accessibility; and ▶ provide for safe and efficient loading and unloading of goods; and ▶ allow for vehicular queuing necessary for the use; and ▶ provide for passenger set down/pick up necessary for the use. 	<p>S15 (a) Parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme. <p>(b) Loading/unloading facilities are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme;</p> <p>(c) Vehicle queuing and set-down/pick-up areas are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme; and</p> <p>(d) Vehicular access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(e) Pedestrian access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(f) Bicycle parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.
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²⁵ The flood immunity parameters listed in Schedule 7 include consideration of storm surge hazard. For further information that may assist applicants including mapping showing projected events refer to *Bowen Shire Storm Tide Study – Final Report* (September 2004).

²⁶ Approval is required under the *Transport Infrastructure Act 1994* for any access to a State-controlled Road.



(b) Infrastructure

Specific Outcomes	Self-assessable Solutions
<p>O16 Water supply, wastewater and sullage, drainage, roads, power and communications are provided to meet the appropriate standards of service and construction at least whole-of-life cost, which:</p> <ul style="list-style-type: none"> ▶ comprise components and materials that are: <ul style="list-style-type: none"> – readily accessible and available; and – robust and reliable in terms of operational life and purpose; and – easily maintained without unnecessarily requiring specialist expertise or equipment; and ▶ are integrated with the design, construction and operation of existing systems and facilitate orderly provision of future systems. 	<p>S16 Water supply, wastewater and sullage, drainage, roads, power and communications are:</p> <ul style="list-style-type: none"> (a) provided to meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme, and (b) constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme.



Division 4 – Residential Zone

3.6 Table of Assessment Categories and Assessment Criteria

Table 4A – Material Change of Use

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) EXEMPT DEVELOPMENT:		
Park	Exempt All circumstances	
Road	Exempt All circumstances	
(2) SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT WITHIN THE ZONE:		
(a) If for any of the following defined uses:		
Advertising hoarding	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Residential Zone Code ▶ Signs Code
Annexed apartment	Self-assessable If in the R2 precinct Code assessable If: <ul style="list-style-type: none"> ▶ nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes; or ▶ in the R1 precinct 	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Residential Zone Code ▶ Annexed Apartment Code
Bed and breakfast	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Residential Zone Code ▶ Short-term Accommodation Code
Caretaker's residence	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Residential Zone Code ▶ Caretaker's Residence Code
Display home	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Residential Zone Code ▶ Display Home Code
Dual occupancy	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Residential Zone Code ▶ Dual Occupancy Code



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
Dwelling house	<p>Self-assessable If on a lot (or proposed lot) 600m² or greater</p> <p>Code assessable If:</p> <ul style="list-style-type: none"> ▶ nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes; or ▶ on a lot (or proposed lot) greater than 400 m² but less than 600 m² 	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Residential Zone Code
Home based business	<p>Self-assessable If in the R2 precinct</p> <p>Code assessable If:</p> <ul style="list-style-type: none"> ▶ nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes; or ▶ in the R1 precinct 	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Residential Zone Code ▶ Home-based Business Code
Local utility	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Residential Zone Code
Retirement village	<p>Code assessable If in the R2 precinct</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Residential Code ▶ Multiple Dwelling Unit and Retirement Village Code
Shop	<p>Code assessable If providing only for the convenience shopping needs²⁷ of residents within its immediate catchment and not exceeding 100m² gross floor area.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Residential Zone Code
Special purpose	<p>Code assessable If for the purposes of a community hall or community centre.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Residential Zone Code
<p>(b) If for:</p> <ul style="list-style-type: none"> (i) a defined use listed in (a) above, but not meeting the specified circumstance listed in Column 2 in (a) above for the nominated level of assessment, or (ii) a use not listed in (a) above or not defined in this planning scheme, or (iii) a use for land in the Tourism Residential (TR) precinct: 		
All	<p>Impact assessable All circumstances</p>	

²⁷ Refer to Division 2 of Schedule 1 to this planning scheme for what is meant by the term “convenience shopping needs”.



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(3) ASSESSABLE DEVELOPMENT AFFECTED BY A SPECIAL MANAGEMENT AREA:		
All	<p>Code assessable</p> <p>If:</p> <p>(a) in a special management area identified on Overlay Maps O1 to O5 and O7;</p> <p>or</p> <p>(b) adjacent²⁸ to:</p> <p>(i) a Protected Area Special Management Area on Overlay Map O1; or</p> <p>(ii) a Good Quality Agricultural Land Special Management Area on Overlay Map O2; or</p> <p>(iii) a Waterway Special Management Area on Overlay Map O7; or</p> <p>(iv) a Wetlands Special Management Area on Overlay Map O7;</p> <p>or</p> <p>(c) in the Acid Sulfate Soils Special Management Area on Overlay Map O6:</p> <p>(i) located:</p> <ul style="list-style-type: none"> - at or below 5m AHD; or - below 20m AHD where construction will involve excavation below 5m AHD; <p>and</p> <p>(ii) involving:</p> <ul style="list-style-type: none"> - excavating or otherwise removing 100m³ or more of material; or - filling on land below 5m AHD involving 500m³ or more of material with an average depth of 0.5m or more. <p>or</p> <p>(d) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> • Residential Zone Code • All specific use or issue codes applicable to the proposal under (2)(a) above <p>and</p> <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> • Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located <p>For circumstance (c):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area <p>For circumstance (d):</p> <ul style="list-style-type: none"> • Cultural Features Code

²⁸ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Table 4B – Development other than Material Change of Use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria (Applicable Codes)
(1) BUILDING WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All, except for Minor building work	<p>Code assessable</p> <p>If:</p> <ul style="list-style-type: none"> (a) involving construction of a Class 1a²⁹ building on land with natural ground level slopes greater than 15%; or (b) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme and involving: <ul style="list-style-type: none"> (i) the construction of any new building or structure, or (ii) the demolition, removal or alteration of any existing building or structure; or (c) in the Don River Flood Plain Special Management Area on Overlay Map O4, or (d) in the Storm Surge Hazard Special Management Area on Overlay Map O5, or (e) in the Acid Sulfate Soils Special Management Area on Overlay Map O6; or (f) in the Aviation Facilities Special Management Area on Overlay Map O1; or (g) in the Bushfire Hazard Special Management Area on Overlay Map O3; or (h) involving construction of an Outbuilding³⁰ greater than 72m² floor area. 	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> • Residential Zone Code <p>For circumstance (b):</p> <ul style="list-style-type: none"> • Cultural Features Code <p>For circumstance (c):</p> <ul style="list-style-type: none"> • Natural Features Code – Element (c) – Don River Flood Plain Special Management Area <p>For circumstance (d):</p> <ul style="list-style-type: none"> • Natural Features Code – Element (d) – Storm Surge Hazard Special Management Area <p>For circumstance (e):</p> <ul style="list-style-type: none"> • Natural Features Code – Element (b) – Acid Sulfate Soils Special Management Area) <p>For circumstance (f):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (i) – Aviation Facilities Special Management Area) <p>For circumstance (g):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (j) – Bushfire Hazard Special Management Area)

²⁹ As defined in the BCA.

³⁰ Refer Division 2 of Schedule 1 to this planning scheme for the meaning of “Outbuilding”.



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria (Applicable Codes)
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Clearing	<p>Code assessable Other than in association with a self-assessable use or an approved assessable use.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Clearing Code
Placement of an On-premises sign	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions for the Signs Code</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Signs Code
Engineering work	<p>Code assessable If:</p> <ul style="list-style-type: none"> (a) in a special management area on Overlay Maps O6 or O7; or (b) adjacent³¹ to a Protected Areas Special Management Area on Overlay Map O1; or (c) involving excavation to a depth greater than one (1) metre; or (d) involving filling of land involving a quantity of fill 20m³ or greater. <p>Impact assessable If involving extraction of gravel, rock, sand, soil, stone or other similar material not used in connection with construction of the premises.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> ▶ Residential Zone Code <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located. <p>For circumstances (c) and (d):</p> <ul style="list-style-type: none"> ▶ Filling and Excavation Code
(3) OPERATIONAL WORK ASSOCIATED WITH RECONFIGURING:		
All	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Residential Zone Code ▶ Clearing Code ▶ Filling and Excavation Code ▶ Signs Code <p>If in a special management area identified on the Natural Features or Resources Overlay:</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.

³¹ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria (Applicable Codes)
(4) RECONFIGURING A LOT:		
All	<p>Code assessable All circumstances except if impact assessable</p> <p>Impact assessable If proposed lot is less than 400 m² and not associated with a Material Change of Use</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Residential Zone Code <p>If in a special management area identified on the Natural Features or Resources Overlay:</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.
(5) OTHER:		
All	<p>Exempt All circumstances</p>	

3.7 Residential Zone Code

(1) Purpose

- (a) The purpose of the Residential Zone Code is the achievement of the overall outcomes sought for the Residential Zone.
- (b) The overall outcomes sought for the Residential Zone are:
 - (i) Residential areas are characterised by high levels of amenity and provide attractive living environments;
 - (ii) Development for residential purposes comprises:
 - (A) a range of residential accommodation styles including long-term and short-term accommodation,
 - (B) long-term and short-term accommodation located appropriately in relation to densities nominated in this code,
 - (C) well designed residential development which is sensitive to climatic conditions and provides for the retention of natural features like creeks, gullies, waterways, coastal zone and vegetation;
 - (D) an open space system including formalisation of recreational and movement opportunities where appropriate;
 - (iii) Development is provided with physical and social infrastructure commensurate with the scale and density of development;



- (iv) Non-residential uses locating in a residential area comprise purposes of a local business/community nature which support the enjoyment of residential areas by residents but do not detract from the character and amenity of localities in which they are established;
- (v) Development does not adversely impact on the environmental values of the site and its surroundings.
- (vi) Development is designed to achieve safe and efficient access for vehicles, pedestrians and cyclists.

(2) Elements

- (a) Land Use and Development
 - (i) Consistent Uses

Specific Outcomes

- O1 (a) Only uses are consistent with the overall outcomes for, and preferred for development within the Residential Zone, are established in the zone.
- (b) The following uses are consistent with, and preferred within the Residential Zone:
 - (i) Residential Purposes comprising long-term accommodation located as follows:

Accommodation Type	Preferred Locations (Precinct)
Annexed apartment	R1 & R2
Dual occupancy	R1 - on lots with not less than 1000m ² and 20 metres frontage R2
Dwelling House	R1 & R2
Multiple dwelling units	R2
Retirement village	R2

- (ii) Residential Purposes comprising short-term accommodation located as follows:

Accommodation Type	Preferred Locations (Precinct)
Accommodation building	R2 & TR
Bed and breakfast	R1 & R2
Caravan park	R2
Institutional residence	R2

- (iii) Residential Purposes comprising associated activities located as follows:

Accommodation Type	Preferred Locations (Precinct)
Caretaker's residence	Subservient to a dominant use of premises
Display home	R1 & R2
Home-based business	Subservient to a dwelling unit



Specific Outcomes

O2 Provided the following uses are developed:

- ▶ to be compatible with surrounding residential purposes by being of similar scale, intensity and character;
- ▶ to support preferred uses; and
- ▶ to not adversely affect the amenity of the locality;

they are consistent within the Residential Zone:

- (a) Local utility;
- (b) Shop (not exceeding 100m² gross floor area and providing only for convenience shopping needs of residents within its immediate catchment); or
- (c) Special purpose (being a community hall or centre).

(ii) Inconsistent Uses

Specific Outcomes

O3 Uses other than:

- ▶ preferred uses nominated in O1; or
- ▶ consistent uses developed to comply with the provisos set out in O2;

do not establish in the Residential Zone, do not comply with the overall outcomes sought for the Residential Zone and conflict with this code.

(iii) Subdivision Design

Specific Outcomes	Self-assessable Solutions
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<p>O4 Reconfigured lots are designed and developed with:</p> <ul style="list-style-type: none"> ▶ sufficient area and suitable proportions for preferred or consistent uses; ▶ adequate frontage for safe and convenient vehicular and pedestrian access; ▶ suitable areas within each lot for the location of relevant activities and works; ▶ convenient access to parks and open space networks; <p>and:</p> <ul style="list-style-type: none"> ▶ do not expose people and works to unacceptable risks from bushfire, landslip, flooding or other natural hazards. 	<p>S4 (a) Other than reconfiguring for a Community Titles Scheme, allotments are developed with areas and dimensions that comply with the design standards set out in Table S3 below.</p> <p>(b) For reconfiguring involving a Community Titles Scheme:</p> <ol style="list-style-type: none"> (i) the number of lots on the Standard Format Plan comprising the Community Titles Scheme does not exceed the number of allotments complying with the design standards set out in Table S3, unless, (ii) the number of lots on the Standard Format Plan accords with the density of development given by a prior related Development Permit for Material Change of Use.
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Specific Outcomes	Self-assessable Solutions
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Table S3 – Design Standards for Subdivision in the Residential Zone

Column 1 Precinct	Column 2 Minimum Lot Size (m ²)	Column 3 Minimum Frontage (metres)
R1	(c) 600m ² , unless (b) applies (d) If subsequent to a Development Permit for Material Change of Use for an integrated house and land project ³² : 300m ²	▶ 18 metres ▶ 10 metres
R2	(a) 1,000m ² , unless (b) applies (b) If subsequent to a Development Permit for Material Change of Use for an integrated house and land project ³¹ : 300m ²	▶ 20 metres ▶ 10 metres

(iv) Residential Density

Specific Outcomes	Self-assessable Solutions
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O5 Density of residential development is compatible with local amenity expressed by the overall outcomes sought for the Residential Zone.	S5 (a) No more than one (1) Dwelling house is constructed on a lot. (b) In the R2 precinct, residential densities do not exceed the following:
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No. of Bedrooms per Dwelling or Rooming Unit	Maximum Density (No. of Dwelling or Rooming Units /m ² of site area)
1 or 2	1/110m ²
3 or more	1/150m ²

³² Integrated house and land project refers to development comprising both the subdivision of land and construction of small lot housing as an integrated project starting with a large parcel and ending with completed small lot housing.



(v) Character and Amenity

Specific Outcomes	Self-assessable Solutions
<p>O6 Uses and works are located, designed and operated to minimise adverse impacts on:</p> <ul style="list-style-type: none"> ▶ existing environmental conditions relating to air, water and soil, ▶ the amenity of adjacent properties and public spaces, ▶ significant local and distant views or prominent natural features and landmarks, ▶ the health, safety and amenity of people using the premises and adjacent premises; and ▶ existing community infrastructure³³. 	<p>S6 (a) Non-residential purposes are buffered from adjoining properties used for residential purposes by provision of a:</p> <ul style="list-style-type: none"> (i) 1.8 metre high solid screen fence along common boundaries; and (ii) 6 metre wide area of landscaping along the full length of the road frontage/s (with the exception of the vehicle accessway); and (iii) 3 metre wide area of landscaping adjacent to the full length of other boundaries. <p>(b) Mechanical plant and equipment, waste collection and on-site storage areas are fully screened from view at the property boundary.</p> <p>(c) Outdoor lighting is designed, constructed and operated in accordance with <i>Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting</i>.</p> <p>(d) Earthworks and buildings/structures (other than for play equipment or fencing) are sited a minimum of 100 metres from any wetland or waterway.</p> <p>(e) Sensitive receptors are setback from the most proximate boundary of a High Voltage Electricity Transmission Line Easement as follows:</p> <ul style="list-style-type: none"> (i) 20 metres for transmission lines up to 132kV; (ii) 30 metres for transmission lines between 133kV and 275kV; and (iii) 40 metres for transmission lines greater than 275kV.

³³ Refer to *Electrical Safety Act 2002* and *Electrical Safety Regulation 2002* for obligations pertaining to safety obligations and requirements for development that affects electrical infrastructure.



Specific Outcomes	Self-assessable Solutions
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- O7 Uses and works are located, designed and operated to prevent adverse impacts on the existing quality of the groundwater, streams and surface water storages of the Shire and which provide:
- ▶ bunding, impervious surfaces and integrated drainage and treatment systems to manage water borne pollutants; and
 - ▶ properly designed and constructed, secure, sealed storage facilities for temporary onsite storage of liquid wastes, including waste water pending discharge to a sewer or removal from the site for treatment and disposal at a lawful facility.

- O8 Building and structures are:
- ▶ of a type and scale which have an attractive, functional appearance;
 - ▶ constructed of materials and finishes contemporary to the area;
 - ▶ integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, outlook and off-street parking; and
 - ▶ designed to adequately screen materials stored outside buildings when viewed from adjacent premises and public spaces.

- S8 (a) Height:
- (i) Buildings and structures (other than supply network infrastructure) do not exceed the maximum height specified below:

Precinct	Maximum Height (metres)	
R1	All buildings and structures	8.5 metres
R2	Dual occupancies:	8.5 metres
	All other buildings or structures:	12 metres

(ii) Supply network infrastructure does not exceed 20 metres in height.

- (b) Setbacks:
- For buildings used for a residential purpose (other than a Dwelling house³⁴), the minimum setback is:

Circumstance	Minimum Setback Distance (metres)
If fronting or otherwise adjoining a major transport corridor	10 metres
Road frontage/s	6 metres
Side and Rear Boundaries	No solution specified

³⁴ Setbacks for a Dwelling house are specified in the *Standard Building Regulation 1993*.



Specific Outcomes	Self-assessable Solutions
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(c) Site Cover

The total site coverage for buildings and structures does not exceed:

Precinct	Height of Building (metres)	Maximum Site Cover (%)
R1	All	50%
R2	8.5 metres or less	40%
	8.6 – 12 metres	35%

(d) Outbuildings

(i) Outbuildings do not exceed:

- 72m² gross floor area; and
- 4.5 metres in height; and
- 9 metres wall length in one plane.

(ii) Exterior metal cladding comprises only pre-painted surfaces (e.g., Colorbond® or similar product).

(vi) Safety and Security

Specific Outcomes	Self-assessable Solutions
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O9 Personal safety and property security are optimised by incorporating features nominated in Schedule 6 to this planning scheme in the design of buildings and spaces, including:

- ▶ opportunities for surveillance;
- ▶ clear definition of boundaries between private and public spaces; and
- ▶ robust construction materials.

(vii) Vegetation Management and Landscaping

Specific Outcomes	Self-assessable Solutions
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O10 Development does not impact adversely on ecological or landscape values of land.	S10 Development does not result in clearing within 100 metres of any wetland or waterway.
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Specific Outcomes	Self-assessable Solutions
<p>O11 Landscaping is designed, established and maintained in a manner to:</p> <ul style="list-style-type: none"> • be an appropriate scale relative both to the width of the street reserve and to the size and nature of development, • incorporate significant existing vegetation where possible, • be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and drainage, • allow adequate lighting and pedestrian and vehicular safety, • effectively screen storage and service areas from views from outside the site, and • provide visual relief and shade, particularly throughout open parking areas. • minimise impact on electricity infrastructure. 	<p>S11 (a) Landscaping near electric lines or substations is designed, installed and maintained so that at maturity, it does not exceed 4 metres in height on land:</p> <ul style="list-style-type: none"> (i) in an electric line shadow; or (ii) within 5 metres of an electric line shadow; or (iii) within 5 metres of the boundary of a substation. <p>(b) On land adjoining an electricity substation, landscaping is setback so that vegetation foliage at maturity is a minimum of 3 metres from the common boundary.</p>

(viii) Cultural Heritage Values

Specific Outcomes
<p>O12 Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detracting, public accessibility or physical change, damage or removal.</p>

(ix) Steep Land Management

Specific Outcomes	Self-assessable Solutions
<p>O13 Public safety, lives and property are not placed at unacceptable levels of risk through inappropriately designed development on land with excessive slope or geological instability.</p>	<p>S13 (a) Buildings and structures are located on a site with natural ground level slopes that do not exceed 15%.</p> <p>(b) Slopes greater than 15% are not cleared.</p>



(x) Flood Immunity³⁵

Specific Outcomes

O14 Land on which buildings and structures associated with development nominated in Column 1 of Schedule 7 will be constructed, is immune from a flood event of at least the annual exceedence probability specified in Column 2 of Schedule 7 for the development.

(xi) Vehicle Parking and Movement

Specific Outcomes

Self-assessable Solutions

<p>O15 Development is provided with on-site parking and movement system designed and constructed to:</p> <ul style="list-style-type: none"> • integrate with the site layout including: <ul style="list-style-type: none"> – direct access to a road³⁶ providing a level of service required to accommodate traffic generated by the use, and – appropriately designed footpath crossovers, and – provision for safe pedestrian movement between the public footpath and facility entry points; and • accommodate all modes of transport generated by the use; and • facilitate non discriminatory accessibility; and • provide for safe and efficient loading and unloading of goods; and • allow for vehicular queuing necessary for the use; and • provide for passenger set down/pick up necessary for the use. 	<p>S15 (a) Parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme. <p>(b) Loading/unloading facilities are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.</p> <p>(c) Vehicle queuing and set-down/pick-up areas are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.</p> <p>(d) Vehicular access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(e) Pedestrian access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(f) Bicycle parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.
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³⁵ The flood immunity parameters listed in Schedule 7 include consideration of storm surge hazard. For further information that may assist applicants including mapping showing projected events refer to *Bowen Shire Storm Tide Study – Final Report* (September 2004).

³⁶ Approval is required under the *Transport Infrastructure Act 1994* for any access to a State-controlled Road.



(b) Infrastructure

Specific Outcomes	Self-assessable Solutions
<p>O16 Water supply, sewerage, drainage, roads, pathways, power and communications is provided to meet the appropriate standards of service and construction at least whole-of-life cost, which:</p> <ul style="list-style-type: none"> ▶ comprise components and materials that are: <ul style="list-style-type: none"> – readily accessible and available; and – robust and reliable in terms of operational life and purpose; and – easily maintained without unnecessarily requiring specialist expertise or equipment; and ▶ are integrated with the design, construction and operation of existing systems and facilitate orderly provision of future systems. 	<p>S16 Water supply, sewerage, drainage, roads, power and communications are:</p> <ul style="list-style-type: none"> (a) provided to meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme, and (b) constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme.



Division 5 – Business Zone

3.8 Table of Assessment Categories and Assessment Criteria

Table 5A – Material Change of Use

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) EXEMPT DEVELOPMENT:		
Park	Exempt All circumstances	
Road	Exempt All circumstances	
(2) SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT WITHIN THE ZONE:		
(a) If for any of the following defined purposes:		
Adult products shop	Code assessable If in the Central Business Precinct	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code
Advertising hoarding	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code ▶ Signs Code
Caretaker’s residence	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code ▶ Caretaker’s Residence Code
Child care centre	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code ▶ Child Care Centre Code
Funeral parlour	Code assessable If in the Central Business Precinct	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code
Garden Centre	Code assessable If in the Central Business Precinct	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code
Health centre	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code
Hotel	Code assessable If in the Central Business Precinct	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code
Indoor entertainment	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code
Light industry	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code
Local utility	Self-assessable All circumstances except if Code assessable Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Business Zone Code

Commencement date: 1 June, 2006



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
Market	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Business Zone Code ▶ Market Code
Office	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Business Zone Code
Produce store	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Business Zone Code
Restaurant	<p>Self-assessable If in the Central Business precinct</p> <p>Code assessable If:</p> <ul style="list-style-type: none"> ▶ nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes; or ▶ outside the Central Business precinct. 	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Business Zone Code
Shop	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Business Zone Code
Showroom	<p>Self-assessable If in the Central Business precinct</p> <p>Code assessable If:</p> <ul style="list-style-type: none"> ▶ nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes; or ▶ outside the Central Business precinct. 	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Business Zone Code
Take-away food store	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Business Zone Code



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
Veterinary surgery	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Business Zone Code
<p>(b) If for:</p> <ul style="list-style-type: none"> (i) a defined use listed in (a) above, but not meeting the specified circumstance listed in Column 2 in (a) above for the nominated level of assessment, or (ii) a use not listed in (a) above or not defined in this planning scheme: 		
All	<p>Impact assessable All circumstances</p>	



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(3) ASSESSABLE DEVELOPMENT WITHIN A SPECIAL MANAGEMENT AREA:		
All	<p>Code assessable</p> <p>If:</p> <p>(a) in a special management area on Overlay Maps O1 to O5 and O7;</p> <p>or</p> <p>(b) adjacent³⁷ to:</p> <p>(i) a Protected Area Special Management Area on Overlay Map O1; or</p> <p>(ii) a Good Quality Agricultural Land Special Management Area on Overlay Map O2; or</p> <p>(iii) a Waterway Special Management Area on Overlay Map O7; or</p> <p>(iv) a Wetlands Special Management Area on Overlay Map O7;</p> <p>or</p> <p>(c) in the Acid Sulfate Soils Special Management Area on Overlay Map O6:</p> <p>(i) located:</p> <ul style="list-style-type: none"> - at or below 5m AHD; or - below 20m AHD where construction will involve excavation below 5m AHD; <p>and</p> <p>(ii) involving:</p> <ul style="list-style-type: none"> - excavating or otherwise removing 100m³ or more of material; or - filling on land below 5m AHD involving 500m³ or more of material with an average depth of 0.5m or more. <p>or</p> <p>(d) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> ▶ Business Zone Code ▶ All specific use or issue codes applicable to the proposal under (2)(a) above <p>and</p> <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located <p>For circumstance (c):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area <p>For circumstance (d):</p> <ul style="list-style-type: none"> ▶ Cultural Features Code

³⁷ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



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:		
All except Minor building work	<p>Code assessable</p> <p>If:</p> <p>(a) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme and involving:</p> <p style="margin-left: 20px;">(i) the construction of any new building or structure, or</p> <p style="margin-left: 20px;">(ii) the demolition, removal or alteration of any building or structure; or</p> <p>(b) in the Don River Flood Plain Special Management Area on Overlay Map O4; or</p> <p>(c) in the Storm Surge Hazard Special Management Area on Overlay Map O5; or</p> <p>(d) in the Acid Sulfate Soils Special Management Area on Overlay Map O6; or</p> <p>(e) in the Aviation Facilities Special Management Area on Overlay Map O1; or</p> <p>(f) in the Bushfire Hazard Special Management Area on Overlay Map O3.</p>	<p>For all circumstances:</p> <ul style="list-style-type: none"> • Business Zone Code <p>For circumstance (a):</p> <ul style="list-style-type: none"> • Cultural Features Code <p>For circumstance (b):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (c) – Don River Flood Plain Special Management Area) <p>For circumstance (d):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (e) – Storm Surge Hazard Special Management Area) <p>For circumstance (d):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area) <p>For circumstance (e):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (i) – Aviation Facilities Special Management Area) <p>For circumstance (f):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (j) – Bushfire Hazard Special Management Area)
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Clearing	<p>Code assessable</p> <p>Other than in association with a self-assessable use or an approved assessable use.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> • Clearing Code



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
Placement of an On-premises sign	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Signs Code
Engineering work	<p>Code assessable</p> <p>If:</p> <p>(a) in a special management area on Overlay Maps O6 or O7; or</p> <p>(b) adjacent³⁸ to a Protected Areas Special Management Area on Overlay Map O1; or</p> <p>(c) involving excavation to a depth greater than one (1) metre; or</p> <p>(d) involving filling of land involving a quantity of fill 20m³ or greater.</p> <p>Impact assessable</p> <p>If involving extraction of gravel, rock, sand, soil, stone or other similar material not used in connection with construction of the premises.</p>	<p>For all circumstances:</p> <ul style="list-style-type: none"> ▶ Business Zone Code <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located. <p>For circumstances (c) and (d):</p> <ul style="list-style-type: none"> ▶ Filling and Excavation Code
(3) OPERATIONAL WORK ASSOCIATED WITH RECONFIGURING:		
All	<p>Code assessable</p> <p>All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Business Zone Code ▶ Clearing Code ▶ Filling and Excavation Code ▶ Signs Code <p>If in a special management area identified on the Natural Features or Resources Overlay:</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.

³⁸ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(4) RECONFIGURING A LOT:		
All	Code assessable All circumstances	<ul style="list-style-type: none"> ▶ Business Zone Code <p>If in a special management area identified on the Natural Features or Resources Overlay:</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.
(5) OTHER:		
All	Exempt All circumstances	

3.9 Business Zone Code

(1) Purpose

- (a) The purpose of the Business Zone Code is the achievement of the overall outcomes of the Business Zone Code.
- (b) The overall outcomes sought for the Business Zone are:
 - (i) Development of the business centres nominated in Column 1 of Table 5C fulfil the specific functions assigned to that type of centre identified in Column 2 without exceeding the floorspace index nominated in Column 3 of the table:

Table 5C – Centres Hierarchy

Column 1 Location	Column 2 Centre Function	Column 3 Maximum Gross Floorspace ³⁹ (Square Metres - m ²)
Bowen	District Centre	10,000m ²
Collinsville	Convenience Centre	1,000 m ²
Gumlu	Local Store	150 m ²
Guthalungra	Local Store	150 m ²
Merinda	Local Store	150 m ²
Mt Coolon	Local Store	150 m ²

- (ii) Development of business centres is characterised by:
 - (A) building layout and form is suitable to accommodate the range of consistent uses, and

³⁹ To remove any doubt, reference in Column 3 is made to the sum of all development for retail premises in the related centre, and not to each individual development comprised of retail premises in that location.



- (B) the provision of infrastructure services commensurate with the type and scale of development, and
 - (C) premises that are designed, constructed and operated to be sympathetic to the surrounding natural and built environment by:
 - integrating existing mature vegetation within landscape design to mitigate adverse visual effects of new buildings on streetscape and the surrounding environment; and
 - contributing to the retention or attainment of a desirable streetscape and character; and
 - (D) buildings with a high standard of finish contributing to attractive and safe urban spaces.
- (iii) Buildings and structures are not higher than 12 metres.
- (2) Elements
- (a) Land Use and Development
 - (i) Consistent Uses

Specific Outcomes

- O1 (a) Only uses consistent with the overall outcomes for, and preferred for development within, the Business Zone are established in the zone.
- (b) The following uses and use classes are consistent with, and preferred within the Business Zone:
- (i) In the Central Business precinct, all Commercial Purposes.
 - (ii) In the Local Business precinct, all Commercial Purposes other than:
 - Adult products shop;
 - Funeral parlour;
 - Garden centre;
 - Hotel; or
 - Showroom.
- O2 Provided the following uses are developed:
- to be compatible with surrounding commercial purposes by being of similar scale, intensity and character;
 - to support preferred uses; and
 - to not adversely affect the amenity of the locality; or
 - to provide recreational or community facilities that are more appropriately located in the Business Zone;
- they are consistent within the Business Zone:



Specific Outcomes

- (a) In the Central Business precinct:
 - (i) Accommodation building;
 - (ii) Caretaker’s residence;
 - (iii) Car park;
 - (iv) Car wash;
 - (v) Child care centre;
 - (vi) Indoor entertainment;
 - (vii) Light industry (if located within an existing building and not exceeding 100m² gross floor area);
 - (viii) Local utility;
 - (ix) Special purpose;
 - (x) Telecommunications facility (medium impact); or
 - (xi) Transport terminal.
- (b) In the Local Business precinct:
 - (i) Caretaker’s residence;
 - (ii) Local utility; or
 - (iii) Telecommunications facility (medium impact).

(ii) Inconsistent Uses

Specific Outcomes

- O3 Uses other than:
- ▶ preferred uses nominated in O1, or
 - ▶ consistent uses developed to comply with the provisos set out in O2;
- do not establish in the Business Zone, do not comply with the overall outcomes sought for the Business Zone and conflict with this code.

(iii) Subdivision Design

Specific Outcomes	Self-assessable Solutions
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<p>O4 Reconfigured lots are designed and developed with:</p> <ul style="list-style-type: none"> ▶ sufficient area and suitable proportions for preferred or consistent uses; ▶ adequate frontage for safe and convenient vehicular and pedestrian access; ▶ suitable areas within each lot for the location of relevant activities and works; <p>and:</p> <ul style="list-style-type: none"> ▶ do not expose people and works to unacceptable risks from bushfire, landslip, flooding or other natural hazards. 	<p>S4</p> <ul style="list-style-type: none"> (a) Other than reconfiguring for a Community Titles Scheme, allotments are developed with areas and dimensions that comply with the design standards set out in Table S4 below. (b) For reconfiguring involving a Community Titles Scheme: <ul style="list-style-type: none"> (i) the number of lots on the Standard Format Plan comprising the Community Titles Scheme does not exceed the number of allotments complying with the design standards set out in Table S4 below; unless, (ii) the number of lots on the Standard Format Plan accords with the density of development given by a prior related Development Permit for Material Change of Use.
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Specific Outcomes	Self-assessable Solutions
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Table S4 – Design Standards for Subdivision in the Business Zone

Column 1 Minimum Lot Size (m ²)	Column 2 Minimum Frontage (metres)	Column 3 Minimum Depth (metres)
500 m ²	10 metres	20 metres

(iv) Residential Density

Specific Outcomes	Self-assessable Solutions
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<p>O5 Density of residential development is compatible with local amenity expressed by the overall outcomes sought for the Business Zone.</p>	<p>S5 Multi-unit residential purposes do not exceed the following maximum densities:</p>
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Location	Maximum Density (Dwelling or Rooming Units per m ² of site area)
Area bounded by Powell, Herbert, Dalrymple and Gregory Streets	1 / 75m ²
Otherwise	1 / 100m ²

(v) Character and Amenity

Specific Outcomes	Self-assessable Solutions
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<p>O6 Uses and works are located, designed and operated to minimise adverse impacts on:</p> <ul style="list-style-type: none"> • existing environmental conditions relating to air, water and soil, • the amenity of adjacent properties and public spaces, • significant local and distant views or prominent natural features and landmarks, • the health, safety and amenity of people using the premises and adjacent premises; and • existing community infrastructure⁴⁰. 	<p>S6</p> <ol style="list-style-type: none"> (a) Mechanical plant and equipment are fully screened from view at the property boundary. (b) Outdoor lighting is designed, constructed and operated in accordance with <i>Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting</i>. (c) Refuse bins are located within purpose dedicated areas sited at least 5 metres from an adjoining residential boundary. (d) Sensitive receptors are setback from the most proximate boundary of a High Voltage Electricity Transmission Line Easement as follows: <ol style="list-style-type: none"> (i) 20 metres for transmission lines up to 132kV; (ii) 30 metres for transmission lines between 133kV and 275kV; and (iii) 40 metres for transmission lines greater than 275kV.
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⁴⁰ Refer to *Electrical Safety Act 2002* and *Electrical Safety Regulation 2002* for obligations pertaining to safety obligations and requirements for development that affects electrical infrastructure.



Specific Outcomes	Self-assessable Solutions
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O7 Uses and works are located, designed and operated to prevent adverse impacts on the existing quality of the groundwater, streams and surface water storages of the Shire and which provide:

- bunding, impervious surfaces and integrated drainage and treatment systems to manage water borne pollutants; and
- properly designed and constructed, secure, sealed storage facilities for temporary onsite storage of liquid wastes, including waste water pending discharge to a sewer or removal from the site for treatment and disposal at a lawful facility.

O8 Building and structures are:

- of a type and scale which have an attractive, functional appearance;
- designed so that the building form, roof form, detailing and materials visible from public areas and adjoining properties are not in strong visual contrast or in conflict with the character of attractive neighbouring buildings;
- designed to have a dominant roof form when viewed from the street and adjoining properties, which responds to Bowen’s tropical climate and rainfall conditions;
- constructed of materials and finishes contemporary to the area;
- integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, outlook and off-street parking;
- designed to adequately screen materials stored outside buildings when viewed from adjacent premises and public spaces; and
- designed to provide opportunities for ground floor reuse and adaptation for commercial purposes.

S8 (a) Height

- (i) Buildings do not exceed 12 metres in height;
- (ii) Supply network infrastructure does not exceed 20 metres in height;
- (iii) Other structures do not exceed 12 metres in height;
- (iv) Building ground floors have a floor to ceiling height of at least 4 metres.

(b) Setbacks

- (i) In the Central Business precinct, buildings and structures (other than supply network infrastructure) are setback in accordance with the following:

Circumstance	Minimum setback (metres)
At ground level setback from the road frontage/s	0 metres
Above ground level, setback from the road frontage/s	3 metres
If adjoining land in the Residential Zone	3 metres or half the height of the building, whichever is the greater



Specific Outcomes	Self-assessable Solutions
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(ii) In the Local Business precinct, buildings and structures (other than supply network infrastructure) are setback in accordance with the following::

Circumstance	Minimum setback (metres)
At ground level, setback from road frontage/s	3 metres
If adjoining land in the Residential Zone	3 metres or half the height of the building, whichever is the greater

- (c) Building Appearance:
 - (i) Built to boundary buildings address the road by having a main entrance and glazing facing the road;
 - (ii) Buildings on corner sites incorporate landmark elements such as decorative parapets, belfry or truncated fascia;
 - (iii) Lightweight and/or non-structural elements such as awnings, sunshading devices and privacy screening are included in the building design at all levels;
- (d) Awnings
 - (i) In the Central Business Precinct, awnings are provided over footpath space for weather protection and as a unifying element for all buildings that abut public footpaths.
 - (ii) Awnings:
 - include under-awning lighting;
 - are provided along the full length of all road frontages;
 - align with awnings on adjoining sites; and
 - do not project closer than 1 metre to the kerb line to allow for the planting of street trees.

09 Ground level parking is suitably landscaped to provide an attractive and pleasant outlook, to provide shade for parked vehicles, and to contribute towards the quality presentation of new developments.

S9 Open-air car parking areas are planted with shade trees every 6 parking bays.



Specific Outcomes	Self-assessable Solutions
O10 Buildings and structures are designed to ensure that a reasonable standard of amenity is maintained for any adjoining residential purposes.	S10 Despite any other provision of this planning scheme, if a lot adjoins land in the Residential Zone, a minimum 3 metre wide area of landscaping is provided adjacent to the full length of the common boundary/s.

(vi) Safety and Security

Specific Outcomes
O11 Personal safety and property security are optimised by incorporating features nominated in Schedule 6 to this planning scheme in the design of buildings and spaces, including: <ul style="list-style-type: none"> • opportunities for surveillance; • clear definition of boundaries between private and public spaces; and • robust construction materials.

(vii) Vegetation Management and Landscaping

Specific Outcomes	Self-assessable Solutions
O12 Development does not impact adversely on ecological or landscape values of land.	S12 Development does not result in clearing within 100 metres of any wetland or waterway.
O13 Landscaping is designed, established and maintained in a manner to: <ul style="list-style-type: none"> • be an appropriate scale relative both to the width of the street reserve and to the size and nature of development, • incorporate significant existing vegetation where possible, • be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and drainage, • allow adequate lighting and pedestrian and vehicular safety, • effectively screen storage and service areas from views from outside the site, and • provide visual relief and shade, particularly throughout open parking areas. • minimise impact on electricity infrastructure. 	S13 (a) Landscaping near electric lines or substations is designed, installed and maintained so that at maturity, it does not exceed 4 metres in height on land: <ul style="list-style-type: none"> (i) in an electric line shadow; or (ii) within 5 metres of an electric line shadow; or (iii) within 5 metres of the boundary of a substation. (b) On land adjoining an electricity substation, landscaping is setback so that vegetation foliage at maturity is a minimum of 3 metres from the common boundary.



(viii) Cultural Heritage Values

Specific Outcomes

- O14 Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detracting, public accessibility or physical change, damage or removal.

(ix) Steep Land Management

Specific Outcomes	Self-assessable Solutions
O15 Public safety, lives and property are not placed at unacceptable levels of risk through inappropriately designed development on land with excessive slope or geological instability.	S15 (a) Buildings and structures are located on a site with natural ground level slopes that do not exceed 15%. (b) Slopes greater than 15% are not cleared.

(x) Flood Immunity⁴¹

Specific Outcomes

- O16 Land on which buildings and structures associated with development nominated in Column 1 of Schedule 7 will be constructed, is immune from a flood event of at least the annual exceedence probability specified in Column 2 of Schedule 7 for the development.

⁴¹ The flood immunity parameters listed in Schedule 7 include consideration of storm surge hazard. For further information that may assist applicants including mapping showing projected events refer to *Bowen Shire Storm Tide Study – Final Report* (September 2004).



(xi) Vehicle Parking and Movement

Specific Outcomes	Self-assessable Solutions
<p>O17 Development is provided with on-site parking and movement system designed and constructed to:</p> <ul style="list-style-type: none"> <p>▶ integrate with the site layout including:</p> <ul style="list-style-type: none"> – direct access to a road⁴² providing a level of service required to accommodate traffic generated by the use, and – appropriately designed footpath crossovers, and – provision for safe pedestrian movement between the public footpath and facility entry points; and ▶ accommodate all modes of transport generated by the use; and ▶ facilitate non discriminatory accessibility; and ▶ provide for safe and efficient loading and unloading of goods; and ▶ allow for vehicular queuing necessary for the use; and ▶ provide for passenger set down/pick up necessary for the use. 	<p>S17 (a) Parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme. <p>(b) Loading/unloading facilities are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.</p> <p>(c) Vehicle queuing and set-down/pick-up areas are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.</p> <p>(d) Vehicular access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(e) Pedestrian access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(f) Bicycle parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.

⁴² Approval is required under the *Transport Infrastructure Act 1994* for any access to a State-controlled Road.



(b) Infrastructure

Specific Outcomes	Self-assessable Solutions
<p>O18 Water supply, sewerage, drainage, roads, power and communications is provided to meet the appropriate standards of service and construction at least whole-of-life cost, which:</p> <ul style="list-style-type: none"> ▶ comprise components and materials that are: <ul style="list-style-type: none"> – readily accessible and available; and – robust and reliable in terms of operational life and purpose; and – easily maintained without unnecessarily requiring specialist expertise or equipment; and ▶ are integrated with the design, construction and operation of existing systems and facilitate orderly provision of future systems. 	<p>S18 Water supply, sewerage, drainage, roads, power and communications are:</p> <ul style="list-style-type: none"> (a) provided to meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme, and (b) constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme.



Division 6 – Industry Zone

3.10 Table of Assessment Categories and Assessment Criteria

Table 6A – Material Change of Use

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) EXEMPT DEVELOPMENT:		
Park	Exempt All circumstances	
Road	Exempt All circumstances	
(2) SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT WITHIN THE ZONE:		
(a) If for any of the following defined purposes:		
Advertising hoarding	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Industry Zone Code ▶ Signs Code
Car wash	Self-assessable All circumstances except if Code assessable Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Industry Zone Code ▶ Service Station and Car Wash Code
Caretaker's residence	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Industry Zone Code
Funeral parlour	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Industry Zone Code
Garden centre	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Industry Zone Code
General industry	Self-assessable All circumstances except if Code assessable Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Industry Zone Code
Landscape supplies	Self-assessable All circumstances except if Code assessable Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Industry Zone Code



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
Light industry	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Industry Zone Code
Local utility	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Industry Zone
Machinery repair station	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Industry Zone
Produce store	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Industry Zone Code
Rural service industry	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Industry Zone Code
Sales or hire premises	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Industry Zone Code
Service station	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Industry Zone Code ▶ Service Station And Car Wash Code
Showroom	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Industry Zone Code
Storage premises	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Industry Zone Code
Take-away food store	<p>Code assessable If not exceeding 100m² gross floor area</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Industry Zone Code



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
Transport terminal	Code assessable All circumstances	<u>Applicable Codes</u> ► Industry Zone Code
Vehicle depot	Self-assessable All circumstances except if Code assessable Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes	<u>Applicable Codes</u> ► Industry Zone Code
Veterinary surgery	Code assessable All circumstances	<u>Applicable Codes</u> ► Industry Zone Code
(b) If for: (i) a defined use listed in (a) above, but not meeting the specified circumstance listed in Column 2 in (a) above for the nominated level of assessment, or (ii) a use not listed in (a) above or not defined in this planning scheme:		
All	Impact assessable All circumstances	



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(3) ASSESSABLE DEVELOPMENT AFFECTED BY A SPECIAL MANAGEMENT AREA:		
All	<p>Code assessable</p> <p>If:</p> <p>(a) in a special management area identified on Overlay Maps O1 to O5 or O7;</p> <p>or</p> <p>(b) adjacent⁴³ to:</p> <p>(i) a Protected Area Special Management Area on Overlay Map O1; or</p> <p>(ii) a Good Quality Agricultural Land Special Management Area on Overlay Map O2; or</p> <p>(iii) a Waterway Special Management Area on Overlay Map O7; or</p> <p>(iv) a Wetlands Special Management Area on Overlay Map O7;</p> <p>or</p> <p>(c) in the Acid Sulfate Soils Special Management Area on Overlay Map O6:</p> <p>(i) located:</p> <ul style="list-style-type: none"> - at or below 5m AHD; or - below 20m AHD where construction will involve excavation below 5m AHD; <p>and</p> <p>(ii) involving:</p> <ul style="list-style-type: none"> - excavating or otherwise removing 100m³ or more of material; or - filling on land below 5m AHD involving 500m³ or more of material with an average depth of 0.5m or more. <p>or</p> <p>(d) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> • Industry Zone Code • All specific use or issue codes applicable to the proposal under (2)(a) above <p>and</p> <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> • Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located <p>For circumstance (c):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area) <p>For circumstance (d):</p> <ul style="list-style-type: none"> • Cultural Features Code

Commencement date: 1 June, 2006

⁴³ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



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 except Minor building work	<p>Code assessable</p> <p>If:</p> <p>(a) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme and involving:</p> <p style="margin-left: 20px;">(i) the construction of any new building or structure, or</p> <p style="margin-left: 20px;">(ii) the demolition, removal or alteration of any building or structure; or</p> <p>(b) in the Don River Flood Plain Special Management Area on Overlay Map O4; or</p> <p>(c) in the Storm Surge Hazard Special Management Area on Overlay Map O5; or</p> <p>(d) in the Acid Sulfate Soils Special Management Area on Overlay Map O6; or</p> <p>(e) in the Aviation Facilities Special Management Area on Overlay Map O1; or</p> <p>(f) in the Bushfire Hazard Special Management Area on Overlay Map O3.</p>	<p>For all circumstances:</p> <ul style="list-style-type: none"> • Industry Zone Code <p>For circumstance (a):</p> <ul style="list-style-type: none"> • Cultural Features Code <p>For circumstance (b):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (c) – Don River Flood Plain Special Management Area) <p>For circumstance (c):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (d) – Storm Surge Hazard Special Management Area) <p>For circumstance (d):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area) <p>For circumstance (e):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (i) – Aviation Facilities Special Management Area) <p>For circumstance (f):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (j) – Bushfire Hazard Special Management Area)
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Clearing	<p>Code assessable</p> <p>Other than in association with a self-assessable use or an approved assessable use.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> • Clearing Code

Commencement date: 1 June, 2006



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
Placement of an On-premises sign	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> • Signs Code
Engineering work	<p>Code assessable If:</p> <ul style="list-style-type: none"> (a) in a special management area on Overlay Maps O6 or O7; or (b) adjacent⁴⁴ to a Protected Areas Special Management Area on Overlay Map O1; or (c) involving excavation to a depth greater than one (1) metre; or (d) involving filling of land involving a quantity of fill 20m³ or greater. <p>Impact assessable If involving extraction of gravel, rock, sand, soil, stone or other similar material not used in connection with construction of the premises.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> • Industry Zone Code <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> • Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located. <p>For circumstances (c) and (d):</p> <ul style="list-style-type: none"> • Filling and Excavation Code
(3) OPERATIONAL WORK ASSOCIATED WITH RECONFIGURING:		
All	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> • Industry Zone Code • Clearing Code • Signs Code • Filling and Excavation Code <p>If in a special management area identified on the Natural Features or Resources Overlay:</p> <ul style="list-style-type: none"> • Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.

⁴⁴ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(4) RECONFIGURING A LOT:		
All	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Industry Zone Code If in a special management area identified on the Natural Features or Resources Overlay: <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.
(5) OTHER:		
All	Exempt All circumstances	

3.11 Industry Zone Code

(1) Purpose

- (a) The purpose of the Industry Zone Code is the achievement of the overall outcomes sought for the Industry Zone.
- (b) The overall outcomes sought for the Industry Zone are:
 - (i) Development provides for a range of industrial purposes which:
 - (A) are developed in appropriate locations which are convenient to major transport corridors, and
 - (B) satisfy demand for industrial use, and
 - (C) maximise local employment opportunities
 - (ii) Industrial development is well-designed and characterised by:
 - (A) subdivision patterns which provide for the range of preferred uses to be conducted in the zone; and
 - (B) the provision of infrastructure services commensurate with the type and scale of development, and
 - (C) premises that are designed to be sympathetic to the surrounding natural and built environment by contributing to the retention or attainment of a desirable streetscape and character;
 - (iii) Development provides appropriate interfaces between industrial development and adjoining land located in another zone.



- (iv) Development for noxious and hazardous industry is only appropriate where it is demonstrated that the likely impact of the development in terms of air emissions, trade wastes, noise emissions, risk from fire or explosion, level and type of traffic generated and any other relevant matters is commensurate with the particular locality; and
- (v) Non-industrial purposes are established only where ancillary to and necessarily associated with development for industrial purposes or providing immediate support services for use by industry and workers.

(2) Elements

- (a) Land Use and Development
 - (i) Consistent Uses

Specific Outcomes

- O1
 - (a) Only uses consistent with the overall outcomes for, and preferred for development within, the Industry Zone are established in that zone.
 - (b) The following use and use classes are consistent with, and preferred within, the Industry Zone:
 - (i) All Industrial Purposes.
- O2 Provided the following uses are developed:
 - to be compatible with surrounding Industrial Purposes by being of similar scale, intensity and character; and
 - to support preferred uses; and
 - to not adversely affect the amenity of the locality; or
 - to provide additional security benefits to the locality by operating outside of peak industrial business hours;

they are consistent within the Industry Zone:

 - (a) Adult products shop;
 - (b) Caretaker’s residence;
 - (c) Funeral parlour;
 - (d) Garden centre;
 - (e) Indoor entertainment;
 - (f) Indoor sports facility;
 - (g) Local utility;
 - (h) Produce store;
 - (i) Sales or Hire Premises;
 - (j) Showroom;
 - (k) Special purpose;
 - (l) Take-away food premises (if not exceeding 100 m² gross floor area);
 - (m) Telecommunications facility (medium impact); or
 - (n) Veterinary surgery.



(ii) Inconsistent Uses

Specific Outcomes

- O3 Uses other than:
- ▶ preferred uses nominated in O1, or
 - ▶ consistent uses developed to comply with the provisos set out in O2;
- do not establish in the Industry Zone, do not comply with the overall outcomes sought for the Industry Zone and conflict with this code.

(iii) Subdivision Design

Specific Outcomes	Self-assessable Solutions
<p>O4 Reconfigured lots are designed and developed with:</p> <ul style="list-style-type: none"> ▶ sufficient area and suitable proportions for preferred or consistent uses; ▶ adequate frontage for safe and convenient vehicular and pedestrian access; ▶ suitable areas within each lot for the location of relevant activities and works; <p>and:</p> <ul style="list-style-type: none"> ▶ do not expose people and works to unacceptable risks from bushfire, landslip, flooding or other natural hazards. 	<p>S4 (a) Other than reconfiguring for a Community Titles Scheme, allotments are developed with areas and dimensions that comply with the design standards set out in Table S5 below.</p> <p>(b) For reconfiguring involving a Community Titles Scheme:</p> <ul style="list-style-type: none"> (i) the number of lots on the Standard Format Plan comprising the Community Titles Scheme does not exceed the number of allotments complying with the design standards set out in Table S5 below; unless, (ii) the number of lots on the Standard Format Plan accords with the density of development given by a prior related Development Permit for Material Change of Use.

Table S5 – Design Standards for Subdivision in the Industry Zone

Column 1	Column 2	Column 3
Minimum Lot Size (m ²)	Minimum Frontage (metres)	Minimum Depth (metres)
1 000 m ²	20 metres	40 metres



(iv) Character and Amenity

Specific Outcomes	Self-assessable Solutions
<p>O5 Uses and works are located, designed and operated to minimise adverse impacts on:</p> <ul style="list-style-type: none"> ▶ existing environmental conditions relating to air, water and soil, ▶ the amenity of adjacent properties and public spaces, ▶ significant local and distant views or prominent natural features and landmarks, ▶ the health, safety and amenity of people using the premises and adjacent premises; and ▶ existing community infrastructure⁴⁵. 	<p>S5</p> <ul style="list-style-type: none"> (a) Stockpiles of raw or processed material greater than a total volume of 30m³ are not located outside a building that fully screens the stockpile from view at the property boundary. (b) Mechanical plant and equipment are fully screened from view at the property boundary. (c) Outdoor lighting is designed, constructed and operated in accordance with <i>Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting</i>. (d) Sensitive receptors are setback from the most proximate boundary of a High Voltage Electricity Transmission Line Easement as follows: <ul style="list-style-type: none"> (i) 20 metres for transmission lines up to 132kV; (ii) 30 metres for transmission lines between 133kV and 275kV; and (iii) 40 metres for transmission lines greater than 275kV.
<p>O6 Uses and works are located, designed and operated to prevent adverse impacts on the existing quality of the groundwater, streams and surface water storages of the Shire and which provide:</p> <ul style="list-style-type: none"> ▶ bunding, impervious surfaces and integrated drainage and treatment systems to manage water borne pollutants; and ▶ properly designed and constructed, secure, sealed storage facilities for temporary onsite storage of liquid wastes, including waste water pending discharge to a sewer or removal from the site for treatment and disposal at a lawful facility. 	

⁴⁵ Refer to *Electrical Safety Act 2002* and *Electrical Safety Regulation 2002* for obligations pertaining to safety obligations and requirements for development that affects electrical infrastructure.



Specific Outcomes	Self-assessable Solutions
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O7 Adequate facilities are provided for the storage of waste and recyclable items, in appropriate containers, which are suitably located for use, servicing and to minimise impacts on the amenity of users, occupiers and neighbours.

S7 Each industrial unit is provided with permanent storage of waste and recyclable items in standard waste containers comprising an area that:

- (a) has a slope not exceeding 2%, and
- (b) has direct, unobstructed access for removal of the containers to the roadside or service point for collection, and
- (c) is located within 40 metres of the service point for the property, and
- (d) is not located within 5 metres of the living, eating, working or customer areas of adjoining properties, and
- (e) is screened such that the containers are not visible at the property boundary, and
- (f) is a constructed hardstand area.

O8 Building and structures are:

- of a type and scale which have an attractive, functional appearance;
- constructed of materials and finishes contemporary to the area;
- integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, outlook and off-street parking; and
- designed to adequately screen materials stored outside buildings when viewed from adjacent premises and public spaces.

S8 (a) Height

(i) Buildings and structures (other than supply network infrastructure) do not exceed the height specified below:

Circumstance	Maximum Height (metres)
If a lot adjoins land in the Residential Zone or land in the Business Zone used for a residential purposes	8.5
Otherwise	12

(ii) Supply network infrastructure does not exceed 20 metres in height.



Specific Outcomes	Self-assessable Solutions
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(b) Setbacks

Buildings and structures (other than supply network infrastructure) are setback in accordance with the following:

Setback from:	Minimum Setback (metres)
(i) State-controlled road	10
(ii) Except for (i), principal road frontage	6
(iii) Except for (i), secondary road frontage	3
(iv) Common boundary/s with land in the Residential Zone or land in the Business Zone and used for residential purposes	10
(v) Except for (iv), side or rear boundary	Greater than 5 metres or less than 0.5 metres; and
	Greater than 5 metres on at least one side boundary if the rear boundary setback is more than 5 metres.
(vi) Any waterway or wetland	100 metres

(c) Site Cover

The maximum amount of a site covered by buildings and structures is 65%.

(d) Building Appearance

- (i) The main entry to the building is visible from the street and directly accessible through the front of the building, and
- (ii) The office space of each building is sited and oriented towards the principal road frontage of the site.



(v) Safety and Security

Specific Outcomes

- O9 Personal safety and property security are optimised by incorporating features nominated in Schedule 6 to this planning scheme in the design of buildings and spaces, including:
- ▶ opportunities for surveillance;
 - ▶ clear definition of boundaries between private and public spaces; and
 - ▶ robust construction materials.

(vi) Vegetation Management and Landscaping

Specific Outcomes

Self-assessable Solutions

- | | |
|---|---|
| <p>O10 Development does not impact adversely on ecological or landscape values of the land.</p> | <p>S10 Development does not result in clearing within 100 metres of any wetland or waterway.</p> |
| <p>O11 Landscaping is designed, established and maintained in a manner to:</p> <ul style="list-style-type: none"> ▶ be an appropriate scale relative both to the width of the street reserve and to the size and nature of development, ▶ incorporate significant existing vegetation where possible, ▶ be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and drainage, ▶ allow adequate lighting and pedestrian and vehicular safety, ▶ effectively screen storage and service areas from views from outside the site, and ▶ provide visual relief and shade, particularly throughout open parking areas. ▶ minimise impact on electricity infrastructure. | <p>S11 (a) Landscaping is provided as follows:</p> <ul style="list-style-type: none"> (i) along the full length of the road frontage/s of the lot, apart from vehicle access points, where such landscaping has a minimum width of 3 metres, and (ii) elsewhere on site to screen outdoor storage areas from view at the property boundary. <p>(b) The minimum area of such landscaping is:</p> <ul style="list-style-type: none"> (i) for lots fronting a State-controlled Road, 10% of the total site area; or (ii) for other lots, 7.5% of the total site area, and (iii) at least 50% of the area is located in one area. <p>(c) An area of landscaping at least 10 metres wide is established and maintained along the full length of any common boundary with an adjoining lot that is in the Residential Zone or in the Business Zone used for a residential purpose.</p> <p>(d) Open-air car parking areas are planted with shade trees every 6 parking bays.</p> <p>(e) Landscaping near electric lines or substations is designed, installed and maintained so that at maturity, it does not exceed 4 metres in height on land:</p> <ul style="list-style-type: none"> (i) in an electric line shadow; or (ii) within 5 metres of an electric line shadow; or (iii) within 5 metres of the boundary of a substation. <p>(f) On land adjoining an electricity substation, landscaping is setback so that vegetation foliage at maturity is a minimum of 3 metres from the common boundary.</p> |



(vii) Cultural Heritage Values

Specific Outcomes

- O12 Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detracting, public accessibility or physical change, damage or removal.

(viii) Steep Land Management

Specific Outcomes		Self-assessable Solutions	
O13	Public safety, lives and property are not placed at unacceptable levels of risk through inappropriately designed development on land with excessive slope or geological instability.	S13	(a) Buildings and structures are located on a site with natural ground level slopes that do not exceed 15%. (b) Slopes greater than 15% are not cleared.

(ix) Flood Immunity⁴⁶

Specific Outcomes

- O14 Land on which buildings and structures associated with development nominated in Column 1 of Schedule 7 will be constructed, is immune from a flood event of at least the annual exceedence probability specified in Column 2 of Schedule 7 for the development.

⁴⁶ The flood immunity parameters listed in Schedule 7 include consideration of storm surge hazard. For further information that may assist applicants including mapping showing projected events refer to *Bowen Shire Storm Tide Study – Final Report* (September 2004).



(x) Vehicle Parking and Movement

Specific Outcomes	Self-assessable Solutions
<p>O15 Development is provided with on-site parking and movement system designed and constructed to:</p> <ul style="list-style-type: none"> ▶ integrate with the site layout including: <ul style="list-style-type: none"> – direct access to a road⁴⁷ providing a level of service required to accommodate traffic generated by the use, and – appropriately designed footpath crossovers, and – provision for safe pedestrian movement between the public footpath and facility entry points; and ▶ accommodate all modes of transport generated by the use; and ▶ facilitate non discriminatory accessibility; and ▶ provide for safe and efficient loading and unloading of goods; and ▶ allow for vehicular queuing necessary for the use; and ▶ provide for passenger set down/pick up necessary for the use. 	<p>S15 (a) Parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme. <p>(b) Loading/unloading facilities are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.</p> <p>(c) Vehicle queuing and set-down/pick-up areas are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.</p> <p>(d) Vehicular access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(e) Pedestrian access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(f) Bicycle parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.

⁴⁷ Approval is required under the *Transport Infrastructure Act 1994* for any access to a State-controlled Road.



(b) Infrastructure

Specific Outcomes	Self-assessable Solutions
<p>O16 Water supply, sewerage, drainage, roads, power and communications is provided to meet the appropriate standards of service and construction at least whole-of-life cost, which:</p> <ul style="list-style-type: none"> ▶ comprise components and materials that are: <ul style="list-style-type: none"> – readily accessible and available; and – robust and reliable in terms of operational life and purpose; and – easily maintained without unnecessarily requiring specialist expertise or equipment; and ▶ are integrated with the design, construction and operation of existing systems and facilitate orderly provision of future systems. 	<p>S16 Water supply, sewerage, drainage, roads, power and communications are:</p> <ul style="list-style-type: none"> (a) provided to meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme, and (b) constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme.



Division 7 – Open Space Zone

3.12 Table of Assessment Categories and Assessment Criteria

Table 7A – Material Change of Use

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) EXEMPT DEVELOPMENT:		
Local utility	Exempt If on Council-owned land	
Park	Exempt All circumstances	
Road	Exempt All circumstances	
(2) SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT WITHIN THE ZONE:		
(a) If for any of the following defined purposes:		
Advertising hoarding	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Open Space Zone Code ▶ Signs Code
Caretaker's residence	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Open Space Zone Code ▶ Caretaker's Residence Code
Local utility	Code assessable All circumstances except if Exempt	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Open Space Zone Code
Outdoor sport and recreation	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Open Space Zone Code
Telecommunication facilities (medium impact)	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Open Space Zone Code ▶ Telecommunication Facilities Code
(b) If for:		
(i) a defined use listed in (a) above, but not meeting the specified circumstance listed in Column 2 in (a) above for the nominated level of assessment, or		
(ii) a use not listed in (a) above or not defined in this planning scheme:		
All	Impact assessable All circumstances	



Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(3) ASSESSABLE DEVELOPMENT AFFECTED BY A SPECIAL MANAGEMENT AREA:		
All	<p>Code assessable</p> <p>If:</p> <p>(a) in a special management area identified on Overlay Maps O1 to O5 or O7;</p> <p>or</p> <p>(b) adjacent⁴⁸ to:</p> <p>(i) a Protected Area Special Management Area on Overlay Map O1; or</p> <p>(ii) a Good Quality Agricultural Land Special Management Area on Overlay Map O2; or</p> <p>(iii) a Waterway Special Management Area on Overlay Map O7; or</p> <p>(iv) a Wetlands Special Management Area on Overlay Map O7;</p> <p>or</p> <p>(c) in the Acid Sulfate Soils Special Management Area on Overlay Map O6:</p> <p>(i) located:</p> <ul style="list-style-type: none"> - at or below 5m AHD; or - below 20m AHD where construction will involve excavation below 5m AHD; <p>and</p> <p>(ii) involving:</p> <ul style="list-style-type: none"> - excavating or otherwise removing 100m³ or more of material; or - filling on land below 5m AHD involving 500m³ or more of material with an average depth of 0.5m or more; <p>or</p> <p>(d) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> • Open Space Zone Code • All specific use or issue codes applicable to the proposal under (2)(a) above <p>and</p> <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> • Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located <p>For circumstance (c):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area <p>For circumstance (d):</p> <ul style="list-style-type: none"> • Cultural Features Code

⁴⁸ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Table 7B – 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, except Minor building work	<p>Code assessable If:</p> <p>(a) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme and involving:</p> <p style="margin-left: 20px;">(i) the construction of any new building or structure, or</p> <p style="margin-left: 20px;">(ii) the demolition, removal or alteration of any building or structure; or</p> <p>(b) in the Don River Flood Plain Special Management Area on Overlay Map O4; or</p> <p>(c) in the Storm Surge Hazard Special Management Area on Overlay Map O5; or</p> <p>(d) in the Acid Sulfate Soils Special Management Area on Overlay Map O6; or</p> <p>(e) in the Aviation Facilities Special Management Area on Overlay Map O1; or</p> <p>(f) in the Bushfire Hazard Special Management Area on Overlay Map O3.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> • Open Space Zone Code <p>For circumstance (a):</p> <ul style="list-style-type: none"> • Cultural Features Code <p>For circumstance (b):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (c) – Don River Flood Plain Special Management Area) <p>For circumstance (c):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (d) – Storm Surge Hazard Special Management Area) <p>For circumstance (d):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area) <p>For circumstance (e):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (i) – Aviation Facilities Special Management Area) <p>For circumstance (f):</p> <ul style="list-style-type: none"> • Natural Features Code (Element (j) – Bushfire Hazard Special Management Area)
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Clearing	<p>Code assessable Other than in association with a self-assessable use or an approved assessable use.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> • Clearing Code

Commencement date: 1 June, 2006



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
Placement of an On-premises sign	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> • Signs Code
Engineering work	<p>Code assessable</p> <p>If:</p> <ul style="list-style-type: none"> (a) in a special management area on Overlay Maps O6 or O7; or (b) adjacent⁴⁹ to a Protected Areas Special Management Area on Overlay Map O1; or (c) involving excavation to a depth greater than one (1) metre; or (d) involving filling of land involving a quantity of fill 20m³ or greater. <p>Impact assessable</p> <p>If involving extraction of gravel, rock, sand, soil, stone or other similar material not used in connection with construction of the premises.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> • Open Space Zone Code <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> • Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located. <p>For circumstances (c) and (d):</p> <ul style="list-style-type: none"> • Filling and Excavation Code
(3) OPERATIONAL WORK ASSOCIATED WITH RECONFIGURING:		
All	<p>Code assessable</p> <p>All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> • Open Space Zone Code • Clearing Code • Signs Code • Filling and Excavation Code <p>If in a special management area identified on the Natural Features or Resources Overlay:</p> <ul style="list-style-type: none"> • Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.

⁴⁹ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(4) RECONFIGURING A LOT:		
All	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Open Space Zone Code If in a special management area identified on the Natural Features or Resources Overlay: <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.
(5) OTHER:		
All	Exempt All circumstances	

3.13 Open Space Zone Code

(1) Purpose

- (a) The purpose of the Open Space Zone is the achievement of the overall outcomes sought for the purpose of the Open Space Zone Code.
- (b) The overall outcomes sought for the Open Space Zone are:
 - (i) The community’s need for a range of active and passive recreational opportunities including facilities at regional, district and local levels is satisfied through the provision of land and infrastructure and equitable accessibility;
 - (ii) Areas which present significant constraints to development or possess important ecological or scenic values are conserved;
 - (iii) Recreational activities within areas of conservation value are co-located based on synergies between activities and the environmental values of host areas;
 - (iv) A network of open spaces across the Shire is established through corridors providing movement opportunities for people and wildlife between the coast and hinterland and access to coastal areas/beaches and other significant natural and cultural features.



- (2) Elements
 - (a) Land Use and Development
 - (i) Consistent Uses

Specific Outcomes

- O1
 - (a) Only uses consistent with the overall outcomes for, and preferred for development within, the Open Space Zone are established in the zone.
 - (b) The following use is consistent with, and preferred within the Open Space Zone:
 - (i) Outdoor sport and recreation:
 - if not involving the construction of buildings or structures; or
 - if involving the construction of buildings or structures, such buildings or structures are sited outside identified areas of constraint relating to:
 - inundation by floodwater or storm surge⁵⁰,
 - vegetation management⁵¹.
- O2 Provided the following uses are developed:
 - ▶ to be compatible with surrounding Recreation Purposes being of similar scale, intensity and character; and
 - ▶ to support preferred uses; and
 - ▶ to not adversely affect the amenity of the locality; or
 - ▶ to provide recreational or entertainment functions that are appropriately located in the Open Space Zone to facilitate community accessibility;
 they are consistent within the Open Space Zone:
 - (a) Caretaker’s residence;
 - (b) Local utility; or
 - (c) Recreation Purposes comprising Indoor entertainment or Indoor sports facility, provided:
 - (i) not involving the construction of buildings or structures; or
 - (ii) if involving the construction of buildings or structures, such buildings or structures are sited outside identified areas of constraint relating to:
 - inundation by floodwater or storm surge⁵²,
 - vegetation management⁵³.
 - (d) Telecommunication facilities (medium impact)

⁵⁰ Refer to Overlay Map O4 for areas constrained due to floodwater and Overlay Map O5A-O5I for areas constrained by storm surge.

⁵¹ Areas nominated on regional ecosystem mapping as “Endangered” or “Of Concern” are constrained in terms of vegetation management. Refer to www.epa.qld.gov.au for access to regional ecosystem mapping.

⁵² Refer to Footnote 50.

⁵³ Refer to Footnote 51.



(ii) Inconsistent Uses

Specific Outcomes	Self-assessable Solutions
<p>O3 Uses other than:</p> <ul style="list-style-type: none"> ▶ preferred uses nominated in O1; or ▶ consistent uses developed to comply with the provisos set out in O2; <p>do not establish in the Open Space Zone, do not comply with the overall outcomes sought for the Open Space Zone and conflict with this code.</p>	

(iii) Subdivision Design

Specific Outcomes
<p>O4 Reconfigured lots are designed and developed with:</p> <ul style="list-style-type: none"> ▶ sufficient area and suitable proportions for preferred or consistent uses; ▶ adequate frontage for safe and convenient vehicular and pedestrian access; ▶ suitable areas within each lot for the location of relevant activities and works; <p>and:</p> <ul style="list-style-type: none"> ▶ do not expose people and works to unacceptable risks from bushfire, landslip, flooding or other natural hazards.

(iv) Character and Amenity

Specific Outcomes	Self-assessable Solutions
<p>O5 Uses and works are located, designed and operated to minimise adverse impacts on:</p> <ul style="list-style-type: none"> ▶ existing environmental conditions relating to air, water and soil, ▶ the amenity of adjacent properties and public spaces, ▶ significant local and distant views or prominent natural features and landmarks, ▶ the health, safety and amenity of people using the premises and adjacent premises; and ▶ existing community infrastructure⁵⁴. 	<p>S5</p> <ul style="list-style-type: none"> (a) Mechanical plant and equipment, waste collection and on-site storage areas are fully screened from view at the property boundary. (b) Outdoor lighting is designed, constructed and operated in accordance with Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting. (c) Earthworks and buildings/structures (other than for play equipment or fencing) are sited a minimum of 100 metres from any wetland or waterway. (d) Sensitive receptors are setback from the most proximate boundary of a High Voltage Electricity Transmission Line Easement as follows: <ul style="list-style-type: none"> (i) 20 metres for transmission lines up to 132kV; (ii) 30 metres for transmission lines between 133kV and 275kV; and (iii) 40 metres for transmission lines greater than 275kV.

⁵⁴ Refer to *Electrical Safety Act 2002* and *Electrical Safety Regulation 2002* for obligations pertaining to safety obligations and requirements for development that affects electrical infrastructure.



Specific Outcomes	Self-assessable Solutions
<p>O6 Uses and works are located, designed and operated to prevent adverse impacts on the existing quality of the groundwater, streams and surface water storages of the Shire and which provide:</p> <ul style="list-style-type: none"> ▶ bunding, impervious surfaces and integrated drainage and treatment systems to manage water borne pollutants; and ▶ properly designed and constructed, secure, sealed storage facilities for temporary onsite storage of liquid wastes, including waste water pending discharge to a sewer or removal from the site for treatment and disposal at a lawful facility. 	
<p>O7 Building and structures are:</p> <ul style="list-style-type: none"> ▶ of a type and scale which have an attractive, functional appearance; ▶ constructed of materials and finishes contemporary to the area; ▶ integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, outlook and off-street parking; and ▶ designed to adequately screen materials stored outside buildings when viewed from adjacent premises and public spaces. 	<p>S7 (a) Height</p> <ul style="list-style-type: none"> (i) Buildings and structures (other than light towers and supply network infrastructure) do not exceed 12 metres in height; (ii) Supply network infrastructure does not exceed 20 metres in height; (iii) Light towers do not exceed 8.5 metres in height; <p>(b) Setbacks</p> <p>Buildings and structures (other than supply network infrastructure) are setback:</p> <ul style="list-style-type: none"> (i) 6 metres from any road frontage; and (ii) 10 metres from the common boundary/s, if a lot adjoins land within the Residential Zone.

(v) Safety and Security

Specific Outcomes
<p>O8 Personal safety and property security are optimised by incorporating features nominated in Schedule 6 to this planning scheme in the design of buildings and spaces, including:</p> <ul style="list-style-type: none"> ▶ opportunities for surveillance; ▶ clear definition of boundaries between private and public spaces; and ▶ robust construction materials.



(vi) Vegetation Management and Landscaping

Specific Outcomes		Self-assessable Solutions	
O9	Development does not impact adversely on ecological or landscape values of the land.	S9	Development does not result in clearing within 100 metres of any wetland or waterway.
O10	<p>Landscaping is designed, established and maintained in a manner to:</p> <ul style="list-style-type: none"> • be an appropriate scale relative both to the width of the street reserve and to the size and nature of development, • incorporate significant existing vegetation where possible, • be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and drainage, • allow adequate lighting and pedestrian and vehicular safety, • effectively screen storage and service areas from views from outside the site, and • provide visual relief and shade, particularly throughout open parking areas. • minimise impact on electricity infrastructure. 	S10	<p>(a) Landscaping near electric lines or substations is designed, installed and maintained so that at maturity, it does not exceed 4 metres in height on land:</p> <ul style="list-style-type: none"> (i) in an electric line shadow; or (ii) within 5 metres of an electric line shadow; or (iii) within 5 metres of the boundary of a substation. <p>(b) On land adjoining an electricity substation, landscaping is setback so that vegetation foliage at maturity is a minimum of 3 metres from the common boundary.</p>

(vii) Cultural Heritage Values

Specific Outcomes	
O11	Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detracting, public accessibility or physical change, damage or removal.

(viii) Steep Land Management

Specific Outcomes		Self-assessable Solutions	
O12	Public safety, lives and property are not placed at unacceptable levels of risk through inappropriately designed development on land with excessive slope or geological instability.	S12	<p>(a) Buildings and structures are located on a site with natural ground level slopes that do not exceed 15%.</p> <p>(b) Slopes greater than 15% are not cleared.</p>



(ix) Flood Immunity⁵⁵

Specific Outcomes

O13 Land on which buildings and structures associated with development nominated in Column 1 of Schedule 7 will be constructed, is immune from a flood event of at least the annual exceedence probability specified in Column 2 of Schedule 7 for the development.

(x) Vehicle Parking and Movement

Specific Outcomes

Self-assessable Solutions

<p>O14 Development is provided with on-site parking and movement system designed and constructed to:</p> <ul style="list-style-type: none"> • integrate with the site layout including: <ul style="list-style-type: none"> – direct access to a road⁵⁶ providing a level of service required to accommodate traffic generated by the use, and – appropriately designed footpath crossovers, and – provision for safe pedestrian movement between the public footpath and facility entry points; and • accommodate all modes of transport generated by the use; and • facilitate non discriminatory accessibility; and • provide for safe and efficient loading and unloading of goods; and • allow for vehicular queuing necessary for the use; and • provide for passenger set down/pick up necessary for the use. 	<p>S14 (a) Parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme. <p>(b) Loading/unloading facilities are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.</p> <p>(c) Vehicle queuing and set-down/pick-up areas are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.</p> <p>(d) Vehicular access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(e) Pedestrian access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme.</p> <p>(f) Bicycle parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.
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⁵⁵ The flood immunity parameters listed in Schedule 7 include consideration of storm surge hazard. For further information that may assist applicants including mapping showing projected events refer to *Bowen Shire Storm Tide Study – Final Report* (September 2004).

⁵⁶ Approval is required under the *Transport Infrastructure Act 1994* for any access to a State-controlled Road.



(b) Infrastructure

Specific Outcomes	Self-assessable Solutions
<p>O15 Water supply, sewerage, drainage, roads, power and communications is provided to meet the appropriate standards of service and construction at least whole-of-life cost, which:</p> <ul style="list-style-type: none"> ▶ comprise components and materials that are: <ul style="list-style-type: none"> – readily accessible and available; and – robust and reliable in terms of operational life and purpose; and – easily maintained without unnecessarily requiring specialist expertise or equipment; and ▶ are integrated with the design, construction and operation of existing systems and facilitate orderly provision of future systems. 	<p>S15 Water supply, sewerage, drainage, roads, power and communications are:</p> <ul style="list-style-type: none"> (a) provided to meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme, and (b) constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme.



Division 8 – Special Purposes Zone

3.14 Table of Assessment Categories and Assessment Criteria

Table 8A – Material Change of Use

Column 1 Defined Purpose	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) EXEMPT DEVELOPMENT:		
Local utility	Exempt All circumstances	
Park	Exempt All circumstances	
Road	Exempt All circumstances	
(2) SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT WITHIN THE ZONE:		
(a) If for any of the following defined purposes:		
Advertising hoarding	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Special Purposes Zone Code ▶ Signs Code
Caretaker's residence	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Special Purposes Zone Code
Major utility	Self-assessable If for the purposes of a depot operated by a public sector entity. Code Assessable If: <ul style="list-style-type: none"> ▶ nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable code; or ▶ all other circumstances. 	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Special Purposes Zone Code
Special purpose	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Special Purposes Zone Code
Telecommunications facility (medium impact)	Code assessable All circumstances	<u>Applicable Codes</u> <ul style="list-style-type: none"> ▶ Special Purposes Zone Code ▶ Telecommunications Facility Code
(b) If for:		
(i) a defined use listed in (a) above, but not meeting the specified circumstance listed in Column 2 in (a) above for the nominated level of assessment, or		
(ii) a use not listed in (a) above or not defined in this planning scheme:		
All	Impact assessable All circumstances	



Column 1 Defined Purpose	Column 2 Assessment Category	Column 3 Assessment Criteria
(3) ASSESSABLE DEVELOPMENT AFFECTED BY A SPECIAL MANAGEMENT AREA:		
All	<p>Code assessable</p> <p>If:</p> <p>(a) in a special management area identified on Overlay Maps O1 to O5 and O7;</p> <p>or</p> <p>(b) adjacent⁵⁷ to:</p> <p>(i) a Protected Area Special Management Area on Overlay Map O1; or</p> <p>(ii) a Good Quality Agricultural Land Special Management Area on Overlay Map O2; or</p> <p>(iii) a Waterway Special Management Area on Overlay Map O7; or</p> <p>(iv) a Wetlands Special Management Area on Overlay Map O7;</p> <p>or</p> <p>(c) in the Acid Sulfate Soils Special Management Area on Overlay Map O6:</p> <p>(i) located:</p> <ul style="list-style-type: none"> - at or below 5m AHD; or - below 20m AHD where construction will involve excavation below 5m AHD; <p>and</p> <p>(ii) involving:</p> <ul style="list-style-type: none"> - excavating or otherwise removing 100m³ or more of material; or - filling on land below 5m AHD involving 500m³ or more of material with an average depth of 0.5m or more; <p>or</p> <p>(d) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> ▶ Special Purposes Zone Code ▶ All specific use or issue codes applicable to the proposal under (2)(a) above <p>and</p> <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located <p>For circumstance (c):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area <p>For circumstance (d):</p> <ul style="list-style-type: none"> ▶ Cultural Features Code

⁵⁷ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



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, except Minor building work	<p>Code assessable If:</p> <p>(a) in or adjacent to a Heritage Place Special Management Area listed in Schedule 3 to this planning scheme, and involving:</p> <p style="margin-left: 20px;">(i) the construction of any new building or structure, or</p> <p style="margin-left: 20px;">(ii) the demolition, removal or alteration of any existing building or structure; or</p> <p>(b) in the Don River Flood Plain Special Management Area on Overlay Map O4; or</p> <p>(c) in the Storm Surge Hazard Special Management Area on Overlay Map O5; or</p> <p>(d) in the Acid Sulfate Soils Special Management Area on Overlay Map O6; or</p> <p>(e) in the Aviation Facilities Special Management Area on Overlay Map O1; or</p> <p>(f) in the Bushfire Hazard Special Management Area on Overlay Map O3.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> ▶ Special Purposes Zone Code <p>For circumstance (a):</p> <ul style="list-style-type: none"> ▶ Cultural Features Code <p>For circumstance (b):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (c) – Don River Flood Plain Special Management Area) <p>For circumstance (c):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (d) – Storm Surge Hazard Special Management Area) <p>For circumstance (d):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (b) – Acid Sulfate Soils Special Management Area) <p>For circumstance (e):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (i) – Aviation Facilities Special Management Area) <p>For circumstance (f):</p> <ul style="list-style-type: none"> ▶ Natural Features Code (Element (j) – Bushfire Hazard Special Management Area)
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Clearing	<p>Code assessable Other than in association with a self-assessable use or an approved assessable use.</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Clearing Code

Commencement date: 1 June, 2006



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
Placement of an On-premises sign	<p>Self-assessable All circumstances except if Code assessable</p> <p>Code assessable If nominated as self-assessable, but unable to comply with the Self-assessable Solutions of the applicable codes</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Signs Code
Engineering work	<p>Code assessable If:</p> <ul style="list-style-type: none"> (a) in a special management area on Overlay Maps O6 or O7; or (b) adjacent⁵⁸ to a Protected Areas Special Management Area on Overlay Map O1; or (c) involving excavation to a depth greater than one (1) metre; or (d) involving filling of land involving a quantity of fill 20m³ or greater. <p>Impact assessable If involving extraction of gravel, rock, sand, soil, stone or other similar material not used in connection with construction of the premises.</p>	<p><u>Applicable Codes</u></p> <p>For all circumstances:</p> <ul style="list-style-type: none"> ▶ Special Purposes Zone Code <p>For circumstances (a) and (b):</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located. <p>For circumstances (c) and (d):</p> <ul style="list-style-type: none"> ▶ Filling and Excavation Code
(3) OPERATIONAL WORK ASSOCIATED WITH RECONFIGURING:		
All	<p>Code assessable All circumstances</p>	<p><u>Applicable Codes</u></p> <ul style="list-style-type: none"> ▶ Special Purposes Zone Code ▶ Clearing Code ▶ Signs Code ▶ Filling and Excavation Code <p>If in a special management area identified on the Natural Features or Resources Overlay:</p> <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.

⁵⁸ Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “adjacent”.



Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(4) RECONFIGURING A LOT:		
All	Code assessable All circumstances	For all circumstances: <ul style="list-style-type: none"> ▶ Special Purposes Zone Code If in a special management area identified on the Natural Features or Resources Overlay: <ul style="list-style-type: none"> ▶ Natural Features Code – The applicable element(s) are those corresponding to the special management area(s) in which the development is located.
(5) OTHER:		
All	Exempt All circumstances	

3.15 Special Purposes Zone Code

(1) Purpose

- (a) The purpose of the Special Purposes Zone Code is the achievement of the overall outcomes sought for the Special Purposes Zone.
- (b) The overall outcomes sought for the Special Purposes Zone are:
 - (i) Development accords with the expectations of the community for the use of the site based on its current special purposes use or the special purposes use for which it has been allocated by the entity responsible for the land.

(2) Elements

- (a) Land Use and Development
 - (i) Consistent Uses

Specific Outcomes

- O1 (a) Only uses consistent with the overall outcomes for, and preferred for development within, the Special Purposes Zone are established in the zone.
- (b) The following uses are consistent with, and preferred within, the Special Purposes Zone:
 - (i) Major utility (if for the purposes of a depot operated by a public sector entity);
 - (ii) Special purpose; or
 - (iii) Telecommunications facility (medium impact).



Specific Outcomes

- O2 Provided the following uses are developed:
- ▶ to be compatible with surrounding Community Purposes by being of similar scale, intensity and character, and
 - ▶ to support preferred uses, and
 - ▶ to not adversely affect the amenity of the locality.

they are consistent within the Special Purposes Zone:

- (a) Advertising hoarding; or
- (b) Caretaker's residence.

(ii) Inconsistent Uses

Specific Outcomes

- O3 Uses other than:
- ▶ preferred uses nominated in O1, or
 - ▶ consistent uses developed to comply with the provisos set out in O2;
- do not establish in the Special Purposes Zone, do not comply with the overall outcomes sought for the Special Purposes Zone and conflict with this code.

(iii) Subdivision Design

Specific Outcomes

- O4 Reconfigured lots are designed and developed with:
- ▶ sufficient area and suitable proportions for preferred or consistent uses;
 - ▶ adequate frontage for safe and convenient vehicular and pedestrian access;
 - ▶ suitable areas within each lot for the location of relevant activities and works;
- and:
- ▶ do not expose people and works to unacceptable risks from bushfire, landslip, flooding or other natural hazards.



(iv) Character and Amenity

Specific Outcomes	Self-assessable Solutions
<p>O5 Uses and works are located, designed and operated to minimise adverse impacts on:</p> <ul style="list-style-type: none"> ▶ existing environmental conditions relating to air, water and soil, ▶ the amenity of adjacent properties and public spaces, ▶ significant local and distant views or prominent natural features and landmarks, ▶ the health, safety and amenity of people using the premises and adjacent premises; and ▶ existing community infrastructure⁵⁹. 	<p>S5</p> <ul style="list-style-type: none"> (a) Mechanical plant and equipment, waste collection and on-site storage areas are fully screened from view at the property boundary. (b) Outdoor lighting is designed, constructed and operated in accordance with <i>Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting</i>. (c) Earthworks and buildings/structures (other than for play equipment or fencing) are sited a minimum of 100 metres from any wetland or waterway. (d) Sensitive receptors are setback from the most proximate boundary of a High Voltage Electricity Transmission Line Easement as follows: <ul style="list-style-type: none"> (i) 20 metres for transmission lines up to 132kV; (ii) 30 metres for transmission lines between 133kV and 275kV; and (iii) 40 metres for transmission lines greater than 275kV.
<p>O6 Uses and works are located, designed and operated to prevent adverse impacts on the existing quality of the groundwater, streams and surface water storages of the Shire and which provide:</p> <ul style="list-style-type: none"> ▶ bunding, impervious surfaces and integrated drainage and treatment systems to manage water borne pollutants; and ▶ properly designed and constructed, secure, sealed storage facilities for temporary onsite storage of liquid wastes, including waste water pending discharge to a sewer or removal from the site for treatment and disposal at a lawful facility. 	

⁵⁹ Refer to *Electrical Safety Act 2002* and *Electrical Safety Regulation 2002* for obligations pertaining to safety obligations and requirements for development that affects electrical infrastructure.



Specific Outcomes		Self-assessable Solutions	
O7	<p>Building and structures are:</p> <ul style="list-style-type: none"> ▶ of a type and scale which have an attractive, functional appearance; ▶ constructed of materials and finishes contemporary to the area; ▶ integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, outlook and off-street parking; and ▶ designed to adequately screen materials stored outside buildings when viewed from adjacent premises and public spaces. 	S7	<p>(a) Height</p> <ul style="list-style-type: none"> (i) Buildings do not exceed 12 metres in height; (ii) Supply network infrastructure does not exceed 20 metres in height; (iii) Other structures do not exceed 12 metres in height. <p>(b) Setbacks</p> <p>Buildings and structures (other than supply network infrastructure) are setback a minimum of:</p> <ul style="list-style-type: none"> (i) 6 metres from all road frontage/s, and (ii) 3 metres from side and rear boundaries.

(v) Safety and Security

Specific Outcomes	
O8	<p>Personal safety and property security are optimised by incorporating features nominated in Schedule 6 to this planning scheme in the design of buildings and spaces, including:</p> <ul style="list-style-type: none"> ▶ opportunities for surveillance; ▶ clear definition of boundaries between private and public spaces; and ▶ robust construction materials.

(vi) Vegetation Management and Landscaping

Specific Outcomes		Self-assessable Solutions	
O9	<p>Development does not impact adversely on ecological or landscape values of the land.</p>	S9	<p>Development does not result in clearing within 100 metres of any wetland or waterway.</p>



Specific Outcomes		Self-assessable Solutions	
O10	<p>Landscaping is designed, established and maintained in a manner to:</p> <ul style="list-style-type: none"> • be an appropriate scale relative both to the width of the street reserve and to the size and nature of development, • incorporate significant existing vegetation where possible, • be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and drainage, • allow adequate lighting and pedestrian and vehicular safety, • effectively screen storage and service areas from views from outside the site, and • provide visual relief and shade, particularly throughout open parking areas. • minimise impact on electricity infrastructure. 	S10	<p>(a) Landscaping near electric lines or substations is designed, installed and maintained so that at maturity, it does not exceed 4 metres in height on land:</p> <ul style="list-style-type: none"> (i) in an electric line shadow; or (ii) within 5 metres of an electric line shadow; or (iii) within 5 metres of the boundary of a substation. <p>(b) On land adjoining an electricity substation, landscaping is setback so that vegetation foliage at maturity is a minimum of 3 metres from the common boundary.</p>

(vii) Cultural Heritage Values

Specific Outcomes	
O11	<p>Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detracting, public accessibility or physical change, damage or removal.</p>

(viii) Steep Land Management

Specific Outcomes		Self-assessable Solutions	
O12	<p>Public safety, lives and property are not placed at unacceptable levels of risk through inappropriately designed development on land with excessive slope or geological instability.</p>	S12	<p>(a) Buildings and structures are located on a site with natural ground level slopes that do not exceed 15%.</p> <p>(b) Slopes greater than 15% are not cleared.</p>



(ix) Flood Immunity⁶⁰

Specific Outcomes

O13 Land on which buildings and structures associated with development nominated in Column 1 of Schedule 7 will be constructed, is immune from a flood event of at least the annual exceedence probability specified in Column 2 of Schedule 7 for the development.

(x) Vehicle Parking and Movement

Specific Outcomes

Self-assessable Solutions

<p>O14 Development is provided with on-site parking and movement system designed and constructed to:</p> <ul style="list-style-type: none"> • integrate with the site layout including: <ul style="list-style-type: none"> – direct access to a road⁶¹ providing a level of service required to accommodate traffic generated by the use, and – appropriately designed footpath crossovers, and – provision for safe pedestrian movement between the public footpath and facility entry points; and • accommodate all modes of transport generated by the use; and • facilitate non discriminatory accessibility; and • provide for safe and efficient loading and unloading of goods; and • allow for vehicular queuing necessary for the use; and • provide for passenger set down/pick up necessary for the use. 	<p>S14 (a) Parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme. <p>(b) Loading/unloading facilities are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme;</p> <p>(c) Vehicle queuing and set-down/pick-up areas are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme;</p> <p>(d) Vehicular access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme;</p> <p>(e) Pedestrian access is designed and constructed in accordance with the standards nominated in Division 3 of Schedule 4 to this planning scheme; and</p> <p>(f) Bicycle parking is provided on-site:</p> <ul style="list-style-type: none"> (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.
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⁶⁰ The flood immunity parameters listed in Schedule 7 include consideration of storm surge hazard. For further information that may assist applicants including mapping showing projected events refer to *Bowen Shire Storm Tide Study – Final Report* (September 2004).

⁶¹ Approval is required under the *Transport Infrastructure Act 1994* for any access to a State-controlled Road.



(b) Infrastructure

Specific Outcomes	Self-assessable Solutions
<p>O15 Water supply, wastewater and sullage, drainage, roads, power and communications is provided to meet the appropriate standards of service and construction at least whole-of-life cost, which:</p> <ul style="list-style-type: none"> ▶ comprise components and materials that are: <ul style="list-style-type: none"> – readily accessible and available; and – robust and reliable in terms of operational life and purpose; and – easily maintained without unnecessarily requiring specialist expertise or equipment; and ▶ are integrated with the design, construction and operation of existing systems and facilitate orderly provision of future systems. 	<p>S15 Water supply, wastewater and sullage, drainage, roads, power and communications are:</p> <ul style="list-style-type: none"> (a) provided to meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme, and (b) constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme.



Division 9 – Special Management Area Codes

3.16 Preliminary

- (1) The provisions of this Division comprise the Natural Features Code and the Cultural Features Code.
- (2) Applicability of each of these codes is determined by the Table of Assessment Categories and Assessment Criteria for each zone set out in Divisions 2 to 8 of this Part and by reference to Overlay Maps.

3.17 Natural Features Code

- (1) Purpose
 - (a) The purpose of the Natural Features Code is the achievement of the overall outcomes sought for the special management areas identified on the Natural Features and Resources Overlay.
 - (b) The overall outcomes sought for the special management areas identified on the Natural Features and Resources Overlay are that development of identified places, areas, landscapes, features and sites:
 - (i) is managed to protect the significant values of the various natural features and resources in terms of:
 - (A) physical change;
 - (B) avoiding alienation;
 - (C) damage or removal;
 - (D) visibility;
 - (E) accessibility; or
 - (F) visual detraction; and
 - (ii) avoids or minimises, within acceptable levels, risk to the natural or built environment or human health or safety.
 - (iii) does not adversely impact the functioning of aviation facilities⁶² provided to assist the safe and efficient movement of aircraft.

⁶² Refer to Division 2 of Schedule 1 to this planning scheme for the meaning of “aviation facilities”.



(2) Elements

(a) Protected Areas⁶³ Special Management Area

Specific Outcomes

- O1 Development of and adjacent to a protected area does not cause significant adverse effects on the protected area, including those related to:
- (a) management of fire risk, including the use of natural firebreaks
 - (b) changes to natural drainage;
 - (c) unmanaged public access;
 - (d) effluent disposal;
 - (e) point sources of pollution;
 - (f) introduction and management of animal and plant pests; or
 - (g) changes to natural activities of animals with respect to the location and effects of uses, fencing, lighting and the like.

(b) Acid Sulfate Soils Special Management Area

Specific Outcomes

- O2 Natural or built environments and human health are not harmed by the production of acidic leachate resulting from development in areas of known and potential acid sulfate soils by:
- (a) avoiding disturbance to areas of acid sulfate soils that would produce or contribute to acidic leachate,
 - (b) treating and managing the disturbance of acid sulfate soils to minimise the volume of acidic leachate within manageable levels,
 - (c) treating and managing surface and groundwater flows from areas of acid sulfate soils to minimise environmental harm.

(c) Don River Flood Plain Special Management Area

Specific Outcomes

- O3 Development has lawful and practical flood free access from a public road.
- O4 Development is designed and constructed to withstand all water generated forces⁶⁴ associated with the Planned Flood Discharge.
- O5 Floor levels for habitable rooms are set 300mm above the Planned Flood Profile as indicated on PSM 2 – Don River Flood Plain Planned Flood Profile.

(d) Storm Surge Hazard Special Management Area

Specific Outcomes

- O6 Development levels are set above the design storm surge level to reduce property damage and, where applicable, ensure public safety.
- O7 Floor levels for habitable rooms are set 300mm above the applicable storm surge level.

⁶³ As defined by the *Nature Conservation Act 1992*.

⁶⁴ For design purposes, a minimum velocity of 1 metre per second shall be adopted for the Planned Flood Discharge except in those areas identified as likely areas of high velocity as shown on PSM 2 – Don River Flood Plain – Planned Flood Profile, where a velocity of 3 metres per second shall be adopted.



(e) Wetlands Special Management Area

Specific Outcomes

- O8 There are no significant adverse effects on identified wetlands in terms of:
- (a) habitat;
 - (b) water quality;
 - (c) landscape quality; and
 - (d) ecology.
- O9 Development does not occur within 100 metres of a wetland.

(f) Extractive Resources Special Management Area

Specific Outcomes

- O10 Development involving premises identified as an Extractive Resource Special Management Area on Overlay Map O1, ensures that existing and potential sources of minerals and extractive resources including mining tenements and designated key resource areas and their associated haulage routes and accesses are protected and utilized in an efficient and ecologically sustainable manner.
- O11 Development on a site adjacent to premises identified as an Extractive Resource Special Management Area on Overlay Map O1 is of a nature and must be designed, executed and operated to be compatible with:
- the winning of the entire resource (both short and long term) from the site in an efficient and ecologically sustainable manner; and
 - access and transportation operations associated with the winning of the entire resource.
- O12 (a) Extraction of materials is managed to avoid any loss of hydraulic head and deterioration of water quality in any aquifer intercepted by the extractive operations; and
- (b) Management of surface water on the premises, including any discharge from the premises should not impact on the quality of receiving surface waters or adjacent users of the resource.

(g) Good Quality Agricultural Land Special Management Area

Specific Outcomes

- O13 Good quality agricultural land is retained for rural purposes by:
- (a) conducting other uses only if they are not irreversible and do not reduce the productive capacity of the land or alienate its use for rural purposes or result in land use conflicts with adjacent existing rural uses;
 - (b) avoiding the use of identified land for other uses unless it can be proven that:
 - (i) the land is not actually valuable agricultural land; or
 - (ii) there is an overriding 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:
 - the proposed location has features that make it desirable for the proposal; and
 - the features are not available in areas not identified as valuable agricultural land.
- O14 Subdivision of good quality agricultural land does not reduce the productive capacity of the land.



(h) Waterway Special Management Area

Specific Outcomes

- O15 There are no significant adverse effects on waterways in terms of:
- (a) habitat;
 - (b) riparian vegetation;
 - (c) water quality;
 - (d) water flow;
 - (e) ecological function;
 - (f) landscape quality and amenity; and
 - (g) recreational value.
- O16 Riparian land is preserved for public use where the land is required for ecological, open space or recreation functions including:
- (a) public use;
 - (b) access for maintenance;
 - (c) linking core and remnant habitat areas;
 - (d) protecting water quality and ecological processes; and
 - (e) other public benefit.
- O17 Development does not occur within 50 metres of the top bank of a waterway.
-

(i) Aviation Facilities Special Management Area

Specific Outcomes

- O18 Development is located and designed to protect the function of the aviation facilities⁶⁵ from physical obstructions, electrical or electro-magnetic interference and deflection of signals.
- O19 Works or uses are not located within the buffer area of the Bowen NDB facility as depicted on Overlay Map O1A that involve any:
- (a) buildings, structures or other works within 60 metres of the facility; or
 - (b) metallic buildings or structures between 60 and 150 metres of the facility; or
 - (c) buildings or structures with a size greater than 2.5 metres in any dimension between 60 and 150 metres of the facility; or
 - (d) other works between 60 and 150 metres of the facility which exceed 3 metres in height; or
 - (e) buildings, structures or other works between 150 and 500 metres of the facility which exceed 7.9 metres in height.
- O20 Works or uses are not located within the buffer area of the Collinsville VOR facility as depicted on Overlay Map O1B that:
- (a) involves any buildings, structures or other works within 300 metres of the facility; or
 - (b) between 300 and 1000 metres of the facility involves any:
 - (i) fences exceeding 2.5 metres in height; or
 - (ii) overhead lines exceeding 5 metres in height; or
 - (iii) metallic structures exceeding 8 metres in height; or
 - (iv) open lattice towers exceeding 10 metres in height; or
 - (v) wooden structures exceeding 13 metres in height.
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⁶⁵ Refer to Footnote 62.



(j) Bushfire Hazard Special Management Area

Specific Outcomes	Self-assessable Solutions
<p>O21 Development maintains the safety of people and property by:</p> <ul style="list-style-type: none"> ▶ avoiding areas of High or Medium bushfire hazard; or ▶ mitigating the risk through: <ul style="list-style-type: none"> – lot design and the siting of buildings; and – including firebreaks that provide adequate: <ul style="list-style-type: none"> ○ setbacks between buildings/structures and hazardous vegetation, and ○ access for firefighting/other emergency vehicles; ▶ providing adequate road access for firefighting/other emergency vehicles and safe evacuation; and ▶ providing an adequate and accessible water supply for fire-fighting purposes. 	<p>S21 (a) Development is located on land that is not subject to High or Medium bushfire hazard⁶⁶;</p> <p>or</p> <p>For all development:</p> <p>(b) Buildings and structures:</p> <ul style="list-style-type: none"> (i) on lots greater than 2,500m² : <ul style="list-style-type: none"> - are sited in locations of lowest hazard within the lot; and - achieve setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater; and - 10 metres from any retained vegetation strips or small areas of vegetation; and - are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard. (ii) on lots less than or equal to 2,500m², maximise setbacks from hazardous vegetation; <p>and</p> <p>(c) For uses involving new or existing buildings with a gross floor area greater than 50 m² each lot has:</p> <ul style="list-style-type: none"> (i) a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or (ii) an on-site water storage of not less than 5,000 litres (e.g. accessible dam or tank with fire brigade tank fittings, swimming pool); <p>and</p>

⁶⁶ Refer to Overlay Map O3.



Specific Outcomes	Self-assessable Solutions
	<p>For all development that will result in multiple buildings or lots:</p> <p>(d) Residential lots are designed so that their size and shape allow for:</p> <ul style="list-style-type: none"> (i) efficient emergency access to buildings for firefighting appliances (e.g. by avoiding long narrow lots with long access drives to buildings); and (ii) setbacks and building siting in accordance with (b)(i) above; <p>and</p> <p>(e) Firebreaks are provided by:</p> <ul style="list-style-type: none"> (i) a perimeter road that separates lots from areas of bushfire hazard and that road has: <ul style="list-style-type: none"> - a minimum cleared width of 20 metres; and - a constructed road width and weather standard complying with Council standards; or (ii) where it is not practicable to comply with (e)(i) above, fire maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails: <ul style="list-style-type: none"> - have a minimum cleared width of 6 metres; and - have a formed width and gradient, and erosion control devices to Council standards; and - have vehicular access at each end; and - provide passing bays and turning areas for fire-fighting appliances; and - are either located on public land, or within an access easement that is granted in favour of Council and the Queensland Fire and Rescue Service. <p>and</p> <p>(iii) sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (e.g. waterways and other retained vegetation) to allow burning of sections and access for bushfire response.</p> <p>and</p>



Specific Outcomes	Self-assessable Solutions
<p>O22 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p>(f) Roads are designed and constructed in accordance with Council standards and:</p> <ul style="list-style-type: none"> (i) have a maximum gradient of 12.5%; and (ii) exclude culs-de-sac, except where a perimeter road isolates the development from hazardous vegetation or the culs-de-sac are provided with an alternative access linking the cul-de-sac to other through roads. <p>For development in High Bushfire Hazard Areas (except a Dwelling house on an existing lot):</p> <p>(g) Development complies with a Bushfire Management Plan for the premises.</p> <p>S22 Development complies with a Bushfire Management Plan for the premises.</p>

3.18 Cultural Features Code

(1) Purpose

- (a) The purpose of the Cultural Features Code is the achievement of the overall outcomes sought for the special management areas identified on the Cultural Features Overlay.
- (b) The overall outcomes sought for the special management areas on the Cultural Features Overlay 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 detracting;
 - (iii) public accessibility or physical change;
 - (iv) damage or removal.



(2) Elements

(a) Heritage Place Special Management Area⁶⁷

Specific Outcomes

- O1 Development involving a site listed in Schedule 3 as a Heritage Place Special Management Area, must provide for the conservation and management of the cultural heritage values of the listed site.
- O2 Development on sites adjoining premises listed in Schedule 3 (being a Heritage Place Special Management Area) must be designed, executed and operated to:
- ▶ be compatible with the cultural heritage significance of the listed site and not detrimentally impact its values or its setting; and
 - ▶ 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.
-

⁶⁷ Heritage places listed on the Queensland Heritage Register are protected under the *Queensland Heritage Act 1992*. Any development of these places should take place according to the requirements of this Act.



PART 4 - DEVELOPMENT ASSESSMENT PROVISIONS FOR SPECIFIC USES OR ISSUES

Division 1 – Preliminary

4.1 Types of Codes

- (1) The provisions of this part comprise the following types of codes:
- (a) Specific Use Codes (Division 2) comprising:
 - (i) Animal-related Activities Code (section 4.2),
 - (ii) Annexed Apartment Code (section 4.3),
 - (iii) Caretaker's Residence Code (section 4.4),
 - (iv) Child Care Centre Code (section 4.5),
 - (v) Display Home Code (section 4.6),
 - (vi) Dual Occupancy Code (section 4.7),
 - (vii) Forestry Business Code (section 4.8)
 - (viii) Home-based Business Code (section 4.9),
 - (ix) Market Code (section 4.10),
 - (x) Multiple Dwelling Unit and Retirement Village Code (section 4.11),
 - (xi) Service Station and Car Wash Code (section 4.12),
 - (xii) Short-term Accommodation Code (section 4.13),
 - (xiii) Telecommunication Facilities Code (section 4.14).
 - (b) Issue Codes (Division 3) comprising:
 - (i) Signs Code (section 4.15),
 - (ii) Filling and Excavation Code (section 4.16)
 - (iii) Clearing Code (section 4.17).



Division 2 – Specific Use Codes

4.2 Animal-related Activities Code

(1) Purpose

- (a) The purpose of the Animal-related Activities Code is the achievement of the overall outcomes sought for the development of Animal keeping, Aquaculture and Intensive animal husbandry.
- (b) The overall outcomes sought are:
 - (i) Uses and works are located, designed and managed so they:
 - (A) provide animals and on-site residents and caretakers with an acceptable level of amenity;
 - (B) remain compatible with the amenity, character and dominant landscape form in the local setting;
 - (C) minimise adverse effects upon the health, safety and lifestyle of communities within proximity to the site;
 - (D) minimise adverse effects on natural and cultural values of the environment;
 - (E) minimise incidents of erosion and land degradation;
 - (F) maintain the environmental values of ground and surface water resources and the natural hydrological characteristics of the drainage systems in the locality; and
 - (G) operate within the safe and effective design capacity of the local road system servicing the locality.
 - (ii) Uses and works are able to achieve licensing under the *Environmental Protection Act 1994* for a prescribed type of environmentally relevant activity established by the *Environmental Protection Regulation 1998*.



(2) Elements

(a) Site Suitability

Specific Outcome	Self-assessable Solutions
<p>O1 Animal keeping and Intensive animal husbandry are located on premises that:</p> <ul style="list-style-type: none"> ▶ are of suitable shape and area to provide for adequate setbacks of buildings, pens, ponds and waste disposal areas from: <ul style="list-style-type: none"> – site boundaries, – sensitive receptors, – waterways, wetlands, tidal lands, declared fish habitat areas, wells or bores, – arterial and higher-order roads, and – incompatible adjacent land uses; ▶ comprise undulating or flat terrain; ▶ are sufficiently elevated to facilitate ventilation and drainage; ▶ have adequate vehicle access; ▶ are not subject to flooding; and ▶ are supplied with a reliable, good quality water supply, and a secure power supply. 	<p>S1 (a) A use nominated in Column 1 of Table 9 and for the particular circumstances nominated in Column 2 of Table 9 is located on a site with a minimum area as nominated in Column 3 of Table 9.</p> <p>(b) For Animal keeping or Intensive animal husbandry, a site:</p> <ul style="list-style-type: none"> (i) has slopes less than 10%; (ii) has sealed road access; (iii) is provided with a reliable water supply and has a capacity to store a minimum of 2 days supply; (iv) is connected to an electricity supply

Table 9 – Minimum Site Area

Column 1 Use	Column 2 Circumstance	Column 3 Minimum Site Area (Hectares)
Kennel, Cattery or Pound	Up to 49 animals:	3 hectares
	50 or more animals:	5 hectares
Feedlot or Piggery	1-49SCU or 10-500SPU ⁶⁸ :	16 hectares
Poultry Farm	Up to 19,999 birds:	8 hectares
	20,000 or more birds:	16 hectares
Emu or Ostrich Farm	All circumstances:	1 hectare
Commercial Stable or Goat Farm	All circumstances:	2 hectares

⁶⁸ Where SCU means “Standard Cattle Units” and SPU means “Standard Pig Units”, as defined in Schedule 9 of the *Environmental Protection Regulation 1998*.



(b) Amenity and Health

Specific Outcome	Self-assessable Solutions
<p>O2 Animal keeping and Intensive animal husbandry are located to avoid significant adverse impacts on:</p> <ul style="list-style-type: none"> ▶ the amenity of the setting, and ▶ the health and wellbeing of occupants on adjacent premises. 	<p>S2 (a) For Animal keeping, a site is not less than:</p> <ul style="list-style-type: none"> (i) 1000 metres from land included in the Residential Zone or Park Residential Zone, and (ii) 1000 metres from any facility where people gather such as schools, churches, community halls, hospitals, sporting fields or the like. <p>(b) For Intensive animal husbandry:</p> <ul style="list-style-type: none"> (i) a site for a feedlot or piggery is not less than <ul style="list-style-type: none"> - 2000 metres from land included in the Residential Zone or Park Residential Zone, and - 2000 metres from any facility where people gather such as schools, churches, community halls, hospitals, sporting fields or the like. (ii) a site for a poultry farm, emu or ostrich farm is not less than: <ul style="list-style-type: none"> - 1000 metres from land included in the Residential Zone or Park Residential Zone, and - 1000 metres from any facility where people gather such as schools, churches, community halls, hospitals, sporting fields or the like. (iii) a site for a dairy is not less than: <ul style="list-style-type: none"> - 2000 metres from land included in the Residential Zone or Park Residential Zone, and - 2000 metres from any facility where people gather such as schools, churches, community halls, hospitals, sporting fields or the like.



(c) Site Layout and Management

Specific Outcome	Self-assessable Solutions
<p>O3 Compounds are located, designed and operated to accommodate the maximum number of animals to be kept on the land without having significant adverse impacts on:</p> <ul style="list-style-type: none"> ▶ the amenity of the locality; ▶ environmental values of ground and surface waters for ecosystem health and human consumption; ▶ the efficient operation of the Shire’s road network. 	<p>S3 (a) For Animal Keeping, compounds are setback at least the distances specified in Table 10.</p>

Table 10 – Animal Keeping – Compound Setbacks

Column 1 Compound setback from:	Column 2 Kennel, Cattery or Pound (up to 49 animals) (m)	Column 3 Kennel, Cattery or Pound (50+ animals) (m)
Dwelling unit on surrounding land	200	500
Property boundaries (other than road frontage)	15	30
State-controlled roads	50	50
Other roads	20	20
Top bank of a waterway or wetland ⁶⁹ or the edge of well, bore, dam, weir, intake, or the like which provides potable water supply to the site or surrounds.	100	100

⁶⁹ As identified on Overlay Map O7.



Specific Outcome **Self-assessable Solutions**

(b) For Intensive Animal Husbandry, compounds are setback at least the distances specified in Table 11.

Table 11 – Intensive Animal Husbandry – Compound Setbacks

Column 1 Compound setback to:	Column 3 Feedlot or Piggery (m)	Column 4 Poultry Farm (m)	Column 5 Dairy (m)	Column 6 Stable, Emus/Ostriches and Goats (m)
Land included in the Residential Zone or any facility where people gather such as schools, churches, community halls, hospitals, sporting fields or the like	2,000	500	1,000	150
Land included in the Park Residential Zone	2,000	300	500	60
Dwelling unit on surrounding land	1,000	300	500	60
Frontage to a State-controlled road	150	100	50	20
Frontage to other road	100	50	30	10
Property boundaries (other than road frontage)	30	50	50	20
Top bank of a waterway or wetland ⁷⁰ or the edge of well, bore, dam, weir, intake, or the like which provides potable water supply to the site or surrounds.	300	100	300	100
Top bank of dry or perennial gully	100	50	100	50
Domestic tank supplies	100	80	100	50

⁷⁰ As identified on Overlay Map O7.



Specific Outcome	Self-assessable Solutions
	<ul style="list-style-type: none"> (c) For aquaculture, ponds and dams are setback at least: <ul style="list-style-type: none"> (i) 200 metres from: <ul style="list-style-type: none"> - land included in the Residential Zone or Park Residential Zone; - any sensitive receptor; and (ii) 50 metres from a road frontage/s; and (iii) 15 metres from a side or rear boundary; (iv) 100 metres from a waterway or wetland⁷¹; and (v) 50 metres from the top bank of a dry or ephemeral gully. (d) Animal proof fencing or other appropriate barrier feature is provided within the site to prevent the escape of animals. (e) For Animal Keeping, animals are: <ul style="list-style-type: none"> (i) kept in fenced enclosures at all times and between 6pm and 7am, they are kept inside buildings constructed of approved, sound attenuating materials, and (ii) exercised within the property boundaries in yards and runs which are visually screened from trafficked roads, reception and on-site living areas and the line of sight from adjoining properties.

(d) Environmental Management

Specific Outcome	Self-assessable Solutions
O4 Sufficient and reliable water and electricity supplies are available for the safe and effective operation with environmentally acceptable waste management practices which minimise impacts upon soils and downstream water quality.	<p>S4</p> <ul style="list-style-type: none"> (a) Animal keeping or Intensive animal husbandry are developed on a site provided with sufficient and reliable water supplies to ensure animal health and sanitation, fire fighting, dust control and dilution of animal waste water – with a capacity to store a minimum of 2 days emergency supply. (b) Where in a zone with existing or planned reticulated water services, demand does not exceed 3 litres per square metre of site area. (c) Premises are connected to a three phase electricity power supply with generators for back-up service.

⁷¹ As identified on Overlay Map O7.



Specific Outcome	Self-assessable Solutions
	<p>(d) For Animal keeping or Intensive animal husbandry:</p> <ul style="list-style-type: none"> (i) solid wastes (including carcasses) are stored in vermin and odour proof containers in covered and bunded areas for disposal by an approved waste removalist, (ii) containers are placed in dedicated areas not visible to trafficked roads or adjacent residences, (iii) contaminated cleaning and wash down waters are: <ul style="list-style-type: none"> - drained to holding tanks for removal by an approved waste removalist, or - discharged to an on-site effluent treatment system producing secondary level treated effluent for irrigation to dedicated areas sized and located to accommodate hydraulic loadings and to prevent movement of nutrients off-site, and (iv) clean runoff and wash water is not used in site operations, is captured and applied to planted areas to minimise scour, erosion, ponding and nutrient accumulation and to prevent discharge of pollutants to water resources. (v) carcasses and the like are buried or composted on site where: <ul style="list-style-type: none"> - trenches, pits, pads and the like are above a depth of 5 metres to the seasonal high ground water level, and - all runoff and leachate is captured and drained to the compound waste water treatment system, (vi) contaminated waste water and runoff is captured and treated in the compound by a system of drainage works engineered to provide for hydraulic loadings, wet weather storage, sediment settlement, organic matter break down, nutrient settlement and controlled overtopping and back-up; in structures with lining and batter slopes to prevent movement of sediment off site, and



4.3 Annexed Apartment Code

(1) Purpose

- (a) The purpose of the Annexed Apartment Code is the achievement of the overall outcomes sought for the development of Annexed apartments.
- (b) The overall outcomes sought are:
 - (i) Annexed apartments that are small in scale and ancillary to the principal use of a site for a Dwelling house;
 - (ii) Annexed apartments are compatible in form and appearance with the scale, character and amenity desired for the local setting; and
 - (iii) Acceptable levels of privacy and amenity are achieved for residents of Annexed apartments and adjoining premises.

(2) Elements

(a) Extent of Use

Specific Outcome	Self-assessable Solutions
O1 An Annexed apartment is associated with a Dwelling house but is never the dominant use of a premises.	S2 Not more than one (1) Annexed apartment is attached to a Dwelling house.

(b) Siting and Design

Specific Outcome	Self-assessable Solutions
O2 Annexed apartments are: <ul style="list-style-type: none"> ▶ located in, under or over the principal house or proximate to the principal house; and ▶ compatible in scale, bulk and appearance as the principal house. 	S2 (a) The Annexed apartment: <ul style="list-style-type: none"> (i) has a gross floor area: <ul style="list-style-type: none"> - no larger than 80m² where located in the Residential Zone; or - not exceeding 50% of the gross floor area of the principal dwelling house where located in any other zone; and (ii) contains only one (1) bedroom. (b) The Annexed apartment: <ul style="list-style-type: none"> (i) is constructed as an integrated component⁷² of the principal house in the Residential Zone; or (ii) is located no more than 20 metres from the principal house in any other zone; and (iii) where located in the Residential Zone, is designed and located such that the buildings are presented as one building when viewed from the street.

⁷² “Integrated component” means that principal house and the annexed apartment must have the appearance and bulk of a single dwelling house through the use of design elements such as a common roofline, common walls, etc.



Specific Outcome	Self-assessable Solutions
	(c) The Annexed apartment shares the same driveway as the principal house.

4.4 Caretaker’s Residence Code

(1) Purpose

- (a) The purpose of the Caretaker’s Residence Code is the achievement of the overall outcomes sought for the development of Caretaker’s residences.
- (b) The overall outcomes sought are:
 - (i) Caretaker’s residences are ancillary to a non-residential use of a premises and are provided where a genuine caretaking or property management need arises;
 - (ii) Caretaker’s residences are compatible with the scale, character and amenity desired for the local setting in form and appearance;
 - (iii) Acceptable levels of privacy and amenity are achieved for the residents of the Caretaker’s residences.

(2) Elements

- (a) Nature of Development

Specific Outcomes	
O1	A caretaker’s residence is used as the domicile of a person and their immediate household in connection with the person’s occupation of caretaking a dominant lawful use on the same property.

(b) Building Siting and Design

Specific Outcomes	
O2	The floor area of the building occupied by the Caretaker’s residence is not greater than 100m ² .
O3	The Caretaker’s residence contains an area of private open space which is directly accessible from a habitable room, and: <ul style="list-style-type: none"> ▶ if at ground level, has an area of not less than 50m² , with no horizontal dimension of less than 5 metres, or ▶ if a balcony, verandah or deck, has an area of not less than 10m² with no horizontal dimension of less than 2.5 metres.
O4	Private open space is screened by a minimum 1.8 metre high solid fence or wall.



4.5 Child Care Centre Code

(1) Purpose

- (a) The purpose of the Child Care Centre Code is the achievement of the overall outcomes sought for the development of Child care centres.
- (b) The overall outcomes sought are:
 - (i) Child care centres are well designed and established in locations that best meet the needs of the community having regard to:
 - (A) demand for the type of facility proposed in terms of existing and predicted population profiles within the catchment area; and
 - (B) access and safety considerations; and
 - (C) amenity of the locality with particular attention to surrounding land use and building siting and design;
 - (ii) Child care centres are located to encourage multi-purpose trips rather than as the destination of a single purpose trip.

(2) Elements

(a) Location of Child Care Centres

Specific Outcomes

- O1 Child care centres are developed in response to a demonstrated need.
- O2 Child care centres are located:
 - ▶ in proximity to other community facilities or educational establishments; or
 - ▶ at a conveniently accessible site at the ‘gateway’⁷³ to a residential or business area; and
 - ▶ on a site with direct access to a road of at least collector status, but not with direct access to an arterial or higher level road (including a State-controlled road); and
 - ▶ to meet occupational health and safety standards relevant to child care centres.
- O3 Child care centres are not located:
 - ▶ within 40 metres of high voltage electricity transmission lines or substations, mobile phone base stations or any other facilities that generate electro-magnetic fields or radiation; or
 - ▶ within 55 metres of an above ground LPG storage tank or tanker unloading facility.

(b) Site Characteristics

Specific Outcome

- O4 Child care centres are developed on sites which have sufficient area and exhibit suitable characteristics to accommodate desired facilities without risk to children’s health or safety.

⁷³ The ‘gateway’ to an area denotes a location at a prominent entry or access to the area.



(c) Site Layout and Design

Specific Outcome

- O5 Child care centres comply with the minimum design requirements for the licensed capacity of the facility in accordance with the Queensland *Child Care Regulation 2003*.

(d) Streetscape and Amenity

Specific Outcome

- O6 Child care centres are developed to compliment the local streetscape and reflect the character of the locality.

4.6 Display Home Code

(1) Purpose

- (a) The purpose of the Display Home Code is the achievement of the overall outcomes sought for the development of Display homes.
- (b) The overall outcomes sought are:
- (i) Display homes are used for a limited period beginning at the time of release for sale of the property; and
 - (ii) Display homes do not adversely affect the amenity of surrounding premises.

(2) Elements

(a) Site Characteristics

Specific Outcome	Self-assessable Solutions
O1 Display homes are to be utilised for a limited period.	S1 The premises are not used for a period of more than 2 years or continue once the units or lots as the case may be within the approved development have been sold.

(b) Siting and Design

Specific Outcome	Self-assessable Solutions
O2 A display home is established to display the type of construction or design being offered by a builder within the approved development, or by the developer of the premises.	S2 The display home and promotional sales within the display home is limited to the sale and promotion of the approved development.



(c) Streetscape

Specific Outcome	
O3	The residential streetscape and amenity in the vicinity is not adversely affected by the use of promotional displays or extraordinary signage.
S3	(a) The face area of all signage including a signboard, notice board, wall, fence, or other structure, does not exceed 10m ² . (b) Display material is to be located at the principal entry to the approved development site. (c) Bunting and other forms of promotional display that incorporate illumination or movement are not used.

(d) Amenity

Specific Outcome	Self-assessable Solutions
O4	Display homes are located so as not to create a nuisance to existing and likely future residents during the sales period.
S4	(a) Display homes are located at the major entry to the development site. (b) Sales and promotional activities are conducted so as not to create a nuisance to adjoining residents or residents in the immediate locality.

(e) Traffic

Specific Outcome	Self-assessable Solutions
O5	Sales and promotional activities do not cause a traffic or parking problem in the locality.
S5	Adequate and suitable parking is provided on the premises or suitable on street parking is kept available so as not to create a traffic problem in the area.

(f) Landscaping

Specific Outcome	Self-assessable Solutions
O6	Display homes are landscaped.
S6	(a) Display homes are landscaped according to the likely end use of the house or dwelling unit as the case may be. (b) All additional hardstand material installed for the display period is to be removed and the site area landscaped.



4.7 Dual Occupancy Code

(1) Purpose

- (a) The purpose of the Dual Occupancy Code is the achievement of the overall outcomes sought for the development of Dual occupancies.
- (b) The overall outcomes sought are:
 - (i) Dual occupancies contribute positively to the immediate streetscape, general visual amenity and character of the locality and liveability of residential areas in the Shire;
 - (ii) Dual occupancies are compatible with the existing and/or planned character of the locality and surrounding development in relation to scale, height and bulk of buildings;
 - (iii) Dual occupancies are designed to ensure:
 - (A) safe and convenient access and parking for residents and visitors;
 - (B) casual surveillance of the public and communal open space areas;
 - (C) passive recreation/private open space adequate to satisfy need residents of units; and
 - (D) relevant health, safety, and lifestyle standards are achieved.

(2) Elements

(a) Site Suitability

Specific Outcomes	
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- | | |
|----|--|
| O1 | In newly developed residential estates, a maximum of 20% of the total number of new lots nominated on an approved Plan of Development or Subdivisional Layout Plan are for Dual occupancies. |
| O2 | In existing residential neighbourhoods, Dual occupancies are located on allotments that have no more than one boundary abutting a site used or approved for use for a Dual occupancy. |

(b) Building Siting and Design

Specific Outcomes	
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- | | |
|----|---|
| O3 | Despite any other provision of this planning scheme, the area covered by buildings and structures is not greater than 40% of the lot. |
|----|---|



Specific Outcomes

O4 Despite any other provision of this planning scheme, buildings and structures are setback from roads and other boundaries in accordance with the distances specified below:

Boundary	Building Height (metres)	Minimum Setback (metres)
(i) State-controlled road	All	10 metres
(ii) Except for (i), principal road frontage	All	6 metres
(iii) Except for (i), secondary road frontage	All	4.5 metres
(iv) Side	Up to 4.5 metres	1.5 metres
	Over 4.5 metres	1.5 metres plus 0.3 metre for every 1 metre of height over 4.5 metres
(v) Rear	All	3 metres

O5 The privacy of residents of adjoining premises is protected through the design of any part of a dwelling unit above ground level and within 3 metres of a side or rear boundary including:

- no balconies overlooking adjoining (outdoor or internal) living areas; or
- all upper storey windows overlooking adjoining residential property glazed in opaque glass or otherwise appropriately screened.

O6 The site layout enhances streetscape appeal through the location of garages or carports:

- at the rear of a lot; or
- setback a minimum of 1.5 metres from the main face of the associated dwelling unit, or in line with the associated dwelling unit, if the dwelling unit incorporates a verandah, portico, etc. projecting forward of the main face.

O7 Buildings adjacent to the public street address the street through a front door or living room windows facing the street.

O8 Individual dwelling units are able to be identified from the street.

(c) Private Open Space and Landscaping

Specific Outcome

O9 For each dwelling unit, private open space is provided which has a minimum area of 80m² and:

- no horizontal dimension is less than 4 metres, and
- one part with an area of at least 25 m² and a minimum dimension of 5 metres and is directly accessible from the main living area of the dwelling unit.

O10 A minimum 3 metre wide area of landscaping is provided adjacent to all road frontages (excluding access driveways).

Commencement date: 1 June, 2006



(d) Fencing

Specific Outcome

- O11 A 1.8 metre high solid screen fence is provided to:
- ▶ any road boundary, if the main private open space is between the road frontage and the dwelling unit.
 - ▶ side and rear boundaries to screen living and open space areas both on the site and on adjoining residential premises.

(e) On-site Service Facilities

Specific Outcome

- O12 The following facilities are provided on site:
- ▶ individual mail boxes located close to each ground storey dwelling unit entry or a common mail box structure located close to the major pedestrian entrance to the site;
 - ▶ refuse bin enclosure located for convenience use and collection and adequately screened from public view;
 - ▶ an open-air clothes drying facility of 9m² for each dwelling unit, that is screened from public view; and
 - ▶ a secure storage space of 8m³ for each dwelling unit.

4.8 Forestry Business Code

(1) Purpose

- (a) The purpose of the Forestry Business Code is the achievement of the overall outcomes sought for the development of Forestry businesses.
- (b) The overall outcomes sought are:
- (i) Forestry business are located, designed and managed so they:
 - (A) remain compatible with the amenity and character in the local setting and minimise unacceptable impacts on adjacent land uses,
 - (B) minimise incidents of unmanageable bushfire and pest risk,
 - (C) prevent conflict with surrounding land uses,
 - (D) minimise any negative effects upon the health, safety and lifestyle of closer settled communities within proximity to the site,
 - (E) minimise any unacceptable effects on the socio-economic fabric of the host community,
 - (F) maintain the safe and effective operation of adjacent public utility infrastructure of local to national significance,
 - (G) maintain the dominant character of landscapes of high scenic or indigenous cultural value,



- (H) maintain the biodiversity within the Protected Areas Special Management Area⁷⁴ and the Waterways Special Management Area and Wetlands Special Management Area⁷⁵ in the Shire and avoid harm to protected species whilst maintaining significant ecological values as part of timber productivity,
- (I) minimise incidents of erosion, soil loss, salinisation and land degradation so as to maintain land resources,
- (J) maintain the environmental values of ground and surface water resources which support ecological values, economic development and potable water supplies for the region,
- (K) maintain the natural hydrological characteristics of the flooding and drainage systems in the locality, and
- (L) operate within the safe and effective design capacity of the local road system servicing the area.

(2) Elements

(a) Site Suitability

Specific Outcomes	Self-assessable Solutions
O1 A Forestry business is located and managed to minimise the loss of or reduced productivity of land best used for other rural purposes with site preparation, planting, cultivation. Harvesting and necessary remediation being sustainable relative to land and water resources on the site and surrounds.	S1 Uses and works are setback at least the distances nominated in Table 12 below.

Table 12 – Forestry Business Setback to Surrounding Properties

Column 1 Setback to:	Column 2 Site Area		
	Less than 3 Hectares	3-10 Hectares	More than 10 Hectares
▶ Adjacent dwelling unit or any facility where people gather such as schools, churches, community halls, hospitals or sporting fields	30 metres	40 metres	60 metres
▶ Otherwise, setback to property boundary to:			
– Rural Zone	5 metres	5 metres	5 metres
– Residential Zone	8 metres	10 metres	15 metres
– Park Residential Zone	5 metres	8 metres	10 metres

⁷⁴ As identified on Overlay Map O1.

⁷⁵ As identified on Overlay Map O7.



(b) Amenity, Health and Safety

Specific Outcomes	Self-assessable Solutions
O2 The amenity, health, safety and well-being of occupants of sensitive receiving environments is not adversely effected by dust, spraying and noise emissions or threats from incidents of bushfire risk arising from the location and operation of Forestry business (plantation) or from on-farm processing for Forestry business (plantation and native forest).	<p>S2 (a) Site preparation and harvesting for Forestry business (plantation), air-drying of on-site trees and the location of permanent plant/equipment for Forestry business do not encroach into the distances prescribed in Table 13.</p> <p>(b) Portable sawmilling, use of solar kilns and storage sheds and on-farm handling, packaging, storage and processing for Forestry business do not encroach into the distance prescribed in Table 13.</p>

Table 13 – On-Farm Processing Setback to Surrounding Properties

Column 1 Setback to:	Column 2 Site Area		
	Less than 3 Hectares	3-10 Hectares	More than 10 Hectares
▶ Adjacent dwelling unit or any facility where people gather such as schools, churches, community halls, hospitals or sporting fields	60 metres	80 metres	100 metres
▶ Otherwise, setback to property boundary to:			
– Rural Zone	10 metres	10 metres	10 metres
– Residential Zone	30 metres	40 metres	60 metres
– Park Residential Zone	20 metres	30 metres	50 metres

- (c) If located on a lot adjoining land zoned Park Residential or Residential, machinery is not operated more than 2 weeks in any 6 months and not outside the hours of 7am-6pm on any day.

(c) Fire Management

Specific Outcomes	Self-assessable Solutions
O3 The threat and adverse impacts from bushfire associated with: <ul style="list-style-type: none"> ▶ operations on the Forestry business, and ▶ surrounding areas increasing potential for incidents within the Forestry business, is minimised to an acceptable level.	<p>S3 (a) Maximum contiguous area of plantation without an internal access road does not exceed 30 hectares.</p> <p>(b) Minimum capacity of dams, tanks, bores or other water supply facilities is sufficient to provide 3000 litres per hour for fire fighting purposes.</p>



(d) Traffic and Access Management

Specific Outcomes		Self-assessable Solutions	
O4	Heavy vehicle movements from a property do not adversely effect the construction and safety standards or the efficient operation of the streets, roads and bridges from which access to mills and markets is provided, and the amenity of closer settled areas is not adversely effected by the passage of heavy vehicles down collector or lessor order streets.	S4	<p>(a) Heavy vehicles from Forestry business have access from a State-controlled road or otherwise from a road with a constructed pavement of at least 6.5 metres carriageway width.</p> <p>(b) Heavy vehicles from the Forestry business do not exceed 8 return trips per day during site preparation and harvesting.</p> <p>(c) Heavy vehicle movements from the Forestry business occur between 6am and 6pm with no movements within local school bus times for the scheduled routes.</p>

(e) Visual Impact

Specific Outcomes	
O5	The Forestry business maintains an open, rural landscape character dominated by natural features and land extensive activities.

(f) Ecological Values

Specific Outcomes	
O6	<p>Forestry business involves species type, establishment, propagation and harvesting which will not threaten the ecological processes, biodiversity and faunal species:</p> <ul style="list-style-type: none"> ▶ associated with remnant vegetation included in a Protected Areas Special Management Area on Overlay Map O1, a Waterway Special Management Area or Wetland Special Management Area on Overlay Map O7, or ▶ related to locally sensitive landscapes and ecosystems within and influencing the site.

(g) Water Quality Maintenance and Riparian Land Management

Specific Outcomes		Self-assessable Solutions	
O7	Site preparation, harvesting, on-farm processing and release points for air/water blast spraying to application areas of chemicals, pesticides, fertilisers and the like minimise sediments, pathogens and nutrient contamination of downstream waters and controls erosion so the environmental values of ground and surface waters for ecosystem health and human consumption (with minimal treatment) are not degraded.	S7	(a) For Forestry business, there is no site preparation, harvesting and air/water blast spray application of chemicals and fertilisers within 50 metres of a waterway or wetland ⁷⁶ .

⁷⁶ As identified on Overlay Map O7.



Specific Outcomes	Self-assessable Solutions
	<ul style="list-style-type: none"> (b) Site preparation, planting, harvesting and on-farm processing and accessways are confined to: <ul style="list-style-type: none"> (i) free draining areas, and (ii) slopes not exceeding 15% for on-farm processing and accessways, or (iii) otherwise, sites on slopes not exceeding 20% gradient

(h) Servicing

Specific Outcomes	Self-assessable Solutions
O8 Sufficient and reliable water supplies are available for Forestry business operations with environmentally acceptable waste management practices.	S8 If in a zone with existing or planned reticulated water services, demand does not exceed 3 litres per square metre of site area.

4.9 Home-based Business Code

(1) Purpose

- (a) The purpose of the Home-based Business Code is the achievement of the overall outcomes sought for the development of Home-based businesses.
- (b) The overall outcomes sought are:
 - (i) Home-based businesses are integrated as a small-scale component of the dwelling unit and remain subsidiary in form and function to the principal residential dwelling unit;
 - (ii) Home-based businesses are compatible with the scale, character and environmental values exhibited by the local setting;
 - (iii) Home-based businesses are sited and designed to:
 - (A) achieve relevant health and safety standards;
 - (B) minimise to an acceptable level any off-site impacts;
 - (C) achieve acceptable levels of privacy and amenity for residents of the premises and of adjoining premises, and
 - (D) operate within the safe and effective design capacity of the utilities and road system servicing the area; and
 - (iv) Home-based businesses support the economic viability of a household resident on a site without unacceptably impacting on the viability and vitality of the Shire’s commercial and industrial centres or its community services.



(2) Elements

(a) Extent of Use

Specific Outcomes	Self-assessable Solutions
O1 Home-based business is subservient to the principal use of a dwelling unit for permanent accommodation for a household.	S1 (a) The floor area used specifically for the Home-based business either in the dwelling unit or in a separate building within the curtilage of the dwelling unit, does not exceed 60m ² . (b) A maximum of 1 equivalent non-resident person is employed.

(b) Design

Specific Outcomes	Self-assessable Solutions
O2 Home-based business has a form and appearance that does not significantly detract from local amenity.	S2 (a) Any new building work to establish the Home-based business: (i) does not result in a building or structure that exceeds a maximum height of 8.5 metres, and (ii) does not increase the area covered by buildings and structures to greater than 50% of the site area. (b) Display goods and stored goods or materials are not visible from outside the premises. (c) There is only one sign related to the business activity and the sign is: (i) not greater than 0.3m ² in area; (ii) not illuminated; and (iii) wholly within the premises or on a fence facing the road. (d) Activities do not include hiring out of materials, goods, appliances or vehicles. (e) There is no repairing, servicing, cleaning or loading of vehicles not normally associated with use of premises as a dwelling unit. (f) Inclusive of vehicle trips associated with the use of the dwelling unit, no more than 10 vehicle trips per day (where 1 vehicle trip equals arriving and departing the site) are generated.



Specific Outcomes	Self-assessable Solutions
	<ul style="list-style-type: none"> (g) In the Residential and Park Residential Zones, any commercial vehicle parked on the site: <ul style="list-style-type: none"> (i) does not exceed 4 tonnes GVM⁷⁷, and (ii) is garaged within the curtilage of the dwelling unit behind the building line.

4.10 Market Code

(1) Purpose

- (a) The purpose of the Market Code is the achievement of the overall outcomes sought for the development of Markets.
- (b) The overall outcomes sought are:
 - (i) Markets are conducted in a manner compatible with the character and amenity of the local setting in which they are located;
 - (ii) Public health and safety is not jeopardised as a result of the use of premises for markets;
 - (iii) Markets do not result in any adverse affect on the amenity of local area; and
 - (iv) Markets do not adversely affect the operation of other businesses in the vicinity in terms of impacts including access, car parking, noise, and competition.

(2) Elements

(a) Amenity

Specific Outcomes	Self-assessable Solutions
O1 A market is sited on premises having regard to the amenity enjoyed by people using the premises and adjacent premises.	S1 For a Market, a site: <ul style="list-style-type: none"> (a) is contiguous with land within the Business Zone or an existing community purpose or Parks, (b) has an area of at least 1 000 m², and (c) has frontage to a higher order road.
O2 A market has a form and appearance that does not significantly detract from local amenity.	S2 If a site adjoins land in the Residential or Park Residential Zone, stalls or on-site recreational facilities are setback at least 10 metres from any contiguous boundary.

⁷⁷ GVM means gross vehicle mass.



(b) Health, Safety and Convenience

Specific Outcomes

- O3 The health, safety and convenience of people using the Market and people residing in premises adjoining the Market is maintained with respect to:
- ▶ pedestrian and vehicle access within and to and from the site,
 - ▶ access for emergency services vehicles, and
 - ▶ significant environmental effects on adjacent premises.

4.11 Multiple Dwelling Unit and Retirement Village Code

(1) Purpose

- (a) The purpose of the Multiple Dwelling Unit and Retirement Village Code is the achievement of the overall outcomes sought for the development of Multiple dwelling units and Retirement villages.
- (b) The overall outcomes sought are:
- (i) The immediate streetscape, general visual amenity and character of the locality and liveability of residential areas in the Shire is enhanced by the development of Multiple dwelling units and Retirement villages;
 - (ii) Development is compatible with surrounding development in relation to scale, height and bulk of buildings and consistent with outcomes for the locality expressed in relevant zone codes;
 - (iii) Multiple dwelling units and Retirement Villages are located in areas readily accessible to business centres or major community or educational facilities;
 - (iv) Developments are designed to ensure:
 - (A) safe and convenient access and parking for residents and visitors, and
 - (B) casual surveillance of the public and communal open space areas, and
 - (C) a mix of functional dwelling unit types offering lifestyle opportunities and energy efficient living, and
 - (D) passive recreation/private open space adequate to satisfy need residents.

(2) Elements

(a) Site Suitability

Specific Outcomes

- O1 Multiple dwelling units and Retirement villages are developed on a site that has:
- ▶ a minimum area of 1,000m² and a minimum frontage of 20 metres; and
 - ▶ a slope less than 15%.



(b) Building Siting and Design

Specific Outcomes

O2 Despite any other provision of this planning scheme, the minimum setbacks for buildings and structures from site boundaries are as follows:

Boundary	Building Height (metres)	Minimum Setback (metres)
(i) State-controlled road	All	10 metres
(ii) Except for (i), principal road frontage	All	6 metres
(iii) Except for (i), secondary road frontage	All	3 metres
(iv) Side	Up to 4.5 metres	1.5 metres
	Over 4.5 metres	1.5 metres plus 0.3 metre for every 1 metre of height over 4.5 metres
(v) Rear	All	6 metres

O3 Buildings have a maximum unarticulated length of 15 metres to the principal road frontage.

O4 The privacy of residents of adjoining premises is protected through the design of any part of a dwelling unit above ground level and within 3 metres of a side or rear boundary including:

- no balconies overlooking adjoining (outdoor or internal) living areas; or
- for Multiple dwelling units, all upper storey windows overlooking adjoining residential property glazed in opaque glass or otherwise appropriately screened.

O5 The streetscape appeal is enhanced through the location of garages or carports:

- at the rear of the premises; or
- at ground level, below the dwelling units.

O6 Buildings adjacent to the public street address the street through a front door or living room windows facing the street.

O7 Individual dwelling units are able to be identified from the street.

(c) Private and Communal Open Space and Landscaping

Specific Outcomes

O8 A minimum 30% of the site is provided as communal open space.

O9 For Multiple dwelling units:

- each ground storey dwelling unit is provided with private open space with a minimum area of 35m²;
- each dwelling unit above ground storey, is provided with private open space in the form of a balcony having a minimum area of 8m² and a minimum width of 2 metres and is directly accessible from the main living area of the dwelling unit.

O10 A minimum 3 metre wide area of landscaping is provided adjacent to all road frontages (excluding access driveways).



(d) Fencing

Specific Outcome

- O11 A 1.8 metre solid screen fence is provided to side and rear boundaries to screen living and open space areas both on the site and on adjoining residential premises.

(e) On-site Service Facilities

Specific Outcomes

- O12 The following facilities are provided on site:
- individual mail boxes located close to each ground storey dwelling unit entry or a common mail box structure located close to the major pedestrian entrance to the site;
 - refuse bin enclosure located for convenience use and collection and adequately screened from public view;
 - open-air clothes drying facilities that are screened from public view;
 - a secure storage space of 8m³ for each dwelling unit; and
 - for multiple dwelling units, a vehicle wash-down area:
 - that is located such that vehicles are wholly contained on site; and
 - that is not located adjacent to or underneath the eating or living areas of any dwelling unit or neighbouring property; and
 - where the floor is graded to fall to a drainage point located within the wash-down area; and
 - the drainage of which is by means of a trapped gully connected to the sewer; and
 - that features a hose cock is located in the vicinity of the wash-down area.

4.12 Service Station and Car Wash Code

(1) Purpose

- (a) The purpose of the Service Station and Car Wash Code is the achievement of the overall outcomes sought for the development of Service stations and Car wash facilities.
- (b) The overall outcomes sought are:
- (i) Service stations and Car wash facilities, are not located on land zoned for residential purposes.
 - (ii) Service stations and Car wash facilities are located and designed to:
 - (A) enable convenient accessibility and safe access;
 - (B) achieve a high standard of appearance;
 - (C) provide separation and buffering to minimise impacts on adjoining land uses; and
 - (iii) Development of Service stations and/or Car Wash facilities does not result in risks to public health and safety above acceptable levels.



(2) Elements

(a) Site Layout and Design

Specific Outcomes		Self-assessable Solutions	
O1	The site is configured to accommodate the building(s), other structures, vehicle access and movement areas, and landscaping.	S1	(a) The site has an area of at least 1 500m ² . (b) The site has a frontage of not less than: (i) 40 metres where the site is not a corner site, or (ii) 35 metres otherwise. (c) The site is situated not more than 100 metres from the intersection of two or more roads, one of which is a State-controlled Road. (d) Two vehicle crossings, each no greater than 9 metres in width, are provided and located no closer than 10 metres to: (i) any other vehicle crossing, or (ii) any road intersection. (e) At least 10% of the site is provided as landscaped area.
O2	Fuel pumps and inlets to bulk storage tanks located to minimise the risk of a dangerous occurrence ⁷⁸ .	S2	(a) Fuel pumps and inlets are located in accordance with <i>Australian Standard AS1940: The storage and handling of flammable and combustible liquids</i> ; and (b) Inlets are located no closer than 5 metres to any boundary of the site.
O3	Customer air and water facilities and automatic car washing facilities are located appropriately.	S4	Facilities are situated within the site and no closer than 5 metres to any boundary of the site.
O4	Waste storage facilities are located to satisfy relevant health and safety standards.		

(b) Ancillary Retail Purposes

Specific Outcomes		Self-assessable Solutions	
O5	Retailing of products and/or services not directly associated with maintenance of motor vehicles remains subservient to the primary service station use.	S6	The floor area for ancillary retailing does not exceed: (a) 100 m ² , or (b) 50% of the sales floor area exclusive of those parts used for vehicle maintenance (e.g., service bays, etc).

⁷⁸ Refer Sub-section 1.8.11 of *AS1940-1993: The storage and handling of flammable and combustible liquids*.



4.13 Short-term Accommodation Code

(1) Purpose

- (a) The purpose of the Short-term Accommodation Code is the achievement of the overall outcomes sought for the development of Accommodation buildings and Bed and breakfast.
- (b) The overall outcomes sought are:
 - (i) Short-term accommodation facilities are located in areas attractive to tourist/travellers due to their natural surroundings and/or in proximity to tourist attractions;
 - (ii) Short-term accommodation facilities are consistent with the scale of existing buildings and structures in the vicinity, and designed to complement the physical character of the local area; and
 - (iii) Short-term accommodation facilities are located and designed with regard to the privacy of and amenity enjoyed by residents of the premises and any adjacent premises.
 - (iv) Bed and breakfast accommodation in the Rural Zone supports and remains ancillary to the primary rural use of the property, without jeopardizing existing or likely future legitimate rural activities on the site or surrounding premises.

(2) Elements

(a) Site Suitability

Specific Outcomes		Self-assessable Solutions	
O1	Premises: <ul style="list-style-type: none"> ▶ are located within close proximity to an established urban area or other visitor attraction; ▶ are visible, or otherwise in close proximity to, transport facilities or routes likely to be used by visitors; and ▶ have easy, safe and convenient access from the major road network. 	S1	(a) In the Bowen urban area, premises are located: <ul style="list-style-type: none"> (i) within 400 metres of: <ul style="list-style-type: none"> - the Central Business Precinct⁷⁹, or - Queens Beach Esplanade, or - the foreshore at Queens Bay, Grays Bay, Horseshoe Bay, Murray Bay or Rose Bay; or - the Bowen Boat Harbour; and (ii) with frontage to, or is within 100 metres of, a higher order road. (b) In the Rural Zone or Park Residential Zone, premises: <ul style="list-style-type: none"> (i) are located within 4 kilometres of: <ul style="list-style-type: none"> - the Bowen or Collinsville urban areas indicated on the Shire Outline Map, and/or - a major tourist facility or attraction; and (ii) fronts or is within 1 kilometre of a State controlled road; and (iii) has all-weather access from a road

⁷⁹ This is identified on the Zoning Maps (Z series).



Specific Outcomes	Self-assessable Solutions
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<p>O2 The site is of sufficient size and suitable proportions to provide for adequate on-site and local area amenity, with respect to boundary setbacks, open space, car parking and landscaping.</p>	<p style="text-align: right;">suitable for use by two-wheel drive vehicles at all times.</p> <p>S2 (a) In the Bowen urban area, a site complies with the following:</p>
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Proposed Use	Minimum Site Area (m ²)	Minimum Road Frontage (m)
Accommodation building	1,000	20
Bed and breakfast	800	20

(b) In the Rural Zone or Park Residential Zone, a site has an area of at least 4 hectares.

(b) Building Siting and Design – Accommodation Buildings

Specific Outcomes	Self-assessable Solutions
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<p>O3 Accommodation buildings:</p> <ul style="list-style-type: none"> ▶ are consistent with the scale of existing buildings and structures in the vicinity; ▶ have a form and appearance that does not significantly detract from local amenity; ▶ are sited to minimise direct overlooking of the main living areas of adjacent residences; and ▶ provide residents of adjacent premises with an adequate sense of visual and acoustic privacy. 	<p>S3 (a) Despite any other provision of this planning scheme, premises in the Residential Zone have:</p> <ul style="list-style-type: none"> (i) side and rear setbacks equal to half the height of the building and not less than 3 metres; and (ii) walls built to within 1.5 metres of side and/or rear boundaries only where: <ul style="list-style-type: none"> - the maximum wall height is 3.5 metres, - the wall contains no openings or windows glazed with translucent or opaque materials and with sills a minimum of 1.5 metres above the floor level of the room in which they are provided; and - the maximum wall length is 50% of the length of the adjoining property boundary; and (iii) a 9 metre minimum separation (12 metres where above the first floor level) provided to windows of habitable rooms of facing dwellings on adjoining land. <p>(b) Despite any other provision of this planning scheme, the minimum setback for buildings is:</p>
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Specific Outcomes		Self-assessable Solutions	
			<ul style="list-style-type: none"> (i) 10 metres to a State-controlled road; or (ii) 6 metres to all other roads.
			(c) Public dining facilities are provided only where the premises are sited within or adjoining land included in the Business Zone.
			(d) A landscaping area, with a minimum width of 2 metres and capable of being planted with trees and shrubs featuring dense foliage, is provided between parking, manoeuvring, loading/unloading and outdoor recreation areas and site boundaries.
			(e) Buildings have a maximum unarticulated length of 15 metres to the street frontage.
O4	Landscaping is established on site to maintain the amenity enjoyed by people using the premises and the adjoining premises.	S4	An area of not less than 30% of the total site area is provided and maintained as landscape and recreation area, with no part of the area having a dimension of less than 3 metres.

(c) Building Siting and Design – Bed and Breakfast

Specific Outcomes		Self-assessable Solutions	
O5	<p>Bed and breakfast accommodation is:</p> <ul style="list-style-type: none"> ▶ provided by a single household as part of the premises occupied by that household; ▶ sited and designed having regard to the privacy of people using the premises and the adjoining premises and the amenity enjoyed by those people; and ▶ consistent with the character of the locality in which the premises are situated. 	S5	<p>(a) In urban areas:</p> <ul style="list-style-type: none"> (i) Bed and breakfast accommodation is provided within the curtilage of the Dwelling house occupied (as the principal place of residence) by the household providing the accommodation; (ii) The maximum amount of accommodation made available to guests is three bedrooms; (iii) Guests are provided with a bedroom capable of being enclosed to provide physical and visual privacy from members of the host household; (iv) The bedrooms provided for guests are in the same building as the kitchen, bathing and toilet facilities provided for the guests and the accommodation of the owner; (v) Bathing and toilet facilities provided for guests are separate to those used by the host household; and (vi) The only cooking facilities available to the guests are those within and normally used by the residents of the house and at least one substantial meal is offered by the host household to guests each day.



Specific Outcomes	Self-assessable Solutions
	<p>(b) In the Rural Zone or Park Residential Zone:</p> <p>(i) Bed and breakfast accommodation is provided:</p> <ul style="list-style-type: none"> - within the curtilage of the Dwelling house occupied (as the principal place of residence) by the household providing the accommodation; or - in free-standing cabins; <p>(ii) The maximum amount of accommodation made available to guests is five (5) bedrooms, with a maximum of ten (10) guests on the premises;</p> <p>(iii) Cabins are sited:</p> <ul style="list-style-type: none"> - within 250 metres of the existing Dwelling house; and - no closer than 150 metres to any boundary which adjoins land being used for commercial rural production; and <p>(iv) Cabins provide one or more of the following:</p> <ul style="list-style-type: none"> - bathing facilities; - toilet facilities; or - cooking and/or dining facilities. <p>(c) Any cabins to be used for Bed and breakfast accommodation in the Rural or Park Residential Zone, must have a total floor area less than the total floor area of the existing Dwelling house.</p>

(d) Use of Premises

Specific Outcomes	Self-assessable Solutions
O6 Accommodation provided is for short-term duration only.	S6 Accommodation offered at a Bed and breakfast does not extend for more than 14 nights consecutively.

4.14 Telecommunication Facilities Code

(1) Purpose

- (a) The purpose of the Telecommunication Facilities Code is the achievement of the overall outcomes sought for the development of telecommunication facilities.
- (b) The overall outcomes sought are:



- (i) Telecommunications facilities are compatible with the physical characteristics of the site where they are located and the character of the locality; and
- (ii) Telecommunication facilities do not cause nuisance or unacceptable risks to public health and safety.

(2) Elements

(a) Siting and design

Specific Outcomes	Self-assessable Solutions
<p>O1 Development is visually integrated with its landscape or townscape setting so as not to be visually dominant or unduly obtrusive.</p>	<p>S1 Facilities are</p> <ul style="list-style-type: none"> (a) located underground; or (b) below the level of the predominant tree canopy or surrounding premises; or (c) integrated with an existing building or structure by: <ul style="list-style-type: none"> (i) not involving any freestanding elements (ii) concealment as an integral part of a building or structure; (iii) not increasing the bulk and height of the building or structure of which it forms a part; or (d) co-located with existing facilities.
<p>O2 Development does not cast shadows that cause the amenity of surrounding premises, or the useability of public open space, to be unacceptably reduced.</p>	<p>S2 Buildings or structures having:</p> <ul style="list-style-type: none"> (a) a height of more than: <ul style="list-style-type: none"> (i) 8.5 metres in the Residential Zone; or (ii) 12 metres elsewhere; and (b) a cross-sectional area of more than 20m², do not significantly reduce the length of time⁸⁰ sunlight penetrates into the living room windows of dwelling units on adjacent sites or to any useable public open space.

(b) Health and Safety

Specific Outcomes	Self-assessable Solutions
<p>O3 Emissions of light, noise, vibration or radiation are managed to ensure:</p> <ul style="list-style-type: none"> • nuisance is not caused beyond the site boundaries; • applicable State and national standards and requirements are satisfied; • unacceptable risks to the environment and to personal and public safety are not caused, and <p>as necessary, public access is restricted to</p>	<p>S3 Warning information signage and security fencing is provided on site to prevent unauthorised entry.</p>

⁸⁰ Significant reduction means that there is less than 3 hours between 9am and 3pm on 21 June.



Specific Outcomes	Self-assessable Solutions
satisfy workplace health and safety requirements.	



Division 3 – Issue Codes

4.15 Signs Code

(3) Purpose

- (a) The purpose of the Signs Code is the achievement of the overall outcomes sought for the development of On-premises signs and Advertising hoardings.
- (b) The overall outcomes sought are:
 - (i) Signs are compatible with the physical characteristics of the site, the character and built form of the premises on the site and the amenity of the local area.
 - (ii) Signs are safely constructed and secured and do not create a hazard.
 - (iii) The visual amenity of the Shire is protected from adverse effects of the proliferation of signage and associated visual clutter.
 - (iv) The community’s ability to find premises and move between places in the Shire is enhanced through the use of signs.

(4) Elements

(a) Number of Signs

Specific Outcomes	Self-assessable Solutions
<p>O1 Signs do not create visual clutter or visually dominate the built form.</p>	<p>S1 The total number of signs on a site is limited to:</p> <ul style="list-style-type: none"> (a) For premises in the Business Zone or Industry Zone: <ul style="list-style-type: none"> (i) directional signs; (ii) a single wall or fascia sign per tenancy or if a development comprising multiple tenancies, a single pylon sign per site; and (iii) an awning sign per tenancy. (b) For premises in the Rural zone other than premises used for Recreational Purposes or Community Purposes: <ul style="list-style-type: none"> (i) a single un-illuminated sign not exceeding 1.0m² in area. (c) For premises in the Park Residential or Residential zones other than premises used for Recreational Purposes or Community Purposes: <ul style="list-style-type: none"> (i) a single unilluminated ‘on-premises sign’ not exceeding 0.3m² in area in association with a lawfully established use. (d) For premises in the Open Space zone: <ul style="list-style-type: none"> (i) directional signs.



Specific Outcomes	Self-assessable Solutions
	<ul style="list-style-type: none"> (e) For premises in the Special Purposes Zone other than premises used for Recreational Purposes or Community Purposes: <ul style="list-style-type: none"> (i) directional signs; (ii) a single wall or fascia sign per tenancy or if a development comprising multiple tenancies, a single pylon sign per site; and (iii) an awning sign per tenancy. (f) For premises used for Recreational Purposes or Community Purposes: <ul style="list-style-type: none"> (i) directional signs; (ii) a single fascia, wall or awning sign per tenancy.

(b) Design and Siting

Specific Outcomes	Self-assessable Solutions
<p>O2 Signs are:</p> <ul style="list-style-type: none"> ▶ designed and constructed of materials which complement the material used in the buildings on the site; and ▶ consistent with the scale and integrated with the design of buildings and other works on the site and the locality and contribute to the character and amenity of the streetscape; and ▶ sited on premises to: <ul style="list-style-type: none"> – avoid confusion with traffic signs, or reduction in their visibility or conspicuous nature; and – avoid hazards to vehicular or pedestrian traffic due to their location or illumination; and – assist with identification purposes rather than advertising; and – avoid hazards associated with encroaching on electricity infrastructure. 	<p>S2</p> <ul style="list-style-type: none"> (a) Signs are limited to wording which identifies: <ul style="list-style-type: none"> (i) name of the business occupying the premises; and (ii) location of the premises; (iii) nature of the business; and (iv) products manufactured or sold by the business premises; and (v) contact details for the business; and (b) Signs are located at the front façade or within the frontage setback of a building; and (c) Signs are designed and constructed in accordance with the criteria applicable to the type of sign stated in Column 1 of Table 20 and illustrated in the corresponding diagram in Column 2 of the table; and (d) Signs are not painted directly onto a building or any other wall or barrier.

(5) Types of signs consistent with this code include:

- ‘Above awning sign’ means a sign attached to and supported above an awning.
- ‘Awning fascia sign’ means a sign attached to the fascia of an awning.
- ‘Below awning sign’ means a sign attached to and supported below the awning.
- ‘Building fascia sign’ means a sign attached to the fascia of a building.

‘Directional sign’ means a sign placed on the subject premises for the purpose of providing directions and information other than advertising material.

‘Hanging sign’ means a sign suspended from a bracket attached to a pole or a wall.

‘Horizontal projecting wall sign’ means a sign attached to and projecting from the street façade of a building with the greater dimension being the projecting horizontal distance.

‘Pole or pylon sign’ means a sign erected on a pole or pylon independent of any building or other structure.

‘Portable sign’ means a sign not permanently attached to the ground or building structure that may be easily relocated.

‘Roof sign’ means a sign erected on a roof or parapet of a building.

‘Vertical projecting wall sign’ means a sign attached to and projecting from the street façade of a building with the greater dimension being the projecting vertical distance.

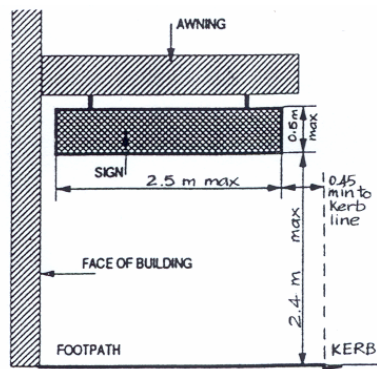
‘Wall sign’ means a sign attached to a wall.

Table 14 – Design Standards for Signs

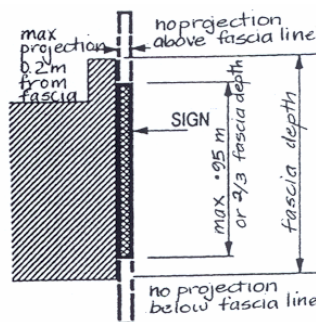
Column 1 Criteria	Column 2 Diagram
<p>(a) For an above awning sign:</p> <ul style="list-style-type: none"> (i) maximum height of 0.5 metres; (ii) maximum width of 0.3 metres; (iii) no projection beyond the width of the awning or greater than 2.4 metres in length, whichever is the shorter; (iv) minimum setback from the face of the awning fascia of 0.3 metres; (v) not closer than 0.4 metres from any other above awning sign or horizontal projecting wall sign; and (vi) attached to the side returns of the awning fascia. 	
<p>(b) For an awning fascia sign:</p> <ul style="list-style-type: none"> (i) no projection above or below the fascia of the awning; (ii) maximum area of 20m² fascia area; (iii) maximum height of 0.6 metres; (iv) no projection within 0.45 metres of the vertical projection of the kerb; and (v) minimum ground clearance of 2.4 metres. 	

Column 1 Criteria	Column 2 Diagram
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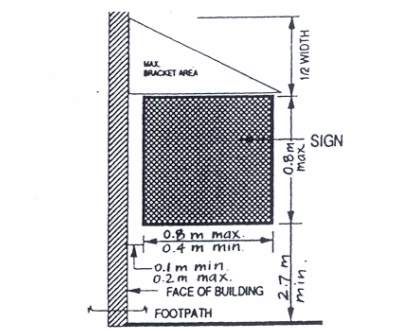
- (c) For a below awning sign:
- (i) maximum height of 0.5 metres;
 - (ii) maximum width of 0.3 metres;
 - (iii) no projection beyond the width of the awning or greater than 2.5 metres in length, whichever is the shorter;
 - (iv) no projection within 0.45 metres of the vertical projection of the kerb;
 - (v) not closer than 2.5 metres to any other below awning sign;
 - (vi) minimum ground clearance of 2.4 metres; and
 - (vii) nothing suspended from it.



- (d) For a building fascia sign:
- (i) no projection above or below the fascia of the building;
 - (ii) not greater than two-thirds the depth of the fascia, or 0.95 metres, whichever is the lesser; and
 - (iii) no projection more than 0.2 metres from the vertical face of the fascia.

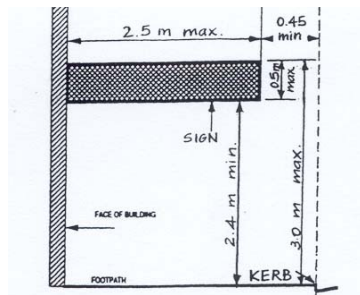


- (e) For a hanging sign:
- (i) maximum depth of 0.8 metres;
 - (ii) width between 0.4 metres and 0.8 metres;
 - (iii) distance from the wall between 0.1 metres and 0.2 metres;
 - (iv) height of bracket not greater than half the width of the sign;
 - (v) minimum ground clearance of 2.7 metres; and
 - (vi) not within 1.2 metres of side boundaries.

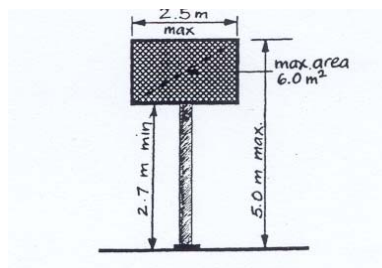


Column 1 Criteria	Column 2 Diagram
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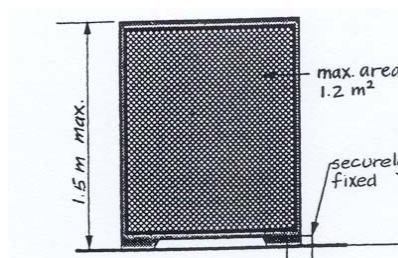
- (f) For a horizontal projecting wall sign:
- (i) maximum depth of 0.5 metres;
 - (ii) maximum length of 2.5 metres;
 - (iii) no projection within 0.45 metres of the vertical projection of the kerb;
 - (iv) uppermost surface of the sign a maximum of 3.0 metres above ground/footpath level; and
 - (v) minimum ground clearance of 2.4 metres.



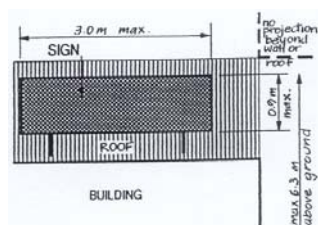
- (g) For a free-standing, pole or pylon sign:
- (i) maximum height of structure of 5.0 metres;
 - (ii) minimum ground clearance of 2.7 metres;
 - (iii) maximum area of each face as follows:
 - 6m² in the Business Zone and Industry Zone, or
 - 2m² elsewhere;
 - (iv) maximum length of 2.5 metres;
 - (v) maximum width of 0.3 metres; and
 - (vi) no movement or rotation;



- (h) For a portable sign:
- (i) maximum area of 1.2 m² per side;
 - (ii) maximum height of 1.5 metres;
 - (iii) not located on any road reserve, including footpaths and landscaped areas, or public right of way; and
 - (iv) not visible from outside the site when the premises are not in use; and securely fixed (e.g., by chain to a pole or a ground anchor point).

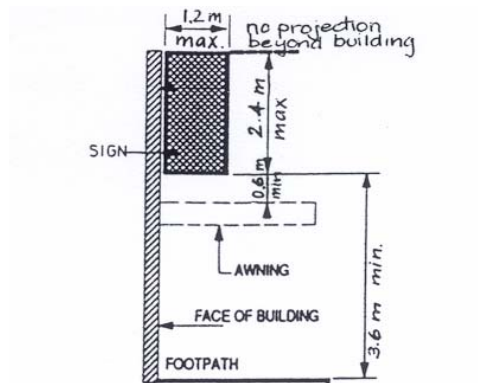


- (i) For a roof sign:
- (i) maximum length of 3.0 metres;
 - (ii) maximum depth of 0.9 metres;
 - (iii) maximum width of 0.3 metres;
 - (iv) maximum height above ground level of 6.3 metres; and
 - (v) no projection beyond the walls or highest point of the roof.

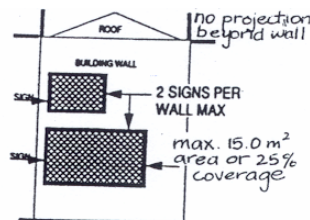


Column 1 Criteria	Column 2 Diagram
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- (j) For a vertical projecting wall sign:
 - (i) maximum projection of 1.2 metres;
 - (ii) maximum depth of 2.4 metres;
 - (iii) minimum ground clearance of 3.6 metres;
 - (iv) no projection above the eaves or the parapet of the façade;
 - (v) maximum width of 0.3 metres;
 - (vi) minimum distance to side boundaries of 1.2 metres;
 - (vii) minimum 0.6 metres above any awning roof measured from the bottom of the awning; and
 - (viii) no movement or rotation.



- (k) wall sign
 - (i) no more than two signs on any wall;
 - (ii) no projection beyond the walls; and
 - (iii) total maximum area of 15m² for all signs or 25% of the area of the wall, whichever is the lesser.





4.16 Filling and Excavation Code

- (1) Purpose
 - (a) The purpose of the Filling and Excavation Code is the achievement of the overall outcomes sought for the control of filling or excavation.
 - (b) The overall outcomes sought are:
 - (a) The amenity, stability, drainage or environmental quality of premises or surrounding areas are not adversely affected by filling and/or excavation works; and
 - (b) Ecological features and processes that underpin the biodiversity of the Shire are not disturbed by inappropriate filling or excavation of land.
- (2) Elements
 - (a) Site Works

Specific Outcomes

- O1 The stability of a site and adjoining land is not adversely impacted by filling or excavation.
- O2 Land or waters are not adversely affected by:
 - filling with contaminated material; or
 - excavating contaminated material, or acid sulfate soil.
- O3 Filling or excavation does not adversely affect flooding or drainage on the site and/or in the vicinity by:
 - ponding on the site or on nearby land;
 - impeding the flow of water in any overland flow path;
 - at the rear or side boundary of a premises, exceeding the level of the adjoining premises by more than 100mm, except if a retaining wall is provided with at least a 50mm parapet above the fill to ensure water is deflected from the adjoining premises.
- O4 Filling or excavation does not adversely affect any utility services by occurring within 1.5 metres of any utility services or within a 45 degree line of influence, whichever is the greater.
- O5 No filling or excavation occurs within 100 metres of a waterway or wetland⁸¹.

⁸¹ As identified on Overlay Map O7.



4.17 Clearing Code

(1) Purpose

- (a) The purpose of the Clearing Code is the achievement of the overall outcomes sought for the control of clearing.
- (b) The overall outcomes sought are:
 - (i) The visual integrity of the natural landscape is not significantly impacted by indiscriminate and unnecessary clearing;
 - (ii) Ecological features⁸² and processes that underpin the biodiversity of the Shire are not disturbed by inappropriate clearing;
 - (iii) Vegetation in areas vulnerable to land degradation is not cleared, unless such clearing is required for the management of the degradation.

(2) Elements

- (a) Vegetation Management

Specific Outcomes

- O1 Development protects the nature conservation values and water quality of wetlands and waterways from degradation.
- O2 Areas identified as containing locally significant vegetation are protected from development and its effects that may significantly reduce the values of the area in terms of:
 - (a) damage or removal of vegetation;
 - (b) loss of biodiversity;
 - (c) loss of canopy cover and habitat;
 - (d) visual detraction.
- O3 Viable networks of habitat are protected from damage or destruction which may lessen their value to sustain wildlife.
- O4 Watercourses and adjacent habitat are protected in terms of:
 - (a) minimising erosion and slumping;
 - (b) retaining vegetation to provide for the natural filtering of sediments, nutrients and other pollutants prior to discharge; and
 - (c) adverse impacts on the aquatic habitat.
- O5 Vegetation removal does not result in land degradation as a result of:
 - (a) erosion, particularly top soils;
 - (b) reduction in the fertility of the soil; or
 - (c) changes in the water table which increase surface wetness or salinity.
- O6 Land cleared to facilitate Farming or Forestry business is capable of sustainable use for such activities.

⁸² The location of areas of State and regional biodiversity significance is available on request from the Queensland Environmental Protection Agency (www.epa.qld.gov.au). Information available from the Agency includes the mapping of 'endangered' and 'of concern' grassland regional ecosystems and regionally significant wildlife corridors.



PART 5 - INFRASTRUCTURE PLANNING AND FUNDING

DRAFTING NOTE: THIS SECTION WILL INCLUDE COUNCIL'S PRIORITY INFRASTRUCTURE PLAN AND INFRASTRUCTURE CHARGES SCHEDULE/S, WHICH WILL BE PREPARED SEPARATELY IN ACCORDANCE WITH THE GUIDELINES PUBLISHED BY THE QUEENSLAND GOVERNMENT. THE PRIORITY INFRASTRUCTURE PLAN AND INFRASTRUCTURE CHARGES SCHEDULE/S WILL BE PUBLICLY NOTIFIED AS AN AMENDMENT TO THE PLANNING SCHEME IN ACCORDANCE WITH SCHEDULE 1 TO THE ACT.

COUNCIL'S EXISTING WATER AND SEWERAGE HEADWORKS POLICY WILL CONTINUE IN OPERATION UNTIL 30 JUNE 2007 IN ACCORDANCE WITH SECTION 6.1.20(4) OF THE ACT.



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SCHEDULE 1 – DICTIONARY

Division 1 – Defined Uses and Other Development Activities

Column 1 Use or Other Development	Column 2 Definition
<i>Accommodation building⁸³</i>	<p>Premises for the purposes of providing accommodation, comprising only rooming units, (including motels, boarding-houses, guest houses, itinerant workers accommodation, hostels, serviced rooms, student accommodation, or any similar use), but does not include a Bed and breakfast, Caravan park, Institutional residence, Retirement village, or any other separately defined residential premises.</p> <p>The term includes a building or buildings or any parts thereof used for the provision of meals to residents (whether or not such facilities are open to public use), common room facilities and the like, or for the purposes of a manager's residence/office, restaurant and conference facilities.</p>
<i>Adult products shop</i>	<p>Premises being:</p> <ul style="list-style-type: none"> (a) a free-standing betting agency; (b) a free standing liquor shop; or (c) an establishment for the sale (or hire) of sexually explicit materials.
<i>Advertising hoarding</i>	<p>Any framework, signboard, notice board, wall, roof, fence, or other structure used for the display of advertising (whether or not permanent) of a matter not associated with the primary purpose for which the premises are used.</p>
<i>Animal keeping</i>	<p>Premises involving:</p> <ul style="list-style-type: none"> (a) a hobby or commercially operated boarding and/or breeding and training kennel or cattery, or (b) a dog pound.
<i>Annexed apartment</i>	<p>Part of a dwelling house comprising a semi-independent apartment or area providing residential accommodation within or attached to the dwelling house, where the apartment:</p> <ul style="list-style-type: none"> (a) is occupied or intended for occupation by a member or members of the household resident in the primary dwelling house on-site; and (b) is visually integrated with the dwelling-house and not able to be identified as forming a separate dwelling unit; and (c) may be self-contained; but (d) does not have a title separate to that of the dwelling house. <p>The term does not include a Caretaker's residence or Retirement village as separately defined.</p>
<i>Aquaculture</i>	<p>Premises for the cultivation of live fisheries resources⁸⁴ for sale.</p>

⁸³ Accommodation building are primarily Class 1(b) or Class 3 buildings under the BCA

⁸⁴ "fisheries resources" has the meaning prescribed by the *Fisheries Act 1994*



Column 1 Use or Other Development	Column 2 Definition
<i>Bed and breakfast</i>	Premises for the provision of overnight accommodation, including meals, provided to tourists and travellers by the occupiers of the dwelling house on the site. The term includes: <ul style="list-style-type: none"> (a) any dwelling unit or rooming unit provided within the curtilage of the dwelling house, (b) for rural properties, farm stay/host farm premises including the provision of onsite cabins located away from the dwelling house.
<i>Car park</i> ⁸⁵	Premises for the parking of motor vehicles where such parking is not an ancillary activity on the site.
<i>Car wash</i>	Premises for washing of motor vehicles by means of mechanical, hydraulic or pneumatic means.
<i>Caravan park</i>	Premises for the parking and/or siting of two or more caravans (with or without fixed annexes) and/or relocatable homes for the purpose of providing accommodation for fee or reward. The term includes camping areas and/or onsite cabins for short-term accommodation where such camping areas and cabins are ancillary to caravan and/or relocatable home accommodation. The term also includes any manager's office and residence, any amenity buildings and any recreation and entertainment facilities that cater exclusively for the occupants of the caravan park. The term does not include Accommodation building or Multiple dwelling units as separately defined.
<i>Caretaker's residence</i> ⁸⁶	Premises comprising a dwelling unit only for care-taking purposes in association with a non-residential purpose conducted lawfully on the same site and includes enjoyment of domestic pets, domestic horticulture and home occupation.
<i>Child care centre</i>	Premises operated on a commercial basis for the minding or care, but not residence, of children. The term includes a crèche, nursery school or kindergarten but does not include family day care ⁸⁷ provided as part of a dwelling house.
<i>Clearing</i>	Means removal or destruction by any means of vegetation where such clearing is not reasonably part of other site development in the form of assessable material change of use, works or reconfiguring a lot, but does not include: <ul style="list-style-type: none"> (a) Landscape gardening purposes; (b) Agriculture; (c) Clearing for: <ul style="list-style-type: none"> (i) Management of a declared pest⁸⁸; (ii) Essential or routine management⁸⁹; and (iii) Forest practice⁹⁰

⁸⁵ Car parks are Class 7(a) buildings under the BCA

⁸⁶ A Caretaker's residence is a Class 4 or Class 1(a) building under the BCA

⁸⁷ As defined by the *Child Care Act*.

⁸⁸ Declared pest has the meaning defined in the IPA, Schedule 8, Part 4.

⁸⁹ Essential management and routine management having the respective meanings defined in the IPA, Schedule 8, Part 4.

⁹⁰ Forest practice has the meaning defined in the IPA Schedule 10.



Column 1 Use or Other Development	Column 2 Definition
<i>Display home</i>	Premises for: <ol style="list-style-type: none"> (a) display to the general public of a type of residential premises that is being offered to be built and sold; or (b) display of residential premises to the general public for some other business or commercial purpose including the promotion of a contest for which the premises are offered as a prize; or (c) the promotion and sale of land units within a residential estate or other residential premises within which it is located.
<i>Dual occupancy</i>	Premises comprising two dwelling units, proposed for separate occupation and intended or capable of being individually titled to provide separate ownership whether or not attached.
<i>Dwelling house</i> ⁹¹	Premises for a single detached dwelling unit on a lot together with outbuildings necessary for purposes ancillary to occupation of the dwelling unit and including any of the following: <ol style="list-style-type: none"> (a) keeping of domestic pets; (b) domestic horticulture; (c) family day care; (d) a home activity. The term does not include an Accommodation building, Dual occupancy or Multiple dwelling units.
<i>Engineering work</i>	Operational works other than: <ol style="list-style-type: none"> (a) placement of an on-premises sign; (b) clearing of vegetation; (c) conducting a forest practice.
<i>Environmentally assessable industry</i>	Premises for business purposes for any industrial activity which: <ol style="list-style-type: none"> (a) principally involves animal products processing, food processing or beverage production, or (b) is for the purposes of a junkyard, wrecking yard or salvage yard; or (c) involves a sawmill other than as provided for as part of <i>Forestry business</i>; or (d) involves processing, treatment or transportation associated with minerals and their by-products and any support services which are not administered through the <i>Mineral Resources Act</i>, or (e) involves the use, storage, handling or disposal of any radioactive substance or material (Class 7 as defined by the <i>Australian Code for the Transport of Dangerous Goods by Road and Rail - ADG Code</i>), or (f) otherwise involves dangerous or hazardous goods in quantities that are not minor⁹², or (g) is an environmentally relevant activity (excluding Nos. 1–4)⁹³, or (h) in Council's opinion, may result in environmental harm as defined in the <i>Environmental Protection Act</i>, due to materials or processes involved or products and waste produced. The term does not include any activity carried out for a separately defined purpose.

⁹¹ Houses are Class 1(a) buildings under the BCA

⁹² Refer division 2, schedule 1 for the definition of "Minor Quantities of Dangerous Goods".

⁹³ Refer to schedule 1 of the *Environmental Protection Regulation 1998*.



Column 1 Use or Other Development	Column 2 Definition
<i>Extractive industry</i>	<p>Premises operated as a business for the winning on or from the land, and/or treatment/processing on the land or on adjacent land, of gravel, rock, sand, soil, stone, or other similar materials, including overburden. The purpose includes works undertaken to avoid or mitigate significant environmental impacts during operations and approved rehabilitation works.</p> <p>The purpose does not include:</p> <ul style="list-style-type: none"> (a) the removal of materials authorised by the <i>Local Government Act 1994</i>, or (b) mining within the meaning of the <i>Mineral Resources Act 1989</i>, or (c) earthwork associated with <i>bona fide</i> rural activities on a rural property such as the construction of a dam.
<i>Farming</i>	<p>Premises used:</p> <ul style="list-style-type: none"> (a) for the growing of crops, pastures, turf, flowers, fruit, vegetables and the like on a commercial basis, (b) for the keeping, feeding or breeding generally free-range or depasturing of any animal. The term includes animal breeding establishments, holding yards, hatcheries, stables and all non-intensive animal husbandry including the keeping of working farm animals, but does not include Aquaculture, Intensive animal husbandry or Animal keeping as separately defined, (c) for the processing and packaging of rural produce grown on site, (d) for the display and sale of any rural produce grown or produced on the site or on adjoining land in a roadside stall⁹⁴, (e) for a wholesale nursery for the propagation and growing of potted plants and/or plants to be sold by retail through a garden centre located on another site. The term does not include the sale by retail of any plants or garden/landscape material on the site.
<i>Forestry business</i>	<p>Premises for “forest practice”⁹⁵</p> <p>The term includes milling of cut timber on the same site by portable machinery and the manufacture and packaging of timber goods resulting from the cutting and ancillary milling of the timber.</p>
<i>Funeral parlour</i> ⁹⁶	<p>Premises for the arrangement and conduct of funerals, memorial services and the like by undertakers. The term includes the storage and preparation of cadavers for burial or cremation and the display and sale of goods associated with the conduct of funerals.</p>
<i>Garden centre</i>	<p>Premises for the display and sale, by retail, of plants suitable for gardening or landscaping whether or not such plants are grown on the site.</p> <p>The term includes ancillary activities for the display and sale of such items as seeds, pots, packaged fertilisers and potting mixes and gardening tools.</p>
<i>General industry</i> ⁹⁷	<p>Premises for a business purpose for any industrial activity that is not separately defined.</p>

⁹⁴ Refer to non-purpose definition of ‘roadside stall’

⁹⁵ “forest practice” has the meaning assigned by Schedule 10 to the IPA

⁹⁶ Funeral parlours are Class 6(c) buildings under the BCA

⁹⁷ General industry premises are generally Class 8 buildings under the BCA.



Column 1 Use or Other Development	Column 2 Definition
<i>Health centre</i> ⁹⁸	<p>Premises for the medical or paramedical care or treatment of people not resident on the site.</p> <p>The term includes such typical premises as medical and dental surgeries; clinics for specialists as well as physiotherapy, massage and naturopathy; pathology labs; counselling rooms, psychiatric and psychological consulting rooms; nursing services and the dispensing of pharmaceuticals associated with the use of the premises as a health centre.</p> <p>The term does not include Home-based businesses, hospitals (refer Special purpose), or Retirement villages as separately defined.</p>
<i>Home-based business</i>	<p>An occupation or profession carried on as a commercial enterprise in, under or otherwise on the same site as a dwelling unit where the extent of the business allows for the employment of up to a total of 3 persons where not more than 1 employee resides other than on the site.</p>
<i>Hotel</i> ⁹⁹	<p>Premises for the retail sale of liquor that is the subject of a general licence under the <i>Liquor Act 1992</i> and may include ancillary activities such as dining facilities, rooming units, a mini-brewery, attached bottle shop and betting agency.</p>
<i>Indoor entertainment</i>	<p>Premises for any local non-sporting recreational activity or leisure pastime that is conducted wholly or mainly indoors.</p> <p>The term includes such typical premises as:</p> <ul style="list-style-type: none"> (a) cinemas, (b) theatres, (c) amusement centres (including premises having more than two pinball or electronic game machines), (d) licensed and unlicensed clubs, and the like <p>including facilities for the associated enjoyment and convenience of participants and spectators.</p>
<i>Indoor sports facility</i>	<p>Premises for any local sporting activity which is conducted wholly or mainly indoors, such as indoor sports and fitness centres, gymnasium, bowling, squash courts, skating and the like, including facilities for the associated enjoyment and convenience of participants and spectators.</p> <p>The term does not include a clubhouse associated with or ancillary to an Outdoor sport and recreation or Park.</p>
<i>Institutional residence</i>	<p>Premises for any of the following purposes or any like purpose which is not separately defined and where the premises is under the control of a resident supervisor:</p> <ul style="list-style-type: none"> (a) a convent/monastery; or (b) home for social welfare accommodation including associated counselling and advisory services; or (c) an orphanage or home for people with physical or mental disabilities; or (d) the care of people not receiving full-time medical treatment who are resident at the premises. <p>The term includes a rehabilitation centre, a refuge, a half-way house or similar activity and accommodation for staff of the facility. The term does not include a gaol, remand centre, nursing home, retirement village, hospital or reformatory institution.</p>

⁹⁸ Health centres are Class 5 and/or Class 8 buildings under the BCA

⁹⁹ Hotels are Class 6 (b) buildings (with any residential part being Class 3 (b)) under the BCA



Column 1 Use or Other Development	Column 2 Definition
<i>Intensive animal husbandry</i>	<p>Premises for commercial or other non-domestic activities for the feeding, breeding or keeping of animals in a confined area with the animals being primarily reliant on imported prepared, packaged or manufactured feed for production purposes and resulting generation of high concentrations of waste products and effluent.</p> <p>The use includes facilities commonly described as a:</p> <ul style="list-style-type: none"> (a) feedlot, (b) piggery, (c) poultry, emu or ostrich farm, (d) commercial stable, (e) crocodile farm, (f) zoo. <p>The term does not include Aquaculture as separately defined.</p>
<i>Landscape supplies</i>	<p>Premises for the storage and/or sale of sand, soil, screenings and other such garden and landscaping materials where such material is stored on site for sale or distribution in quantities greater than one cubic metre. The term includes the ancillary use of such premises for the sale, or displaying or offering for sale (in any quantity), of such items as:</p> <ul style="list-style-type: none"> (a) seeds, plants, or other propagative plant material; (b) goods associated with the cultivation of plants; (c) garden ornamentation, furniture or structures; (d) garden tools or equipment. <p>The term does not include Farming, Extractive industry, or Garden centre as separately defined.</p>



Column 1 Use or Other Development	Column 2 Definition
<i>Light industry</i> ¹⁰⁰	<p>Premises for business purposes for any small-scale industrial activity which is not ancillary to another on the site and which:</p> <ul style="list-style-type: none"> (a) does not require an environmental licence, nor is a notifiable activity, under the <i>Environmental Protection Act 1994</i>; and (b) involves the storage of only minor quantities of dangerous goods on the site; and (c) is, or is similar to, any of the following: <ul style="list-style-type: none"> (i) making any of the following: <ul style="list-style-type: none"> - dental prostheses - fashion accessories - flags and pennants - footwear - garments - jewellery - millinery - optical goods (being spectacles and the like) - rubber stamps - soft furnishings - toys - trophies (ii) assembling any of the following from components manufactured elsewhere: <ul style="list-style-type: none"> - aids and appliances for the disabled - audio-visual equipment - barbecues - bicycles (not motorised) - blinds - camera and other portable photographic equipment - clocks and watches - computers or computer equipment - furniture - musical instruments - portable domestic electrical appliances - portable domestic lighting, fittings and accessories - portable office machinery and equipment - power tools - recording and sound equipment - scientific instruments - sewing machine - sports equipment (other than ammunition, vehicles and water craft) - television and video equipment - umbrellas

¹⁰⁰ Light industry premises are generally Class 8 buildings under the BCA



Column 1 Use or Other Development	Column 2 Definition
	<p>(iii) repairing or servicing any of the following:</p> <ul style="list-style-type: none"> - any item mentioned in (i) or (ii) above - canvas goods, tents and camping soft goods - drawing or writing instruments - leather goods - mowers (including motor mowers and portable gardening equipment) - power and other tools - restoration of small articles of a personal or domestic nature (other than furniture), or works of art <p>(iv) providing any of the following services:</p> <ul style="list-style-type: none"> - document duplicating or copying - engraving (by hand) - laboratory facilities - locksmith services - photographic film processing - photographic plate-making, sign-making and similar processes - picture framing - plan printing - studio facilities



Column 1 Use or Other Development	Column 2 Definition
	(v) used as: <ul style="list-style-type: none"> - a public laundromat - a “hot bread kitchen”/retail bakery - a commercial kitchen
<i>Local utility</i>	Premises for: <ul style="list-style-type: none"> (a) any of the undertakings of the Council or other public sector agency for which an environmental authority (under the <i>Environmental Protection Act 1994</i>) is not required, including: <ul style="list-style-type: none"> (i) the conveyance of water, sewerage and stormwater drainage; (ii) the provision of neighbourhood or district community services such as libraries, museums, theatres, galleries, and tourist information facilities; (iii) administrative offices; (iv) such other public purposes carried out by the Council pursuant to the <i>Local Government Act 1993</i>; (b) public transport facilities other than depots, workshops or offices; (c) postal services; (d) the following telecommunications facilities:¹⁰¹ <ul style="list-style-type: none"> (i) communication dishes in any commercial, industrial or rural precinct where the dish has a diameter not exceeding 1800 mm and is not a prescribed Low Impact Facility under the <i>Telecommunications (Low Impact Facilities) Determination 1999</i>; (ii) pits and manholes which do not unduly vary the streetscape; (iii) groups of up to four payphone cabinets; (iv) temporary facilities, for the purpose of providing additional network capacity or facilities, during special events or at other times of excessive demand, for a maximum duration of three months. (e) reticulation of gas by underground pipe; (f) activities comprising a supply network¹⁰² as defined by section 8 of the <i>Electricity Act 1994</i>.
<i>Machinery repair station</i> ¹⁰³	Premises for servicing, repairing or maintaining motor vehicles or motor vehicle equipment, agricultural and mining machinery, plant or other equipment, machinery and the like, including engine tuning, engine reconditioning, radiator repairs and panel beating and where enclosed within a building, spray painting. The term does not include Service stations as separately defined.

¹⁰¹ Note: Some additional limited telecommunications facilities may be defined as low impact under the Telecommunications (Low Impact Facilities) Determination 1999 and are exempt from the Planning Scheme and provisions

¹⁰² Electricity is distributed to consumers via a supply network (refer section 8 of the *Electricity Act 1994*) which connects the transmission grid or a generation facility to individual premises.

¹⁰³ Machinery repair stations are Class 8 buildings under the BCA



Column 1 Use or Other Development	Column 2 Definition
Major utility	<p>Premises for the purposes of any installation or undertaking for:</p> <ul style="list-style-type: none"> (a) the generation of electricity and associated transmission grid¹⁰⁴; (b) the storage and/or treatment of water, sewerage or garbage; (c) the provision of Shire-wide or regional community services such as major multipurpose venues; (d) public transport facilities by way of depots, workshops or offices; (e) a gaol, reformatory or similar penal establishment; (f) any State or Federal government infrastructure/utility purpose not defined as a Special use; (g) a depot operated by or for the Council, other public authority or statutory corporation; (h) air craft landing facilities (including a heliport) and associated navigational aids; (i) telecommunication facilities which are not determined to be low impact facilities, and which are of a scale or nature likely to have a significant adverse impact on the natural or built environment, including (but not limited to) any of the following: <ul style="list-style-type: none"> (i) towers or other structures more than 15 metres in height; (ii) any aboveground facility on or adjoining a site of cultural heritage significance, (iii) aerial cabling in or immediately adjoining urban areas. <p>The term does not include Local utility as separately defined.</p>
Market	<p>Premises (whether or not for a limited duration or indoors or outdoors), for the sale of home or farm produced products, artefacts and/or general merchandise, where the premises comprise a series of individual stalls, booths or the like.</p> <p>The term includes any eating and amenity facilities provided for the enjoyment of customers.</p>
Minor building work	<p>Building work:</p> <ul style="list-style-type: none"> (a) to which the provisions of the <i>Standard Building Regulation 1989</i> do not apply, or (b) which either will not increase the floor area of an existing building, or will increase it by less than ten percent (10%) of the gross floor area of the existing building, or twenty-five (25) square metres, whichever is the lesser.
Multiple dwelling units¹⁰⁵	<p>Premises that comprise an integrated development of three or more dwelling units on a site. The term includes outbuildings necessarily associated with human occupation on the site and home activities associated with the individual dwelling units.</p> <p>The term does not include Accommodation building, Bed and Breakfast, Caravan park, Dual occupancy, Institutional residence, Annexed apartment or Retirement village as separately defined, but may include a manager's residence forming part of a multiple dwelling units premises.</p>

¹⁰⁴ Generally, the transmission grid (refer section 6 of the *Electricity Act 1994*) delivers electricity from a generation facility to a load centre from where electricity is distributed to consumers via a supply network. Typically, the transmission grid involves a high voltage network.

¹⁰⁵ Multiple dwelling units are Class 1(a)(ii) or Class 2 buildings under the BCA



Column 1 Use or Other Development	Column 2 Definition
<i>Office</i> ¹⁰⁶	<p>Premises for office activities that are oriented towards the provision of administration, clerical, technical, and/or professional services as a business/commercial operation.</p> <p>The term includes a bank but does not include any manufacture and/or selling of goods.</p>
<i>On-premises sign</i>	<p>Any framework, signboard, notice board, wall, roof, fence or other structure whether or not permanent used for the display or advertising of a matter associated with the primary purposes for which the premises are used.</p>
<i>Outdoor sport and recreation</i>	<p>Premises for any local sporting or recreational activity, or other leisure pastime, which is conducted wholly or mainly outdoors including facilities for the associated enjoyment and convenience of participants and spectators.</p> <p>The term includes such typical premises as showgrounds, (outdoor) public swimming pools, drive-in theatres, race tracks, golf courses and driving ranges, mock-combat activities, outdoor courts and sportsgrounds, and the like. The term also includes the provision of clubhouse and other ancillary facilities, but does not include a Park.</p>
<i>Park</i>	<p>Premises for free outdoor public recreation and enjoyment. Any or all of the following may be included:</p> <ul style="list-style-type: none"> (a) provision of a visually pleasant landscape, (b) maintenance of natural processes, and protection of environmentally sensitive areas and/or culturally significant places, and/or (c) educational opportunities associated with the recreation and/or conservation values of the park or area. <p>The term includes such ancillary facilities for park users as sporting and playground equipment, shelters, car parking areas, educational facilities, barbecue and picnic facilities, seating, toilets and lighting.</p>
<i>Produce store</i>	<p>Premises for the storage and sale of goods required for farming and other rural activities without major production or packaging on-site.</p>
<i>Restaurant</i> ¹⁰⁷	<p>Premises for preparing and selling substantial meals and foods to the public for immediate consumption mainly or exclusively on the premises (such as cafes, coffee shops, bistros, function centres and tea rooms) including entertainment.</p> <p>The term does not include Take-away food store as separately defined nor refreshment areas ancillary to Indoor entertainment where such areas are provided for the exclusive use of patrons only.</p>
<i>Retirement village</i> ¹⁰⁸	<p>Premises for residential accommodation by (exclusively or primarily) elderly or retired persons where the premises:</p> <ul style="list-style-type: none"> (a) include dwelling units, and/or rooming units, and/or nursing home facilities; (b) provide on-site opportunities for social and recreational pursuits, including communal facilities; (c) provide on-site medical services for residents; and (d) are of an integrated design and layout, and are managed; <p>This term does not include Accommodation buildings, hospital (refer Special use), Institutional residences or Multiple dwelling units as separately defined.</p>
<i>Road</i>	<p>As defined in the Act.</p>

¹⁰⁶ Business offices are Class 5 buildings under the BCA

¹⁰⁷ Restaurants are Class 6(a) buildings under the BCA

¹⁰⁸ Retirement villages are Class 2, 3 and/or 9 buildings under the BCA



Column 1 Use or Other Development	Column 2 Definition
<i>Rural service industry</i>	<p>Premises for handling, treating, processing, storage or packing of primary products, other than as an ancillary activity associated with another rural purpose on the same premises. The term also includes:</p> <ul style="list-style-type: none"> (a) servicing of plant and equipment used for rural purposes in the locality, (b) crop spray establishments; (c) stock sales yards or holding yards.
<i>Sales or hire premises</i>	<p>Premises for:</p> <ul style="list-style-type: none"> (a) the sale, hire or leasing of any construction or industrial plant and equipment, motor vehicles, caravans, boats, agricultural and other machinery, trailers, other demountable and transportable structures, and the like, where such items are stored thereat; or (b) the displaying for sale, hire or leasing of any of the items referred to in (a) above; or (c) a timber yard. <p>The term includes any ancillary activity of the premises for:</p> <ul style="list-style-type: none"> (a) routine servicing of any of the items sold, hired or leased, (b) any ancillary sale or hiring out of portable tools, machinery or equipment.
<i>Service station</i> ¹⁰⁹	<p>Premises for the sale by retail of petrol and automotive distillate or any derivatives there-from; and for all or any of the following ancillary purposes, namely:</p> <ul style="list-style-type: none"> (a) the sale by retail of lubricants and greases, batteries, tyres, motor vehicle accessories and spare parts, power or lighting kerosene, food and goods for the comfort and convenience of travellers where such does not constitute a Convenience restaurant as defined (b) the carrying out of all or any of the following operations: <ul style="list-style-type: none"> (i) fitting, removal and exchange of tyres and receipt of tyres for retreading or the like; (ii) repairing of tubes; (iii) supply of compressed air; (iv) charging of batteries; (v) lubrication and greasing of motor vehicles; (vi) cleaning and adjustment and replacement of spark plugs; and (vii) running repairs of a minor nature and of a type which do not normally immobilise a vehicle for a period longer than a day. (c) the rendering of minor services incidental to any of the foregoing.
<i>Shop</i> ¹¹⁰	<p>Premises for displaying and/or the retail selling of goods to the public. The term also includes premises offering personal grooming services, a commercial art gallery, a video library and premises for the selling of primary produce (whether raw or modified) which cannot satisfy the limitations set out in the definition of roadside stall¹¹¹, but does not include any purpose which is otherwise separately defined.</p>

¹⁰⁹ Service Station premises are Class 6(d) buildings under the BCA

¹¹⁰ Shops are Class 6 buildings under the BCA

¹¹¹ Refer non-purpose definition of 'roadside stall'.



Column 1 Use or Other Development	Column 2 Definition
<i>Showroom</i> ¹¹²	<p>Premises, having a gross floor area of more than 450 square metres, for displaying and/or selling bulky domestic goods such as electrical goods, furniture, furnishings, household appliances, hardware and building supplies, sporting equipment, computer hardware and software, liquor or the like, wholly or mainly indoors.</p> <p>The term does not include Garden centres, Shop or Sales and hire yards as separately defined.</p>
<i>Special purpose</i>	<p>Premises for:</p> <ul style="list-style-type: none"> (a) cultural, educational or religious purposes, (b) a health service, hospital, nursing home or other residential health care facility (not being part of a retirement village); (c) Federal Government purposes (having the character of an office use); (d) State Government purposes (having the character of an office use); (e) Statutory Authority purposes (having the character of an office use); (f) any other welfare or public purposes not separately defined. <p>The term includes any of the following activities, or any similar activity:</p> <ul style="list-style-type: none"> (a) ambulance station, first aid station, fire brigade, police station, emergency services depot; (b) cemetery and crematorium; (c) church, chapel, synagogue, temple; (d) community hall or centre, senior citizens centre, youth centre, galleries; (e) school, pre-school, college, university and ancillary residential components for staff and students at the premises; (f) a dwelling unit ancillary to the premises. <p>, but does not include Child care centre, Local utility, Major utility or Telecommunications facility (Medium Impact) as separately defined.</p>

¹¹² Showrooms are Class 6(d) buildings under the BCA



Column 1 Use or Other Development	Column 2 Definition
<i>Storage premises</i>	<p>Premises comprising:</p> <ul style="list-style-type: none"> (a) a builder's yard or construction or earthmoving contractor's yard; or (b) a container depot; or (c) a mini-storage or self storage facility; or (d) otherwise for the storage and handling of goods, generally in bulk, whether or not any of those goods are sold by wholesale, where such premises are not for a separately defined purpose. <p>The term includes as ancillary activities:</p> <ul style="list-style-type: none"> (a) any facilities on the premises for the garaging, inspecting, cleaning and routine servicing of vehicles and containers involved in the Storage premises; and (b) storage of goods in covered stacks or in enclosed structures not being a building but being in the nature of silos, bins, tanks (whether or not underground) or transport containers. <p>The term does not include storage that is an ancillary activity for another use on the same site, or the storage of dangerous goods other than in minor quantities.</p>
<i>Take-away food store</i> ¹¹³	<p>Premises for preparing and selling take-away meals and foods to the public, whether or not facilities are also provided for eating on the premises. The term includes milk bars, snack bars, kiosks and the like and the inclusion of any drive-through facility. The term does not include Restaurant as separately defined.</p>
<i>Telecommunications facility (medium impact)</i>	<p>Any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used by a holder of a carrier's license under the Commonwealth <i>Telecommunications Act</i>, or for use, in or in connection with a system or series of systems that carries or is capable of carrying, communications by means of guided or unguided electromagnetic energy whether such facility is manned or remotely controlled, and not being a Local utility or Major utility.</p>
<i>Tourist facility</i>	<p>Premises providing for the entertainment or recreation of primarily the touring or holidaying public such as an icon attraction or theme park. The purpose includes refreshment and accommodation elements where integrated as ancillary aspects to the facility.</p>
<i>Transport terminal</i> ¹¹⁴	<p>Premises for a road transport, rail transport or air transport (including heliport) passenger and/or goods terminal, a bus or coach station. The term does not include Vehicle depots as separately defined.</p>
<i>Vehicle depot</i>	<p>Premises for the overnight or longer storage (either in the open or covered) of any one or more buses, trucks, taxis, other motor vehicles, trailers, caravans and/or boats for commercial or public purposes and/or premises used as an operational base or depot for any such vehicles. The term includes:</p> <ul style="list-style-type: none"> (a) the repair and maintenance of any such vehicles on the premises; or (b) the sale of any such vehicles by wholesale. <p>The term does not include facilities ancillary to another activity on the same site, the retail sale of vehicles, or Car park, Sales or hire premises, or Transport terminal as separately defined.</p>
<i>Veterinary surgery</i>	<p>Premises for treating sick or injured animals, including overnight accommodation of animals undergoing treatment on the site. The term does not include Animal keeping or Intensive animal husbandry as separately defined.</p>

¹¹³ Take-away food stores are Class 6(a) buildings under the BCA

¹¹⁴ Transport terminal premises are a Class 9(b) building under the BCA

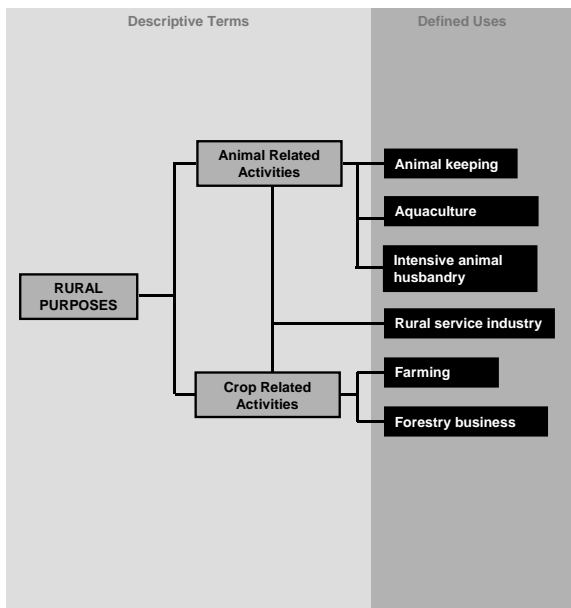


Division 2 – Administrative Terms

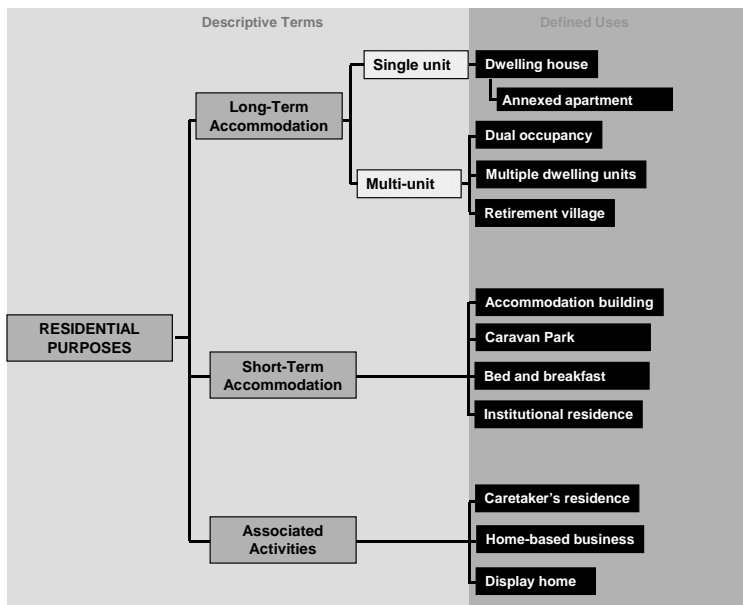
Nesting of Defined Uses:

The following diagrams identify Administrative Terms¹¹⁵ used in this planning scheme to describe nested groups of Defined Uses and Other Development Activities¹¹⁶ illustrated in the specific nesting diagram:

(1) Rural Purposes



(2) Residential Purposes

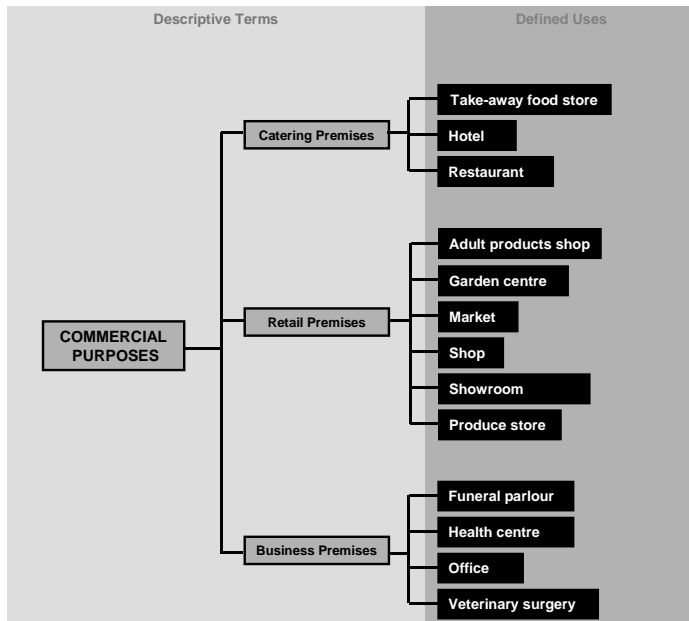


Commencement date: 1 June, 2006

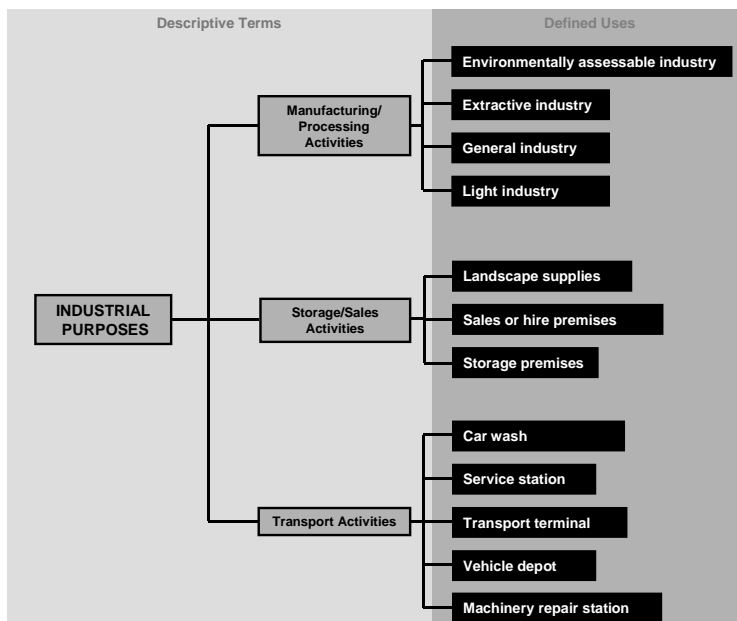
¹¹⁵ As defined in Division 2 of schedule 1 to this planning scheme.

¹¹⁶ As defined in Division 1 of schedule 1 to this planning scheme.

(3) Commercial Purposes

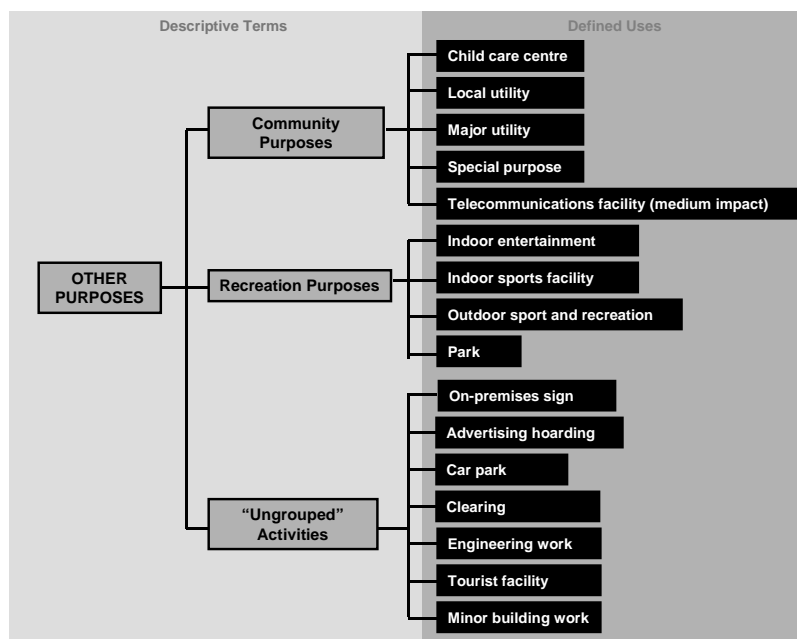


(4) Industrial Purposes





(5) Community Purposes, Recreation Purposes and Ungrouped Purposes/Activities



Other Administrative Terms:

(1) To assist the understanding of the provisions of the planning scheme, the following terms have the meanings set out below:

Column 1 Term	Column 2 Meaning
<i>the Act</i>	The <i>Integrated Planning Act 1997</i>
<i>Adjacent</i>	For the: (a) Heritage Places Special Management Area - means a lot adjoining a Heritage Places Special Management Area if the common boundary is not more than 50 metres from the cultural feature identified in Schedule 3 to this planning scheme; (b) Protected Areas, Wetlands or Waterways Special Management Areas - means a lot either wholly or partially within 100 metres of the boundary of a Protected Area Special Management Area identified on Overlay Map O1 or a Wetlands Special Management Area or Waterways Special Management Area identified on Overlay Map O7; (c) Good Quality Agricultural Land Special Management Area - means a lot either wholly or partially within 100 metres of land designated as Good Quality Agricultural Land Special Management Area identified on Overlay Map O2.
<i>Adverse effects</i>	As described in Annex 2 of <i>State Planning Policy 1/02 Development in the Vicinity of Certain Airports and Aviation Facilities</i>
<i>Ancillary activity</i>	An activity that is necessarily associated with a particular development, but is incidental and subordinate to that development
<i>Aviation facilities</i>	As defined in Section 9 of <i>State Planning Policy 1/02 Development in the Vicinity of Certain Airports and Aviation Facilities</i>
<i>BCA</i>	The current edition of the <i>Building Code of Australia</i>

Commencement date: 1 June, 2006



Column 1 Term	Column 2 Meaning
<i>Buffer</i>	An area, structure or physical feature separating a source of environmental impact from an area or use sensitive to such impact. A buffer area may include public park land where the buffer function is incidental to and compatible with the use of that park for other purposes, but shall not otherwise comprise part of any required park contribution
<i>Building envelope</i>	The area defined on a plan that: (a) is defined by metes and bounds; and (b) shows the outer limits of the siting and wall height (where relevant) of each building, structure, private open space, driveway, parking area, garage and carport
<i>Building setback</i>	The horizontal distance between the outermost projection of a building and the lot boundary or wall of another building on the same lot including: (a) roof overhangs, sun hoods and cantilevered awnings; and (b) cantilevered balconies, whether or not roofed.
<i>Commencement day</i>	The day upon which this planning scheme is adopted by Council in accordance with the Act
<i>Compound</i>	Areas comprising: (a) animal enclosures, sheds, pens, holding yards, exercise areas (including poultry paddocks), (b) feeding areas, (c) waste management areas including pits and ponds, land disposal areas for treated waste, holding areas for solid waste, (d) any stockpiles, (e) packaging/handling/processing storage areas, (f) loading and unloading areas, or (g) plant/equipment/machinery operation and maintenance areas.
<i>Convenience shopping needs</i>	Describes goods purchased frequently, such as groceries, personal hygiene products, etc.
<i>Council</i>	The Council of the Shire of Bowen
<i>Cultural heritage significance</i>	Of a building, other structure, premises or place, includes its aesthetic, architectural, historic, scientific, or technological significance to the present generation or past and future generations. Such significance may be attached to: (a) a building (and may include its surroundings and/or its fittings and furniture), (b) a monument, fence, wall or other structure, (c) a tree, garden or other landscape element, and/or (d) the whole or part of a site or place
<i>Densely planted</i>	Planting of large shrubs and trees within natural ground of the site.
<i>Domestic pets</i>	The keeping of animals within the curtilage of a dwelling unit in accordance with Council's relevant Local Law.
<i>Dwelling unit</i>	A building or part of a building used as a self contained residence for one household which includes: (a) food preparation facilities; and (b) bath or shower; and (c) closet pan and wash basin. It includes out-buildings and works normal to a dwelling.



Column 1 Term	Column 2 Meaning
<i>Electric line shadow</i>	An electric line shadow is the area directly below a group of electric lines when the lines are at rest.
<i>Environmental value</i>	A quality or physical characteristic of the environment, or part of the environment, that is conducive to ecological health or public amenity or safety
<i>Existing</i>	A use, building other structure or premises that was lawfully in existence, or approved, immediately before the commencement day. Whether such use, building, other structure or premises remains lawful at any given time shall be determined in accordance with the relevant provisions of the Act.
<i>Gross floor area (or GFA)</i>	The sum of the areas (inclusive of all walls, columns and balconies whether roofed or not) of all storeys of a building or buildings, excluding: <ul style="list-style-type: none"> (a) the areas (inclusive of all walls and columns) at any topmost storey of lift motor rooms or air conditioning or other mechanical or electrical plant and equipment rooms; (b) the area of that part of any private balcony whether roofed or not and accessible only from one dwelling or rooming unit, where the combined area of such balconies does not exceed 20% of the maximum allowable gross floor area of the building; (c) the area of any public lobby at ground storey level; (d) the area of any public mall, covered public walkways, or public toilets in a shopping centre; (e) the areas (inclusive of all walls and columns) at any ground storey level (in the case of residential development), or any level below ground storey, of all space used or intended for use for the parking and manoeuvring of motor vehicles.
<i>Ground level</i>	In relation to a lot, means the level of the ground on the lot at the date of registration of that lot's title deed. Where the ground level at that date is not known, the ground level is as determined by the Council.
<i>Ground storey</i>	The storey which has its floor level closest to ground level, measured at the middle of the front wall of the building
<i>Habitable room</i>	As defined in the BCA.
<i>Height</i>	In relation to a building or structure, refers to the vertical distance between ground level and the highest point of that building or structure
<i>Higher order road</i>	A major collector, sub-arterial or arterial road indicated on Planning Scheme Map – PSM 3 as a higher order road.



Column 1 Term	Column 2 Meaning
<i>Home activity</i>	<p>A dwelling unit used for an office-based business activity by a person residing in the dwelling unit which does not involve the:</p> <ul style="list-style-type: none"> (a) employment of persons other than residents; (b) use, whether temporarily or otherwise, of more than 40m² of the gross floor area of the dwelling unit; (c) imposition of a load on any public utility undertaking greater than that which is reasonably required for the predominant uses, existing or likely, in the immediate locality; (d) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, waste products, radio or electrical interference or otherwise; (e) presence at the dwelling unit, at the one time, of two or more persons not being residents; (f) public display of goods, whether in a window or otherwise; (g) exhibition of any notice, advertisement or sign other than a sign not exceeding 0.3m² which identifies the name of the person and the activity; (h) traversing of vehicles on any street in the locality or vehicle movements on any such street in excess of that which is or could be reasonably expected to be generated by other development in that locality during any particular period of time; (i) the use of the premises for: <ul style="list-style-type: none"> (i) prostitution carried out in accordance with the <i>Prostitution Act 1999</i>; (ii) a family day care centre; (iii) light industry, general industry or noxious or hazardous industry; (iv) heavy vehicle parking; (v) the conduct of a professional office for the purpose of providing medical or dental services; (vi) a real estate office.



Column 1 Term	Column 2 Meaning
<i>Household</i>	An individual or group of individuals whether related or unrelated living together as a single domestic unit
<i>Industry</i> ¹¹⁷	<p>The term includes any of the following activities:</p> <ul style="list-style-type: none"> (a) <ul style="list-style-type: none"> (i) the making of any article or part of any article; (i) the altering, repairing, servicing, ornamenting, finishing, cleaning, washing, freezing, packing or canning, or adapting for sale, of any article; (ii) the recycling of any material or article involving receiving and processing (other than only any collecting, stripping, sorting, packing, breaking up or demolition, storage and sale or distribution) of such material or article; (iii) the on-site treatment or disposal of waste material; (iv) the storage, whether for sale or not, of any solid, liquid or gaseous fuel; (v) any process of scientific or technological research other than for educational purposes or as a minor activity ancillary to a non-industrial purpose on the site; and (b) when conducted as an ancillary activity on the same site as any of the above activities: <ul style="list-style-type: none"> (i) the storage of goods or materials used in connection with or resulting from any of the above activities; (ii) the sale of goods, resulting from such activities; (iii) any work of administration or accounting in connection with such activities; (iv) amenities for the comfort and enjoyment of persons working at the premises.
<i>Landscape gardening purposes</i>	<p>Means works undertaken in relation to trees, shrubs and other plants which include:</p> <ul style="list-style-type: none"> (a) planting, pruning, shaping and removing trees, shrubs and other plants located within the curtilage of a dwelling unit; (b) mowing of grass; and (c) domestic horticulture associated with a dwelling unit where up to 15% of a lot may be cleared to provide areas specifically for the planting, growing and harvesting of crops, flowers, fruits and vegetables for domestic consumption.
<i>Locally significant vegetation</i>	<p>Means vegetation that is important for the conservation of biodiversity within the Bowen Shire and throughout the region.</p> <p>Locally significant vegetation includes but is not limited to areas of state and regional significance for the conservation of biodiversity identified in a biodiversity planning assessment carried out by the Queensland Environmental Protection Agency, areas of state significance (natural resources) identified under a State or Regional coastal management plan, 'endangered' and 'of concern' grassland regional ecosystems, habitat for endangered, vulnerable and rare species, regrowth that has habitat value or which plays a role in viable habitat networks, wetlands, and buffers to these areas.</p>
<i>Major transport corridors</i>	Means a State-controlled road or railway corridor land.
<i>Mass movement</i>	The term includes soil creep, earth flow, slumping, landslide or rock avalanche.

¹¹⁷ Premises used for an industry are Class 8 buildings under the BCA.



Column 1 Term	Column 2 Meaning																																																																																																									
Minor quantities of dangerous goods	<p>Refers to the storage, handling, use or production of dangerous goods as mentioned in the <i>Australian Code for the Transport of Dangerous Goods by Road and Rail</i> (ADG Code), and flammable and combustible liquids, where the quantity of such dangerous goods and liquids on the site of any factory, industrial workshop or warehouse at any one time is less than the following:</p> <p>(a) The storage, use or production of dangerous goods included in Classes 1, 2, 3, 4, 5, 6, 8 and 9 of the ADG Code involves:</p> <p>(i) quantities less than those specified in the table below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: black; color: white;">Name</th> <th style="background-color: black; color: white;">Class/Type</th> <th style="background-color: black; color: white;">Quantity (litres or kilograms)</th> </tr> </thead> <tbody> <tr> <td>Explosives</td> <td>Class 1</td> <td>25 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	<p>(ii) provided that the aggregate quantity of all such dangerous goods on the site at any one time:</p> <ul style="list-style-type: none"> - in the case of liquids, does not exceed 50,000 litres; - in the case of dangerous goods other than liquids, does not exceed 50,000 kilograms; or - in the case of both liquids and other dangerous goods, where the total number of litres and kilograms is added together does not exceed 50,000. 															
	<p>(b) The storage, use or production of liquefied petroleum gas, flammable liquids included in Class 3 of the ADG Code and/or combustible liquids as defined in Australian Standard 1940 – The Storage and Handling of Flammable and Combustible Liquids, both as amended from time to time, involves:</p> <p>(i) quantities of gas or liquid stored (as indicated by the design capacity of the storage system) or intended to be stored above ground less than the quantities specified in the Table following</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Class</th> <th>Type</th> <th>Quantity</th> </tr> </thead> <tbody> <tr> <td>Class 2.1</td> <td>Liquefied petroleum gas</td> <td>8,000 litres</td> </tr> <tr> <td>Class 3.1</td> <td>Flammable liquids</td> <td>2,500 litres</td> </tr> <tr> <td>Class 3.2</td> <td>Flammable liquids</td> <td>5,000 litres</td> </tr> <tr> <td>None specified</td> <td>Combustible liquids</td> <td>10,000 litres</td> </tr> </tbody> </table> <p>(ii) provided that the aggregate quantity of all such types of gas and liquid stored or intended to be stored below ground is less than 250,000 litres.</p> <p>(c) The storage of any quantity of liquefied petroleum gas and flammable and combustible liquids where the storage is for part of the lawful use of the premises for the purposes of a Public Utility or Service Station.</p> <p>For the purposes of this definition, “Packaging group” is a categorisation of dangerous goods for packaging purposes, recommended by the United Nations Committee of Experts on the Transport of Dangerous Goods, according to the degree of danger they present as follows:</p> <ul style="list-style-type: none"> (a) Great danger - Packaging Group I (b) Medium danger - Packaging Group II (c) Minor danger - Packaging Group III 	Class	Type	Quantity	Class 2.1	Liquefied petroleum gas	8,000 litres	Class 3.1	Flammable liquids	2,500 litres	Class 3.2	Flammable liquids	5,000 litres	None specified	Combustible liquids	10,000 litres
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<i>Operational airspace</i>	As defined in Section 9 of <i>State Planning Policy 1/02 Development in the Vicinity of Certain Airports and Aviation Facilities</i>															
<i>Outbuilding</i>	Any Class 10(a) structure as defined in the BCA which is necessarily associated with, and incidental and subordinate to, a dwelling unit established on the same premises.															
<i>Overlay</i>	A layer in the planning scheme that identifies special management areas and is subject to the provisions of Division 9 of Part 3 of this planning scheme															
<i>Plan of Development</i>	A plan which has been approved by Council as part of a development approval. This plan shall be incorporated into the conditions of such approval, and shall specify the nature, layout, and extent of the proposed development of the land															
<i>Planned flood contours</i>	Means the contours derived from the maximum and surface elevations produced by the Planned Flood Discharge.															
<i>Planned flood discharge</i>	Means a peak discharge of 10 000 cumecs entering the Don River Flood Plain at AMTD 17.0 kilometres (Mt Buckley).															



Column 1 Term	Column 2 Meaning
<i>Planned flood profile</i>	Means the profile expected to be produced by the maximum water surface elevations resulting from the Planned Flood Discharge.
<i>Planning scheme area</i>	The whole of the Shire of Bowen
<i>Precinct</i>	A geographical division of land in a zone identified for the purposes of this planning scheme
<i>Principal road frontage</i>	Means: (a) the road frontage for a particular lot nominated in a planning scheme policy; or (b) if not nominated by a planning scheme policy, the road frontage with the longest length.
<i>Railway corridor land</i>	As defined in the <i>Transport Infrastructure Act 1994</i> .
<i>Relocatable home</i>	A Class 1 building under the BCA that is: (a) factory assembled or built in components and assembled on-site; and (b) designed to be transported from one location to another; and (c) ordinarily able to be moved
<i>Road frontage</i>	Refers to the boundary between a lot and a road abutting a lot.
<i>Roadside stall</i>¹¹⁸	Premises, not exceeding 25m ² in gross floor area used or intended to be used mostly on an irregular or casual basis for the sale by retail of primary produce grown on the land on which the premises are located. Such produce is sold mostly in small quantities to the travelling public. The term does not include "Produce Store" or "Shop" as defined in this planning scheme
<i>Rooming unit</i>	Any part of a building used or intended for use to accommodate one household but which is not self-contained
<i>Secondary road frontage</i>	Any road frontage other than a principal road frontage.
<i>Sensitive receptor</i>	Includes: (a) an Accommodation building, Annexed apartment, Bed and breakfast, Caravan Park, Dual occupancy, Dwelling house, Institutional residence, Multiple dwelling units or Retirement village as defined in this planning scheme; or (b) a child care centre, kindergarten, school or other educational institution; or (c) a health centre or hospital.
<i>Shire</i>	The whole of the Shire of Bowen.
<i>Significant</i>	Where referring to impacts of development, refers to both incremental and cumulative effects.

¹¹⁸ Any roadside stall must comply with the safety clearances specified in the *Electrical Safety Regulation 2002* where located under or near to electric lines.



Column 1 Term	Column 2 Meaning
<i>Site</i>	<p>Any land on which development is carried out or is proposed to be carried out whether such land comprises:</p> <ul style="list-style-type: none"> (a) the whole of any one lot, or parcel of land; or (b) only part of one lot; or (c) more than one lot where each lot is contiguous with the other or another lot; or (d) conjointly used lands which are not adjoining lands; (e) and which in rural areas may be a total farm holding operated by the land holder
<i>Site cover</i>	<p>The area of a site covered or proposed to be covered by a building or structure which is expressed as a percentage and measured to:</p> <ul style="list-style-type: none"> (a) include covered car parking areas and the area contained within the projection of the outer limits of the building onto a horizontal plane; and (b) exclude: <ul style="list-style-type: none"> (i) driveways and vehicle manoeuvring areas; and (ii) any building or structure used for private recreational purposes as part of a residential purpose; and (iii) roof overhangs and sun hoods; and (iv) balconies whether or not roofed.
<i>Site density</i>	<p>The maximum number of dwelling units or lots permitted on a particular site, or in the case of staged development, that part of the site included in any particular stage:</p> <ul style="list-style-type: none"> (a) expressed as a ratio between the number of dwelling units or lots and the area of the site, and (b) where the area of the site excludes any balance area and land set aside for public recreation or conservation purposes
<i>Solid screen fence</i>	<p>Means a fence or barrier that is constructed of material that:</p> <ul style="list-style-type: none"> (a) precludes a person from seeing through the structure; and (b) reduces the volume of noise on the opposite side of the fence or barrier to a noise generator.
<i>Special management area</i>	<p>Part of the planning scheme area requiring special management because of a particular natural or cultural feature or resource that needs to be taken into account in the development and use of premises in that area and is subject to the provisions of Division 10 of Part 3 of this planning scheme</p>
<i>State-controlled Road</i>	<p>Means a road or land, or part of a road or land, declared under section 24 of the <i>Transport Infrastructure Act 1994</i> to be a State-controlled road.</p>
<i>Storey</i>	<p>The space within a building which is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but not a space that contains only:</p> <ul style="list-style-type: none"> (a) a lift shaft, stairway or meter room, or (b) garaging and other service areas located below ground level, or (c) a combination of the above.
<i>Supply network</i>	<p>As defined in section 8 of the <i>Electricity Act 1994</i>.</p>



Column 1 Term	Column 2 Meaning
<i>Temporary event</i>	<p>An irregular, infrequent, itinerant or random event such that the activity is not conducted for a period of either:</p> <ul style="list-style-type: none"> (a) 7 hours consecutively, or (b) more than 2 days in every month or 30 consecutive day period, or (c) more than 24 days in a year or consecutive 365 day period (d) in which the activity does not constitute a material change of use of premises. <p>Activities include, but are not limited to, premises used for:</p> <ul style="list-style-type: none"> (a) a carnival, circus, fair, fete, rodeo, show, community use, or a temporary use pursuant to an authority under the Liquor Act 1992, or the like which is:- <ul style="list-style-type: none"> (i) of a temporary nature; and (ii) not conducted on a regular basis (that is weekly or monthly) at a fixed venue; or (b) displaying temporary advertising matter; or (c) short-term accommodation where: <ul style="list-style-type: none"> (i) there is a building approval for the erection of a house on the premises; and (ii) the occupant of the short-term accommodation is the holder of a current owner/builder licence from the relevant government agency; and (iii) suitable arrangement have been made for the provision of ablution, toilet and dishwashing facilities, sewage and sullage collection and disposal, electricity, solid waste collection and disposal and potable water supply; and (iv) such accommodation is for a specified period not exceeding six months; or (d) such other use or activity that is specified in a relevant Planning Scheme Policy.
<i>Transmission grid</i>	As defined in section 6 of the <i>Electricity Act 1994</i> .
<i>Viable Networks of Wildlife Habitat</i>	<p>Areas of vegetation that:</p> <ul style="list-style-type: none"> (a) exhibit high levels of connectivity; (b) are large enough to allow ecosystem functioning; (c) are self generating; and (d) are able to remain in the landscape in spite of threatening processes. <p>Including regionally significant wildlife corridors identified in <i>Northern Brigalow Belt – priorities for remnant vegetation protection</i> (Queensland Environmental Protection Agency, 2002).</p>
<i>Waterway</i>	Refers to a Waterway Special Management Area as shown on Overlay Map O7.
<i>Wetland</i>	Refers to a Wetland Special Management Area as shown on Overlay Map O7.
<i>Zone</i>	A geographical division of the planning scheme area for the purposes of this planning scheme



SCHEDULE 2 - PARKING

Division 1 – On-site Parking Requirements

Column 1 Purpose	Column 2 Minimum Car Parking Requirement	Column 3 On-site Queuing and/or set- down/pick-up facility	Column 4 Minimum Service Vehicle Space Provision	Column 5 Minimum Bicycle Parking Requirement
Rural Purposes:				
Farming (roadside stall)		Queuing space for 4 vehicles being served or awaiting service clear of through traffic lanes	SRV	-
Rural service industry	1 space per 100 m ² GFA		AV	-
Other rural purpose	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use		Sufficient space to accommodate the largest service vehicle likely to visit the site	-
Residential Purposes:				
Accommodation building	1 covered space per 5 beds		SRV, where more than 10 dwelling units or rooming units	1 bicycle parking space per 4 dwelling units or rooming units
Bed and breakfast	1 space per room used for the accommodation of travellers or tourists		-	-
Caravan park	1 space per site and 1 visitor space per 4 sites	For reception area – queuing space for 2 vehicles + caravans.	HRV	1 bicycle parking space per 4 sites
Caretaker's residence	1 covered space		-	-
Dual occupancy	2 spaces, including 1 covered space per dwelling unit ¹¹⁹ .		-	1 bicycle parking space per dwelling unit
Dwelling house	2 spaces ¹²⁰		-	-
Home-based Business	1 space in addition to the parking required for the Dwelling house		-	-

¹¹⁹ Tandem car parking will be accepted, providing both car parking spaces are contained wholly within the site. The second car parking space must not impede vehicular access or car parking spaces for the other dwelling unit

¹²⁰ Refer to footnote ⁷⁵.



Column 1 Purpose	Column 2 Minimum Car Parking Requirement	Column 3 On-site Queuing and/or set- down/pick-up facility	Column 4 Minimum Service Vehicle Space Provision	Column 5 Minimum Bicycle Parking Requirement
Institutional residence	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use		SRV	-
Multiple dwelling units	1.5 spaces per dwelling unit of which 1 space per dwelling unit shall be covered plus provision for parking of 1 boat per 4 dwelling units (up to 20 units) and 1 boat per 8 dwelling units or part thereof (in excess of 20 units)		SRV, where more than 10 dwelling units	1 bicycle parking space per dwelling unit
Retirement village	1.25 spaces per dwelling unit of which 1 space per dwelling unit shall be covered		HRV	1 bicycle parking space per 4 dwelling units
Other residential purpose	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use		Sufficient space to accommodate the largest service vehicle likely to visit the site	-
Commercial Purposes:				
Adult products shop	1 space per 25m ² GFA		HRV	-
Funeral parlour	1 space per employee (with a minimum of 5 spaces) plus 1 space per 10 persons capable of being accommodated in the development	If the premises includes a chapel, for pick-up and set-down of coffins.	SRV	-
Garden centre	1 space per 300m ² of site area with a minimum of 6 spaces		AV	-



Column 1 Purpose	Column 2 Minimum Car Parking Requirement	Column 3 On-site Queuing and/or set- down/pick-up facility	Column 4 Minimum Service Vehicle Space Provision	Column 5 Minimum Bicycle Parking Requirement
Health centre	4 spaces per consulting room plus 1 ambulance space	For pick-up/set-down of patients – queuing space for 2 ambulances	SRV	1 bicycle parking space per 400m ² GFA
Hotel	1 space per rooming unit plus 1 space per 10 m ² of bar, lounge, beer garden or other public area plus 1 space per 50 m ² of liquor sales area	For drive through sales facility – queuing space for 12 vehicles.	AV	1 bicycle parking space per 25m ² GFA bar floor area and 1 bicycle parking space per 100m ² GFA of lounge, beer garden or other public area.
Market	1 space per 25m ² GFA or total use area		AV	-
Office	1 space per 50m ² GFA		-	1 bicycle parking space per 200m ² GFA.
Produce store	1 space per 25m ² GFA		AV	-
Restaurant	1 space per 15m ² GFA		SRV	1 bicycle parking space per 100m ² GFA
Sales or hire premises	1 space per 300m ² of site area with a minimum of 6 spaces		AV	1 bicycle parking space per 200m ² GFA
Shop	1 space per 25m ² if ≤ 700m ² GFA and additional 1 space per 10m ² for GFA exceeding 700m ² .		HRV if ≤ 700m ² GFA and AV if > 700m ² GFA	1 bicycle parking space per 300m ² GFA
Showroom	1 space per 30m ² GFA		AV	1 bicycle parking space per 750m ² GFA
Take-away food store	1 space per 15m ² GFA	For drive through sales facility – queuing space for 10 vehicles	SRV	1 bicycle parking space per 100m ² GFA



Column 1 Purpose	Column 2 Minimum Car Parking Requirement	Column 3 On-site Queuing and/or set- down/pick-up facility	Column 4 Minimum Service Vehicle Space Provision	Column 5 Minimum Bicycle Parking Requirement
Tourist facility	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use, and having regard to the minimum requirements of this schedule for the component uses		AV	-
Veterinary surgery	1 space per 25m ² GFA		-	1 bicycle parking space per 200m ² GFA
Other commercial purpose	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use		Sufficient space to accommodate the largest service vehicle likely to visit the site	-
Industrial Purposes:				
Car wash	2 spaces	For vehicles awaiting use of washing bays, queuing space within the site for 4 vehicles	-	-
Environmentally assessable industry	1 space per 100m ² GFA or 1 space per employee at the time of peak accumulation (two heaviest overlapping shifts), whichever is the greater		AV if site has an area ≥ 2 000m ² . Otherwise, HRV	1 bicycle parking space per 100m ² GFA
Extractive industry	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use		AV	-
General industry	1 space per 100m ² GFA or 1 space per employee at the time of peak accumulation (two heaviest overlapping shifts), whichever is the greater		AV if site has an area ≥ 2 000m ² . Otherwise, HRV	1 bicycle parking space per 100m ² GFA



Column 1 Purpose	Column 2 Minimum Car Parking Requirement	Column 3 On-site Queuing and/or set- down/pick-up facility	Column 4 Minimum Service Vehicle Space Provision	Column 5 Minimum Bicycle Parking Requirement
Landscape supplies	1 space per 300m ² of site area with a minimum of 6 spaces		AV	-
Light industry	1 space per 100m ² GFA or 1 space per employee at the time of peak accumulation (two heaviest overlapping shifts), whichever is the greater		AV if site has an area $\geq 2\,000\text{m}^2$. Otherwise, HRV	1 bicycle parking space per 100m ² GFA
Machinery repair station	1 space per 50m ² GFA		AV	1 bicycle parking space per 100m ² GFA
Service station	4 spaces per workshop service bay plus allocation of spaces for ancillary uses such as shop and restaurant as required under relevant purposes listed herein	For vehicles awaiting use of bowzers, queuing space within the site for 1 vehicle per bowser	AV	-
Storage premises	2 spaces per 100m ² GFA		AV	1 bicycle parking space per 200m ² GFA
Transport terminal	1 space per 10m ² GFA of waiting area		HRV	-
Vehicle depot	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use		AV	-
Other industrial purpose	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use		Sufficient space to accommodate the largest service vehicle likely to visit the site	-



Column 1 Purpose	Column 2 Minimum Car Parking Requirement	Column 3 On-site Queuing and/or set- down/pick-up facility	Column 4 Minimum Service Vehicle Space Provision	Column 5 Minimum Bicycle Parking Requirement
Community Purposes:				
Child care centre	1 space per 5 children, with 60% of the required parking to be designated for staff and may be provided in tandem.	For pick-up and set-down of children – queuing space for 3 vehicles within the site	-	-
Special purpose	As below:			
<ul style="list-style-type: none"> ▶ Educational establishment 	1 space per employee plus 1 space per 10 students (for tertiary institution) plus set down areas as determined by the Council plus 1 bus parking space per every 50 students	For pick-up/set-down of students – queuing space for 2 buses	HRV	For a school: 1 bicycle parking space per 5 pupils over Year 4 For tertiary institutions: 1 bicycle parking space per 100 full time students
<ul style="list-style-type: none"> ▶ Hospital 	1 space per 4 beds plus 1 space per employee plus 1 ambulance space per 50 beds	For pick-up/set-down of patients – queuing space for 2 ambulances	AV	1 bicycle parking space per 15 beds
<ul style="list-style-type: none"> ▶ Place of Worship 	1 space per 10 seats		-	-
Other community purpose	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use		Sufficient space to accommodate the largest service vehicle likely to visit the site	-
Recreational Purposes:				
Indoor entertainment	1 space per 20m ² GFA		Sufficient space to accommodate the largest service vehicle likely to visit the site	1 bicycle parking space per 100m ²
Indoor sports facility	As below:			
<ul style="list-style-type: none"> ▶ Basketball, volleyball, netball courts 	2 spaces per court			1 bicycle parking space per 4 employees
<ul style="list-style-type: none"> ▶ Bowling alley 	3 spaces per alley	For set-down and pick-up of customers, queuing space for 2 vehicles within the site		1 bicycle parking space per 4 employees



Column 1 Purpose	Column 2 Minimum Car Parking Requirement	Column 3 On-site Queuing and/or set- down/pick-up facility	Column 4 Minimum Service Vehicle Space Provision	Column 5 Minimum Bicycle Parking Requirement
▶ Gymnasium	1 space per 20m ² GFA			1 bicycle parking space per 4 employees
▶ Indoor cricket	1 space per 20m ² GFA			1 bicycle parking space per 4 employees
▶ Skating rinks	1 space per 20m ² GFA	For set-down and pick-up of customers, queuing space for 2 vehicles within the site		1 bicycle parking space per 4 employees
▶ Squash, badminton courts	2 spaces per court			1 bicycle parking space per 4 employees
Outdoor sport and recreation	As below:			
▶ Court games (e.g., tennis)	2 spaces per court			-
▶ Golf course	2 spaces per hole plus 1 space per 10m ² GFA of bar, lounge and other entertainment areas			-
Other recreational purposes	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use			-
Other Purposes:				
Any other purpose	Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use		Sufficient space to accommodate the largest service vehicle likely to visit the site	-

Where:

SRV = small rigid vehicle; HRV = heavy rigid vehicle; AV = articulated vehicle for which minimum loading/standing bay dimensions are as follows:

Vehicle Type	Width	Length	Vertical Clearance
SRV	3.5 metres	7.0 metres	3.5 metres
HRV	3.5 metres	11.0 metres	4.5 metres
AV	3.5 metres	17.5 metres	4.5 metres



Division 2 – Design Standards for On-site Parking and Movement Spaces, Bicycle Parking Spaces and Access Driveways

Column 1 Aspects	Column 2 Design Standards
Parking Spaces	<ul style="list-style-type: none"> ▶ <i>Australian Standard AS2890.1-1993: Parking Facilities – Off-street carparking</i>
Provision for Disabled Access and Parking	<ul style="list-style-type: none"> ▶ <i>Australian Standard AS1428.1-2001: Design for access and mobility – General requirements for access – New building work; and</i> ▶ <i>Australian Standard AS2890.1-1993: Parking Facilities – Off-street carparking</i>
Vehicle Movement Spaces (including circulation driveways and turning areas)	<ul style="list-style-type: none"> ▶ <i>Australian Standard AS2890.1-1993: Parking Facilities – Off-street carparking; and</i> ▶ <i>Australian Standard AS2890.2-1993: Off-street parking – Commercial vehicle facilities; and</i> ▶ Development meets the minimum design service vehicle access requirements for driveways, on-site circulation, loading and unloading and manoeuvring on-site for the design service vehicle for the particular purpose specified in Column 4 in division 1 of this schedule.
Service Vehicle Loading/Unloading Areas	<ul style="list-style-type: none"> ▶ <i>Australian Standard AS2890.2-1993: Off-street parking – Commercial vehicle facilities; and</i> ▶ Development meets the minimum design service vehicle access requirements for driveways, on-site circulation, loading and unloading and manoeuvring on-site for the design service vehicle for the particular purpose specified in Column 4 in division 1 of this schedule.
Vehicle Queuing Facilities	<ul style="list-style-type: none"> ▶ <i>Australian Standard AS2890.1-1993: Parking Facilities – Off-street carparking</i>
Bicycle Parking Facilities	<ul style="list-style-type: none"> ▶ <i>AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles</i>



SCHEDULE 3 – IDENTIFIED CULTURAL FEATURES

(1) This table lists land in a Heritage Places Special Management Area:

Column 1 Cultural feature	Column 2 Property description or location	Column 3 Reason for listing
Bowen River Hotel	Lot 1 on Registered Plan 730084	Listed on the Queensland Heritage Register
Flemington Road Cemetery	Lot 95 on Plan HR699 (Reserve 54)	Listed on the Queensland Heritage Register
Bowen Court House	Lot 180 on Plan B662	Listed on the Queensland Heritage Register
Bowen Harbour Board Building	Lot 10 on Registered Plan 807973	Listed on the Queensland Heritage Register
North Head Island (Lighthouse)	Lot 2 on Plan SP112947	Local Heritage Significance – maritime history
Gordon Beach	Located south of the Bowen urban area on the coastline near Mt Gordon.	Local Heritage Significance – site of the first landing at what was to become Bowen, by Captain HD Sinclair and his crew from the <i>Santa Barbara</i> .
Customs House Hill	Lot 1 on Registered Plan 720845	Local Heritage Significance
Harbour Jetty	Located south-east of Santa Barbara Parade	Local Heritage Significance
Adelaide Point Rock Terraces	Lot 29 on Plan B6614	Local Heritage Significance
World War 2 Catalina Flying Boat Ramp and Hardstand	Thomas Street, Bowen	Local Heritage Significance
Barclays Battery	Lot 999 on Plan MPH20088, Parish of Acre (located in Mt Coolon township between the hotel and the south bank of Police Creek at coordinates 21.23.09S & 147.20.26E)	Local Heritage Significance



SCHEDULE 4 - INFRASTRUCTURE

Division 1 – Standards of Service

(1) The following table identifies the planned standards of service for infrastructure in the Shire:

Column 1 Zone	Column 2 Standards of Service	
Rural	Water supply	<ul style="list-style-type: none"> ▶ For residential use – potable water supply is to be demonstrated and an alternative water supply is to be identified in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Waste-water	<ul style="list-style-type: none"> ▶ For residential use – on site treatment and disposal in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Electricity	<ul style="list-style-type: none"> ▶ The design of equipment and the standard of service agreed with the relevant electricity entity. ▶ An electricity service connection to the Supply Network or the Transmission Grid is made available at the property boundary OR an alternative power source sufficient to meet the needs of the development is established on the site.
	Telecommunications	<ul style="list-style-type: none"> ▶ The standards of service nominated by the relevant telecommunications supply authority.
	Roads	<ul style="list-style-type: none"> ▶ New roads constructed in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Vehicular Access	<ul style="list-style-type: none"> ▶ Vehicle access constructed in accordance with standards specified in division 3, schedule 4 to this planning scheme.
Park Residential	Water supply	<ul style="list-style-type: none"> ▶ Reticulated water supply in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Waste-water	<ul style="list-style-type: none"> ▶ For residential use – on site treatment and disposal in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Electricity	<ul style="list-style-type: none"> ▶ The design of equipment and the standard of service agreed with the relevant electricity entity. ▶ An electricity service connection to the Supply Network or the Transmission Grid is made available at the property boundary OR an alternative power source sufficient to meet the needs of the development is established on the site.



Column 1 Zone	Column 2 Standards of Service	
	Telecommunications	<ul style="list-style-type: none"> ▶ The standards of service nominated by the relevant telecommunications supply authority.
	Roads	<ul style="list-style-type: none"> ▶ New roads constructed in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Vehicular Access	<ul style="list-style-type: none"> ▶ Vehicle access constructed in accordance with standards specified in division 3, schedule 4 to this planning scheme.
Residential	Water supply	<ul style="list-style-type: none"> ▶ Reticulated water supply in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Sewerage	<ul style="list-style-type: none"> ▶ Reticulated sewerage in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Electricity	<ul style="list-style-type: none"> ▶ The design of equipment and the standard of service agreed with the relevant electricity entity. ▶ An electricity service connection to the Supply Network or the Transmission Grid is made available at the property boundary. ▶ Within any development, the electricity supply is to be placed underground. ▶ Where the external electricity Supply Network is located underground, the connection from the Supply Network to the property is to be placed underground, otherwise the connection will be above ground to a connection point within the property.
	Telecommunications	<ul style="list-style-type: none"> ▶ The standards of service nominated by the relevant telecommunications supply authority.
	Roads	<ul style="list-style-type: none"> ▶ New roads constructed in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Vehicle Access	<ul style="list-style-type: none"> ▶ Vehicle access constructed in accordance with standards specified in division 3, schedule 4 to this planning scheme.
	Drainage	<ul style="list-style-type: none"> ▶ Roads and land to be drained in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Street Lighting	<ul style="list-style-type: none"> ▶ Street lighting is to be provided in accordance with standards specified in division 2, schedule 4 to this planning scheme.

Commencement date: 1 June, 2006



Column 1 Zone	Column 2 Standards of Service
Business	<p>Water supply</p> <ul style="list-style-type: none"> ▶ Reticulated water supply in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	<p>Sewerage</p> <ul style="list-style-type: none"> ▶ Reticulated sewerage in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	<p>Electricity</p> <ul style="list-style-type: none"> ▶ The design of equipment and the standard of service agreed with the relevant electricity entity. ▶ An electricity service connection to the Supply Network or the Transmission Grid is made available at the property boundary. ▶ Within any development, the electricity supply is to be placed underground. ▶ Where the external electricity Supply Network is located underground, the connection from the Supply Network to the property is to be placed underground, otherwise the connection will be above ground to a connection point within the property.
	<p>Telecommunications</p> <ul style="list-style-type: none"> ▶ The standards of service nominated by the relevant telecommunications supply authority.
	<p>Roads</p> <ul style="list-style-type: none"> ▶ New roads constructed in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	<p>Vehicle Access</p> <ul style="list-style-type: none"> ▶ Vehicle access constructed in accordance with standards specified in division 3, schedule 4 to this planning scheme.
	<p>Pedestrian Access</p> <ul style="list-style-type: none"> ▶ Pedestrian access constructed in accordance with standards specified in division 3, schedule 4 to this planning scheme.
	<p>Drainage</p> <ul style="list-style-type: none"> ▶ Roads and land to be drained in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	<p>Street Lighting</p> <ul style="list-style-type: none"> ▶ Street lighting is to be provided in accordance with standards specified in division 2, schedule 4 to this planning scheme.

Commencement date: 1 June, 2006



Column 1 Zone	Column 2 Standards of Service	
Industry	Water supply	<ul style="list-style-type: none"> ▶ Reticulated water supply in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Sewerage	<ul style="list-style-type: none"> ▶ Reticulated sewerage in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Electricity	<ul style="list-style-type: none"> ▶ The design of equipment and the standard of service agreed with the relevant electricity entity. ▶ An electricity service connection to the Supply Network or the Transmission Grid is made available at the property boundary. ▶ Within any development, the electricity supply is to be placed underground. ▶ Where the external electricity Supply Network is located underground, the connection from the Supply Network to the property is to be placed underground, otherwise the connection will be above ground to a connection point within the property.
	Telecommunications	<ul style="list-style-type: none"> ▶ The standards of service nominated by the relevant telecommunications supply authority.
	Roads	<ul style="list-style-type: none"> ▶ New roads constructed in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Vehicle Access	<ul style="list-style-type: none"> ▶ Vehicle access constructed in accordance with standards specified in division 3, schedule 4 to this planning scheme.
	Pedestrian Access	<ul style="list-style-type: none"> ▶ Pedestrian access constructed in accordance with standards specified in division 3, schedule 4 to this planning scheme.
	Drainage	<ul style="list-style-type: none"> ▶ Roads and land to be drained in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Street Lighting	<ul style="list-style-type: none"> ▶ Street lighting is to be provided in accordance with standards specified in division 2, schedule 4 to this planning scheme.

Commencement date: 1 June, 2006



Column 1 Zone	Column 2 Standards of Service	
Open Space	Water supply	<ul style="list-style-type: none"> ▶ Reticulated water supply in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Electricity	<ul style="list-style-type: none"> ▶ The design of equipment and the standard of service agreed with the relevant electricity entity. ▶ An electricity service connection to the Supply Network or the Transmission Grid is made available at the property boundary OR an alternative power source sufficient to meet the needs of the development is established on the site.
	Telecommunications	<ul style="list-style-type: none"> ▶ The standards of service nominated by the relevant telecommunications supply authority.
	Roads	<ul style="list-style-type: none"> ▶ New roads constructed in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Vehicle Access	<ul style="list-style-type: none"> ▶ Vehicle access constructed in accordance with standards specified in division 3, schedule 4 to this planning scheme.
Special Purposes	Water supply	<ul style="list-style-type: none"> ▶ In the Bowen or Collinsville urban areas, reticulated water supply in accordance with standards specified in division 2, schedule 4 to this planning scheme. ▶ In rural areas, potable water supply is to be demonstrated and an alternative water supply is to be identified in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Waste-water or Sewerage	<ul style="list-style-type: none"> ▶ In the Bowen or Collinsville urban areas, reticulated sewerage in accordance with standards specified in division 2, schedule 4 to this planning scheme. ▶ In rural areas, on site treatment and disposal in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Electricity	<ul style="list-style-type: none"> ▶ The design of equipment and the standard of service agreed with the relevant electricity entity. ▶ An electricity service connection to the Supply Network or the Transmission Grid is made available at the property boundary OR an alternative power source sufficient to meet the needs of the development is established on the site.

Commencement date: 1 June, 2006



Column 1 Zone	Column 2 Standards of Service
	Telecommunications ▶ The standards of service nominated by the relevant telecommunications supply authority.
	Roads ▶ New roads constructed in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Vehicle Access ▶ Vehicle access constructed in accordance with standards specified in division 3, schedule 4 to this planning scheme.
	Pedestrian Access ▶ Pedestrian access constructed in accordance with standards specified in division 3, schedule 4 to this planning scheme.
	Drainage ▶ Roads and land to be drained in accordance with standards specified in division 2, schedule 4 to this planning scheme.
	Street Lighting ▶ Street lighting is to be provided in accordance with standards specified in division 2, schedule 4 to this planning scheme.



Division 2 – Construction Standards

- (1) The construction standards for infrastructure, including works for reconfiguring a lot, are the following¹²¹:
- (a) For roads:
 - (a) AUSTROADS – *Guide to Traffic Engineering Practice Series*
 - (b) Queensland Department of Main Roads - *Standard Drawings Roads Manual*.
 - (c) Queensland Department of Main Roads - *Road Planning and Design Manual*.
 - (d) Queensland Department of Main Roads - *Manual of Uniform Traffic Control Devices*.
 - (e) Weathered Howe Pty Ltd/Institute of Municipal Engineering Australia Queensland Division - *Queensland Streets: Design Guidelines for Subdivisional Streetworks*.
 - (f) Queensland Department of Local Government and Planning - *Queensland Residential Design Guidelines*.
 - (b) For stormwater drainage:
 - (a) Pilgrim, DH/Institution of Engineers, Australia - *Australian Rainfall and Runoff*.
 - (b) Queensland Department of Primary Industries, Brisbane City Council and Neville Jones and Associates - *Queensland Urban Drainage Manual*.
 - (c) For water supply:
 - (a) Queensland Water Resources Commission – *Guidelines for Planning and Design of Urban Water Supply Schemes*.
 - (d) For sewerage:
 - (a) Queensland Water Resources Commission – *Guidelines for Planning and Design of Sewerage Schemes*.
 - (e) For wastewater treatment and disposal (in Rural or Park Residential Zones):
 - (a) For a chemical, composting or incinerating toilet – *Environmental Protection (Waste Management) Regulation 2000*
 - (b) For all other types of on-site sewerage facility - *On-site Sewerage Code* (Department of Local Government and Planning, November 2003) and if the facility is a septic tank, *Australian and New Zealand Standard AS/NZS 1547:2000 - On-site domestic-wastewater management*.

¹²¹ In accordance with *Statutory Instruments Act 1992*, section 23, the documents referred to are those current at the time of assessment.



Division 3 – Vehicle and Pedestrian Access Standards

Column 1 Aspects	Column 2 Standards
Vehicle Access¹²²	
For Residential Purposes: For Commercial Purposes: For Industrial Purposes, Community Purposes, Recreational Purposes or Other Purposes (excluding Rural Purposes):	IPWEAQ Standard Drawing R-0050 (Residential Driveway Slab and Tracks) IPWEAQ Standard Drawing R-0051 (Commercial Driveway Slab – Type A) IPWEAQ Standard Drawing R-0052 (Commercial Driveway Slab – Type B)
Pedestrian Access	
<ul style="list-style-type: none"> ▶ If development for any of the following purposes within the Central Business precinct: <ul style="list-style-type: none"> – any Commercial Purpose; – a Light Industry; – an Indoor Entertainment; or – an Indoor Sports Facility. ▶ If development for any purpose within the Local Business precinct 	Pedestrian pavement for the full length of the road frontage/s of the site and: <ul style="list-style-type: none"> ▶ for the full footpath width ▶ at least 1.2 metres wide.

¹²² Any access to a State-controlled Road requires approval under section 62 of the *Transport Infrastructure Act 1994* by the Chief Executive Officer of the Department of Main Roads. Design of such access must comply with the Department of Main Roads' publication, *Road Planning and Design Manual*.



SCHEDULE 5 – COMMUNITY INFRASTRUCTURE

- (1) The following table includes details of development which is designated for community infrastructure pursuant to chapter 2, part 6 of the IPA: In accordance with section 1.8(5) of this planning scheme, the listed development is exempt from consideration under this planning scheme.

Physical Address	Real Property Description	Date of Designation	Type of Community Infrastructure
Corner Herbert and William Streets, Bowen	Lot 180 on Plan B662	22/12/2000	1 (s) – any other facility not mentioned in paragraphs (a) to (r) and intended to accommodate government functions (Bowen Magistrates Court).



SCHEDULE 6 – DESIGN STANDARDS FOR COMMUNITY SAFETY

Column 1 Community Safety Element	Column 2 Standards
<p>Surveillance</p> <ul style="list-style-type: none"> ▶ Building Design ▶ Night Lighting ▶ Landscaping 	<ul style="list-style-type: none"> ▶ No concealed or recessed openings; ▶ Avoid blind corners involving a change in direction of 75° or greater. ▶ Movement corridors no longer than 200 metres; and ▶ Building entries and exits are limited and located at the front of the building (except for controlled emergency exits). ▶ Night lighting designed and installed in accordance with <i>Australian Standard AS1158: Public Lighting Code</i>. ▶ Planting of species with clear trunks to a height of 1.8 metres and low ground covers less than 1.0 metre in height.
<p>Boundary Definition</p>	<p>Integration of the following features into site design:</p> <ul style="list-style-type: none"> ▶ fencing; ▶ changes in surface finishes; ▶ landscape treatments; and ▶ clear premises identification such as premises numbering or appropriate signage.
<p>Construction Materials and Finishes</p>	<ul style="list-style-type: none"> ▶ Use of vandal resistant surface treatments (i.e., paint and stain resistant finishes).

SCHEDULE 7 – FLOOD IMMUNITY¹²³ FOR SPECIFIC PURPOSES

Column 1 Purposes	Column 2 Probability of Event (% likelihood of occurrence in any one year)
Commercial Purposes	<p>All, except:</p> <ul style="list-style-type: none"> ▶ Garden centre 2% ▶ Market 2%
Industrial Purposes	<p>All, except:</p> <ul style="list-style-type: none"> ▶ Car wash 2% ▶ Extractive industry 2% ▶ Landscape supplies 2% ▶ Storage premises 2% ▶ Transport terminal 2% ▶ Vehicle depot 2%
Residential Purposes	All 1%
Rural Purposes	<p>All, except:</p> <ul style="list-style-type: none"> ▶ Animal keeping 0.5% ▶ Aquaculture 0.5% ▶ Intensive animal husbandry 0.5%
Community Purposes	<p>All, except:</p> <ul style="list-style-type: none"> ▶ Major Utility (premises for the purposes of any installation or undertaking for the generation and/or transmission of electricity or gas; storage and for treatment of water, sewerage or garbage; a gaol, reformatory or similar penal establishment; a depot operated by or for the Council, other public authority or statutory corporation.) 0.5% ▶ Special purpose (hospital, nursing home or other residential health care facility) 0.2%

¹²³ The flood immunity parameters in this Schedule include consideration of storm tide events. For further information that may assist applicants including mapping showing projected events refer to *Bowen Shire Storm Tide Study – Final Report* (September 2004).

Column 1 Purposes		Column 2 Probability of Event (% likelihood of occurrence in any one year)
	<ul style="list-style-type: none"> ▶ Special purpose (incorporating an activity namely, ambulance station, first aid station, fire brigade, police station, emergency service depot). 	0.5%
Recreation Purposes	All, except: <ul style="list-style-type: none"> ▶ Indoor entertainment ▶ Indoor sports facility 	30% 2% 2%
Ungrouped Purposes	All, Except <ul style="list-style-type: none"> ▶ Tourist facility 	N/A As advised by Council

Where:

Probability of Event	Meaning
0.2%	1 in 500 year magnitude tide, storm or flood waters has a 0.2% chance of occurring in any one year.
0.5%	1 in 200 year magnitude tide, storm or flood waters has a 0.5% chance of occurring in any one year.
1%	1 in 100 year magnitude tide, storm or flood waters has a 1% chance of occurring in any one year.
2%	1 in 50 year magnitude tide, storm or flood waters has a 2% chance of occurring in any one year.
30%	1 in 3 year magnitude tide, storm or flood waters has a 30% chance of occurring in any one year.