

THE MUNDUBBERA PLAN

Planning Scheme

Prepared for:

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PLANNING SCHEME FOR MUNDUBBERA SHIRE

Adoption

The local government for Mundubbera Shire adopted this planning scheme on 20 January 2004.

Commencement

This planning scheme took effect on 1 March 2004.

State planning policies

The Minister for Local Government and Planning has identified the following State planning policies as having been appropriately reflected in the planning scheme—

1. State Planning Policy 1/92 Development and the Conservation of Agricultural Land.



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PART 1—INTRODUCTION

Division 1—Relationship to the Integrated Planning Act

1.1 Purpose

- (1) The local government for Mundubbera Shire has prepared this planning scheme under the provisions of Chapter 2 and Schedule 1 of the *Integrated Planning Act 1997* (the 'IPA').
- (2) It is intended to advance the purpose of the IPA in seeking to achieve ecological sustainability by—
 - (a) identifying assessable, self-assessable and exempt development;
 - (b) providing a basis for assessing development applications in the local government area;
 - (c) integrating State, regional and local interests; and
 - (d) enabling the community to have reasonable expectations about the nature and location of future development within the local government area.

1.2 Planning scheme functions as part of IDAS

- (3) This planning scheme functions as part of the Integrated Development Assessment System (IDAS) and must be read with the IPA.



Division 2—Structure of planning scheme

1.3 Division into zones

- (1) The land in the local government area is included in one of the following zones—
 - (a) Commercial;
 - (b) Community purposes;
 - (c) Industrial;
 - (d) Residential; or
 - (e) Rural.
- (2) Zones are identified on scheme maps—
 - (a) Map ZM1—Zones: Rural; and
 - (b) Map ZM2—Zones: Town.

1.4 Residential zone incorporates preferred use areas

- (3) The Residential Zone incorporates precincts as follows—
 - (a) Low density residential precinct; and,
 - (b) Multi-residential precinct.
- (4) The precincts are identified on Map ZM1.

1.5 Planning scheme has overlay areas

- (5) The planning scheme has overlay areas that apply to natural features or resources listed in Schedule 1 and are shown on:
 - (a) Map NFRO1—Natural Features or Resources Overlays; and,
 - (b) Map NFRO2—Watercourses.
- (6) The planning scheme has an overlay area that applies to those parts of the local government area listed in Schedule 2 and is shown on:
 - (a) Map CHFO1—Cultural Heritage Features Overlays: Rural; and,
 - (b) Map CHFO2—Cultural Heritage Features: Town.
- (7) For the purposes of this section, the term 'zone' includes 'overlay area'.

1.6 Planning scheme designates bushfire prone areas

- (8) This section applies only to land included in the Rural Zone.
- (9) The planning scheme designates bushfire prone areas as shown on *Map BPA—Designed Bushfire Prone Areas*, to enable the operation of the construction requirements for Class 1 buildings under the Building Code of Australia (BCA)¹.

1.7 Planning scheme identifies *Town Services Area*

- (10) The planning scheme identifies a *Town Services Area* as land that—
 - (a) has a reticulated town water supply and is seweraged; and
 - (b) additional urban land where the local government is prepared to provide water supply and sewerage services on the basis that it is a cost-effective expansion of the urban area.
- (11) The *Town Services Area* for the local government area is identified on *Map TSA—Mundubbera Town Services Area*.

1.8 Roads, watercourses and reclaimed land

- (12) If a road, watercourse or reclaimed land in the local government area is not shown as being covered by a zone on the zoning maps, the following applies—
 - (a) if the road, watercourse or reclaimed land is adjoined on both sides by land in the same zone—the road, watercourse or reclaimed land has the same zoning as the adjoining land;
 - (b) if the road or water course is adjoined on one side by land in a zone and adjoined on the other side by land in another zone—the road, watercourse or reclaimed land has the same zoning as the adjoining land and the centre of the road,

¹ A Class 1 building constructed in a designated bushfire prone area is subject to Performance Requirement P2.3.4 of the BCA.



watercourse or reclaimed land is the boundary between the two zones;

- (c) if the road, watercourse or reclaimed land is adjoined on one side only by land in a zone—the entire road, watercourse or reclaimed land has the same zoning as the adjoining zoned land.
- (13) If a road, watercourse or reclaimed land is not shown as being covered by either the Low density residential precinct or the Multi-residential precinct on the zoning maps, subsection (12) applies as if the precinct were a zone.
- (14) To remove any doubt, it is declared that subsections (12) and (13) also apply to a closed road if the road is closed after the commencement of the planning scheme.
- (15) Upon the opening of a road in the local government area after the commencement of the planning scheme, such road is not depicted in a zone under this planning scheme and subsections (12) and (13) become effective.
- (16) To remove any doubt, the changing of a planning scheme map to show the opening or closure of a road is not an amendment of this planning scheme.

1.9 Assessable and self-assessable development

- (17) Assessment tables for the zones and overlay areas identify development that is assessable, self-assessable or exempt under the planning scheme as follows—
 - (a) Table 4.1 and Table 4.2 —Commercial Zone
 - (b) Table 4.3 and Table 4.4—Community Zone;
 - (c) Table 4.5 and Table 4.6—Industrial Zone;
 - (d) Table 4.7 and Table 4.8—Residential Zone;
 - (e) Table 4.9 and Table 4.10—Rural Zone.
- (18) The assessment tables also identify whether assessable development under the planning scheme requires either code assessment or impact assessment.
- (19) If development is identified as having a different assessment category under a zone than under an overlay, the higher assessment category applies as follows—
 - (a) self-assessable prevails over exempt;

- (b) code assessable prevails over self-assessable and exempt;
- (c) impact assessable prevails over code assessable, self-assessable, and exempt.

1.10 Codes

- (20) This planning scheme contains codes for—
- (a) each zone and type of overlay; and
 - (b) development for a stated purpose or development of a stated type.

- (21) The codes are the following—

Zone codes—

- (a) Commercial Zone Code;
- (b) Community Zone Code;
- (c) Industrial Zone Code;
- (d) Residential Zone Code;
- (e) Rural Zone Code;

Overlay area codes—

- (a) Natural Features or Resources Overlay Areas Code;
- (b) Cultural Heritage Features Overlays Code;

For a stated purpose or type

- (a) Advertising Devices Code;
- (b) Dwelling House Code;
- (c) Filling and Excavation Code;
- (d) Forestry Code;
- (e) Gates and Grids Code;
- (f) Home Business Code;
- (g) Infrastructure Works Code;
- (h) Intensive Animal Husbandry Code;
- (i) Landscaping Code;
- (j) Multi-residential Code;
- (k) Planning Scheme Building Matters Code;



- (l) Reconfiguring a Lot Code; and,
- (m) Vehicle Parking and Access Code.

1.11 Codes applicable to ongoing use

- (22) A code that is applicable to a material change of use is also applicable to the ongoing use that results from that change².

1.12 Planning Scheme seeks to achieve outcomes

- (23) This planning scheme seeks to achieve four levels of outcomes—
 - (a) desired environmental outcomes;
 - (b) overall outcomes—for zones, overlays and codes;
 - (c) specific outcomes—for zones, overlays and codes;
 - (d) probable solutions—for a specific outcome; or acceptable solutions for complying with a self-assessable code.

1.13 Probable solutions for code assessment

- (24) A probable solution for a specific outcome provides a guide for achieving that outcome in whole or in part, and does not

² IPA, section 2.1.23(3) (Local planning instruments have force of law) relates with respect to regulating the use of premises, and also IPA, section 4.3.4 (Compliance with identified code for use of premises) with respect to an offence under the Act.

limit the assessment manager's discretion under the IPA³ to impose conditions on a development approval.

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



PART 2—INTERPRETATION

2.1 Definitions

- (1) The dictionary in Schedule 4 defines terms used in this planning scheme as follows—
 - (a) defined uses;
 - (b) advertising devices; and
 - (c) other terms

2.2 Terms defined in the IPA

- (2) All terms that are defined in the IPA have the same meaning as in the IPA.

2.3 Explanatory notes

- (3) The *Mundubbera Shire Planning Scheme Explanatory Notes (Parts 1 and 2)* are declared to be extrinsic material under the *Statutory Instruments Act 1992*, and aid the interpretation of this planning scheme.

2.4 Electronic form of scheme maps

- (4) Copies of the planning scheme maps for the Mundubbera Shire Planning Scheme held in electronic form are declared



to be extrinsic material under the *Statutory Instruments Act 1992* and aid the interpretation of this planning scheme⁴.

2.5 Footnotes not part of the planning scheme

- (5) The footnotes to this document are not part of this planning scheme.

⁴ The electronic copies enable a user to 'zoom in' on parts of the local government area.

PART 3—DESIRED ENVIRONMENTAL OUTCOMES

Division 1—Preliminary

3.1 Explanation of desired environmental outcomes

- (1) The desired environmental outcomes in this planning scheme are based on ecological sustainability⁵ and express broad outcomes that advance its achievement in the local government area.
- (2) The planning scheme seeks to achieve each desired environmental outcome to the full extent practicable having regard to all the desired environmental outcomes.
- (3) The planning scheme achieves each desired environmental outcome through the planning scheme measures in Parts 4 – 9 of this scheme.

3.2 Sections not used for deciding development applications

- (4) In this Part, only the Desired Environmental Outcomes 1 to 8 provide a basis for deciding development applications under the planning scheme.

⁵ defined in section 1.3.3 of the IPA



Division 2—Desired Environmental Outcomes

3.3 Suitable land use and development

3.3.1 Context⁶

- (1) The town of Mundubbera is the only urban centre in the local government area and provides a wide range of services to its rural hinterland.
- (2) A wide range of rural pursuits is conducted in the non-urban districts of the local government area, including the growing of citrus fruits and grapes, grain crops, beef and dairy cattle, pigs, and forestry.
- (3) Commercial, retailing, government and related services are conveniently focussed on Lyons Street. There are no other significant activity centres in the local government area.
- (4) The State-controlled Mundubbera-Durong Road passes through the town area to the east of the Lyons Street focus. No significant commercial areas front this road. A railway also passes through the local government area.
- (5) The majority of the urban housing areas, including new housing, are on the western side of the Mundubbera-Durong Road. This generally coincides with the most cost-effective location for urban expansion.
- (6) An industrial estate is discretely situated on the eastern edge of the town. The northern entry to the town is exposed to several significant land-extensive industries.
- (7) Within a 15 kilometre radius of the town land has been subdivided into lots generally between 60 hectares and 100 hectares in area. This area generally coincides with the best agricultural land.

3.3.2 Desired Environmental Outcome 1

The settlement pattern in the local government area is focussed on the town of Mundubbera, particularly Lyons Street as its activity centre.

⁶ This section comprises a summary of the scheme measures and does not provide a basis for development assessment. See section 3.2 of this planning scheme.

3.3.3 Desired Environmental Outcome 2

Rural lands are protected from incompatible development and support a vibrant and sustainable rural economy.

3.3.4 Achieving the DEOs⁷

- (8) The preferred location for urban expansion, to the immediate north of the existing residential town edge, would be the most prudent way to provide additional dwellings.
- (9) The design and location of alternative housing to dwelling houses would ensure complementary development of infill sites.
- (10) Housing and other sensitive land uses would not occur where they would compromise prudent urban expansion, customary rural practices, extractive, quarry and mineral resources, or maintaining transport infrastructure and operations.
- (11) New commercial development would not compromise the integrity and primacy of the Lyons Street core commercial area. A compact town centre assists with its vitality and convenience.
- (12) Industrial development would be contained within discrete industrial areas or their modest logical extensions.
- (13) Subdivision in the local government area would not fragment good quality agricultural land nor enable closer settlement in locations that would interfere with normal rural practices.
- (14) Home businesses, on-farm value adding and increased diversity (including tourism) contribute to a vibrant and sustainable economy.
- (15) Development in rural areas, including Intensive animal husbandry does not cause or worsen soil degradation or water pollution.

⁷ This section comprises a summary of the scheme measures and does not provide a basis for development assessment. See section 3.2 of this planning scheme.



3.4 Efficient use of infrastructure

3.4.1 Context⁸

- (16) The town of Mundubbera is serviced with reticulated water, sewerage, electricity, and telecommunications services.
- (17) There are no significant service deficiencies in any of the networks.
- (18) A range of health, education, government, and emergency services are available within the town.
- (19) A network of State-controlled and principal local government roads service the local government area. Its focus is the town.
- (20) The Mungar to Monto railway passes through the local government area.
- (21) An aerodrome exists on the eastern outskirts of the town.

3.4.2 Desired Environmental Outcome 3

Services are delivered to the community efficiently and equitably.

3.4.3 Desired Environmental Outcome 4

New housing is located and designed prudently to complement and infill within or extend from, the existing urban area in an orderly and efficient manner.

3.4.4 Desired Environmental Outcome 5

A safe, efficient and convenient transport network provides safe and equitable access, and services the local government area and the region efficiently.

⁸ This section comprises a summary of the scheme measures and does not provide a basis for development assessment. See section 3.2 of this planning scheme.

3.4.5 Achieving the DEOs⁹

- (22) Urban expansion would be located in the most cost-effective locations.
- (23) Urban development would connect to normal urban services, including water supply, sewerage, power and telecommunications.
- (24) Transport intensive development such as large-scale intensive animal husbandry would make the most efficient use of the transport network including minimising impacts on the road network and maximising opportunities to use alternative modes such as rail.
- (25) Low-density housing would not develop in locations that would compromise the ability of the local government to provide urban services cost effectively.
- (26) Development fronting State-controlled roads, particularly in the town area, would not compromise safety or long-term capacity.
- (27) Noise-sensitive development would not be located close to the aerodrome, major roads, or railway, particularly in the town area, or would provide an acceptable noise environment for occupants.

3.5 Liveable places

3.5.1 Context¹⁰

- (28) The rural character and small town identity are an economic resource—for attracting and keeping a workforce and for encouraging tourism.
- (29) The low density Queensland country town character, with its Queensland vernacular architecture of timber and tin dwelling houses fronting wide streets, provides an attractive but modest sense of place.

⁹ This section comprises a summary of the scheme measures and does not provide a basis for development assessment. See section 3.2 of this planning scheme.

¹⁰ This section comprises a summary of the scheme measures and does not provide a basis for development assessment. See section 3.2 of this planning scheme.



- (30) The non-residential buildings on the Lyons Street alignment, many with awnings, present a 'hard edge' character to the main commercial area.
- (31) The local government area contains places and artifacts that have cultural heritage significance to indigenous Australians.
- (32) The local government area does not have an especially significant collection of heritage buildings.
- (33) Auburn River National Park is the only land within the local government area that is protected under the *Nature Conservation Act 1992*.

3.5.2 Desired Environmental Outcome 6

Residents of the local government area enjoy a high quality lifestyle based on its rural character and its natural features and resources.

3.5.3 Desired Environmental Outcome 7

The biodiversity, ecological and amenity values of all natural areas, including the Auburn River National Park and state forests, are maintained.

3.5.4 Desired Environmental Outcome 8

The natural environment experiences minimal adverse effects such as loss of biological diversity, reduction in the capacity of ecosystems, air and water pollution, and soil degradation.

3.5.5 Achieving the DEOs¹¹

- (34) The design and location of development in visually prominent or sensitive locations would protect character and amenity.
- (35) Works would minimise the loss of remnant vegetation, particularly along riparian corridors.
- (36) Development would not contribute to soil erosion, salinisation or landslip.

¹¹ This section comprises a summary of the scheme measures and does not provide a basis for development assessment. See section 3.2 of this planning scheme.

- (37) Development would not diminish the values and condition of waterways (including riparian vegetation and corridors) and wetlands.
- (38) Development would minimise the loss of native vegetation to protect the capacity of the vegetation to supply ecosystem and biodiversity services.
- (39) The location, scale and form of urban development would protect the character of the town, in particular—
 - (a) non-residential development would protect amenity and character by physical segregation, visual and acoustic buffering, building scale, architectural treatment or a combination of such measures;
 - (b) new commercial or retail buildings in Lyons Street would be built in a style and character that is sympathetic to existing development;
 - (c) new dwellings would be compatible in scale with any adjoining buildings;
 - (d) home businesses would be limited in scale and intensity so as to protect residential amenity.
- (40) Development does not significantly diminish the natural values of natural features such Auburn River National Park, state forests, and watercourses through—
 - (a) visually inappropriate works;
 - (b) removal, damage or destruction of any vegetation or other natural or man-made feature; or
 - (c) other changes.
- (41) Development respects places and artifacts of significance to indigenous and European cultural heritage.



PART 4—ASSESSMENT CATEGORIES FOR DEVELOPMENT

Division 1—Preliminary

4.1 Assessment of development

- (1) Part 4 contains assessment tables for each of the five zones in the planning scheme.
- (2) Assessment tables identify for development stated in Columns 1 and 2 of the tables—
 - (a) the applicable assessment category¹² in Column 3;
 - (b) if self-assessable or assessable development—the relevant assessment criteria in Column 4; and,
 - (c) for assessment tables 4.1, 4.3, 4.5, 4.7, and 4.9—the relevant assessment criteria may be identified by the ✓ symbol in Column 4 underneath the titles of codes.
- (3) The assessment tables are as follows—
 - (a) for the Commercial Zone—

¹² The Assessment tables are to be read in conjunction with Schedule 8 of the IPA and any regulation to it identifying the assessment status of particular aspects of development.



- (i) Table 4.1—making a material change of use;
 - (ii) Table 4.2—other than making a material change of use.
- (b) for the Community Zone—
 - (i) Table 4.3—making a material change of use;
 - (ii) Table 4.4—other than making a material change of use;
- (c) for the Industrial Zone—
 - (i) Table 4.5—making a material change of use;
 - (ii) Table 4.6—other than making a material change of use;
- (d) for the Residential Zone—
 - (i) Table 4.7—making a material change of use;
 - (ii) Table 4.8—other than making a material change of use;
- (e) for the Rural Zone—
 - (i) Table 4.9—making a material change of use;
 - (ii) Table 4.10—other than making a material change of use.
- (f) assessment of development in an area identified in the Natural Features or Resources Overlays Map—
 - (i) Table 4.11—making a material change of use;
 - (ii) Table 4.12—other than making a material change of use.
- (g) assessment of development in an area identified in the Cultural Heritage Features Overlays Map—
 - (i) Table 4.13—making material change of use;
 - (ii) Table 4.14—other than making a material change of use.

Assessment categories

- (4) For development identified in Column 4 of each assessment table as self-assessable or code assessable the relevant assessment criteria are applicable codes, comprising—
- (a) only the acceptable solutions if the development is self-assessable; or
 - (b) the whole of the applicable code if the development is code assessable.

4.2 Inconsistent uses

- (5) In accordance with the following sections identified for the respective zones, a defined use that is an inconsistent use in the relevant zone is noted in Column 1 of the assessment table for making a material change of use—
- (a) for the Commercial Zone—5.2.4;
 - (b) for the Community Zone—5.3.4;
 - (c) for the Industrial Zone—5.4.4;
 - (d) for the Residential Zone—5.5.4;
 - (e) for the Rural Zone—5.6.5.

4.3 Use of land for road

- (6) Despite other provisions in Part 4, the following development is declared to be exempt development under this planning scheme—
- (a) the use of land for road after that land has been dedicated to public use as a road;
 - (b) utility installation on land that has been dedicated to public use as a road;
 - (c) the incidental use of a footpath adjacent to land used for Commercial premises, Food or entertainment premises, or Shop, if that land is included in the Commercial Zone.



Division 2—Zones

4.4 Assessment categories—Commercial Zone

Table 4.1 Assessment table for making a material change of use—Commercial Zone

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assess- ment category ^o	Column 4: Relevant assessment criteria [*]			
			Commercial Zone Code	Infrastructure Works Code	Landscaping Code	Vehicle parking & access Code
Aquaculture [#]		Code	✓	✓	✓	✓
Commercial premises	If using an existing building and involving no building work other than <i>minor building work</i>	Exempt				
	if the criteria for being exempt do not apply	Code	✓	✓	✓	✓
Community services	If using an existing building and involving no building work other than <i>minor building work</i>	Exempt				
	if the criteria for being exempt do not apply	Code	✓	✓	✓	✓
Community space		Exempt				
Dwelling house [#]		Code	✓	✓		
Education or health premises		Code	✓	✓	✓	✓
Extractive industry [#]		Code	✓	✓	✓	✓
Farm [#]		Code	✓	✓	✓	✓
Farm forestry [#]		Code	✓	✓	✓	✓
Food or entertainment venue	If using an existing building and involving no building work other than <i>minor building work</i>	Exempt				
	if the criteria for being exempt do not apply	Code	✓	✓	✓	✓
General industry [#]		Code	✓	✓	✓	✓

Assessment categories

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assess- ment category ^o	Column 4: Relevant assessment criteria [*]			
			Commercial Zone Code	Infrastructure Works Code	Landscaping Code	Vehicle parking & access Code
Home business	If using an existing building and involving no building work other than <i>minor building work</i> if the criteria for being exempt do not apply	Exempt Code	✓	✓	✓	✓
Intensive animal [#] husbandry		Code	✓	✓	✓	✓
Low-impact industry		Code	✓	✓	✓	✓
Intensive animal husbandry		Code	✓	✓	✓	✓
Multi-residential		Code	✓	✓	✓	✓
Native forestry [#]		Code	✓	✓	✓	✓
Public Utility		Code	✓	✓	✓	✓
Rural industry [#]		Code	✓	✓	✓	✓
Shop	If using an existing building and involving no building work other than <i>minor building work</i> if the criteria for being exempt do not apply	Exempt Code	✓	✓	✓	✓
Special industry [#]		Code	✓	✓	✓	✓
Temporary residential [#]		Code	✓	✓	✓	✓
Tourist accommodation		Code	✓	✓	✓	✓
All other uses (excepting road ⁺)		Impact	See the IPA ¹³ .			

^o Assessment categories may be affected by overlays. See overlay maps to determine if the land is affected.

^{*} The ✓ symbol indicates that the code is an applicable code. See section 4.1(2)(c).

[#] The Commercial Zone Code identifies this use as an 'inconsistent use'. See section 5.2.4.

⁺ Section 4.3 makes some uses of roads exempt development.



Table 4.2 Assessment table for development other than making a material change of use—Commercial Zone

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assessment category ^o	Column 4 Relevant assessment criteria
Building work not associated with a material change of use	work undertaken in or on an existing building	Self	Planning Scheme Building Matters Code
	if the criteria for being self-assessable do not apply or if not complying with the applicable code for self-assessable development	Code	Commercial Zone Code
Carrying out operational work for a gate or grid		Code	Gates and Grids Code
Carrying out operational work for reconfiguring a lot		Code	Infrastructure Works Code
Carrying out operational work involving filling or excavation not associated with reconfiguring a lot	if involving more than 100 cubic metres of material	Self	Filling and Excavation Code (Acceptable solutions in Table 6.2 only)
	if involving more than 100 cubic metres of material and not complying with the applicable code for self-assessable development	Code	Filling and Excavation Code
Placing an advertising device on premises	if a blind sign, business plate, cabinet sign, flag sign, property name sign, or window sign	Exempt	
	if an above awning sign, awning facia sign, banner sign or bunting, below awning sign, building facia sign, canopy sign, frontage sign, ground base sign, projecting wall sign, roof sign, wall sign	Self	Advertising Devices Code (compliance with 'Solutions for acceptable devices' for the applicable type of device only)
	if the qualifications for being exempt or self-assessable do not apply or if not complying with the applicable code for self-assessable development	Code	Advertising Devices Code
Reconfiguring a lot		Code	Reconfiguring a Lot Code and Infrastructure Works Code
Otherwise		Exempt	

^o Development may be subject to a changed assessment category and applicable codes via an overlay. See section 1.5 **Planning scheme has overlay areas**.

4.5 Assessment categories—Community Zone

Table 4.3 Assessment table for making a material change of use—Community Zone

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assessment category ^o	Column 4: Relevant assessment criteria*			
			Community Zone Code	Infrastructure Works Code	Landscaping Code	Vehicle parking & access Code
Aquaculture [#]		Code	✓	✓	✓	✓
Cattery or kennel [#]		Code	✓	✓	✓	✓
Commercial premises [#]		Code	✓	✓	✓	✓
Community services		Code	✓	✓	✓	✓
Community space		Exempt				
Display yard [#]		Code	✓	✓	✓	✓
Dwelling house [#]		Code	✓	✓		
Extractive industry [#]		Code	✓	✓	✓	✓
Farm		Code	✓		✓	✓
Farm forestry		Code	Forestry Code			
General industry [#]		Code	✓	✓	✓	✓
Home business [#]		Code	✓	✓	✓	✓
Intensive animal husbandry [#]		Code	✓	✓	✓	✓
Low impact industry [#]		Code	✓	✓	✓	✓
Multi-residential [#]		Code	✓	✓	✓	✓
Native forestry	if on a lot less than 3 hectares	Exempt				
	if on a lot not less than 3 hectares	Self	Forestry Code (Acceptable solutions only)			
	if the qualifications for being exempt do not apply or if not complying with the relevant assessment criteria for self-assessable development	Code	Forestry Code			
Public Utility		Code	✓	✓	✓	✓
Rural industry [#]		Code	✓	✓	✓	✓
Service station [#]		Code	✓	✓	✓	✓



Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assess- ment category ^o	Column 4: Relevant assessment criteria*			
			Community Zone Code	Infrastructure Works Code	Landscaping Code	Vehicle parking & access Code
Shop [#]		Code	✓	✓	✓	✓
Special industry [#]		Code	✓	✓	✓	✓
Temporary residential [#]		Code	✓	✓	✓	✓
All other uses (excepting road ⁺)		Impact	See the IPA ¹⁴ .			

^o Assessment categories may be affected by overlays. See overlay maps to determine if the land is affected.

* The ✓ symbol indicates that the code is an applicable code. See section 4.1(2)(c).

The Community Zone Code identifies this use as an 'inconsistent use'. See section 5.3.4.

+ Section 4.3 makes some uses of roads exempt development.

Assessment categories

Table 4.4 Assessment table for development other than making a material change of use—Community Zone*

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assessment category	Column 4 Relevant assessment criteria
Building work not associated with a material change of use	work undertaken in or on an existing building	Self	Planning Scheme Building Matters Code
	if the criteria for being self-assessable do not apply or if not complying with the applicable code for self-assessable development	Code	Community Zone Code
Carrying out operational work for a gate or grid		Code	Gates and Grids Code
Carrying out operational work for reconfiguring a lot		Code	Infrastructure Works Code
Carrying out operational work involving filling or excavation not associated with reconfiguring a lot	if involving more than 100 cubic metres of material	Self	Filling and Excavation Code (Acceptable solutions in Table 6.2 only)
	if involving more than 100 cubic metres of material and not complying with the applicable code for self-assessable development	Code	Filling and Excavation Code
Placing an advertising device on premises	if a blind sign, business plate, cabinet sign, flag sign, property name sign, or window sign	Exempt	
	if a building facia sign, frontage sign, ground base sign, projecting wall sign, roof sign, wall sign	Self	Advertising Devices Code (compliance with 'Solutions for acceptable devices' for the applicable type of device only)
	if the qualifications for being exempt or self-assessable do not apply or if not complying with the applicable code for self-assessable development	Code	Advertising Devices Code
Reconfiguring a lot		Code	Reconfiguring a Lot Code and Infrastructure Works Code
Otherwise		Exempt	

* Development may be subject to a changed assessment category and applicable codes via an overlay. See section 1.5 **Planning scheme has overlay areas**.



4.6 Assessment categories—Industrial Zone

Table 4.5 Assessment table for making a material change of use—Industrial Zone

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assess- ment category ^o	Column 4: Relevant assessment criteria [*]			
			Industrial Zone Code	Infrastructure Works Code	Landscaping Code	Vehicle parking & access Code
Aquaculture		Code	✓	✓	✓	✓
Cattery or kennel		Code	✓	✓	✓	✓
Commercial premises		Code	✓	✓	✓	✓
Community services		Code	✓	✓	✓	✓
Community space		Exempt				
Display yard		Code	✓	✓	✓	✓
Dwelling house [#]		Code	✓	✓	✓	✓
Education or health premises		Code	✓	✓	✓	✓
Extractive industry [#]		Code	✓	✓	✓	✓
Farm		Code	✓	✓		
Farm forestry [#]		Code	✓	✓	✓	✓
Food or entertainment venue		Code	✓	✓	✓	✓
General industry		Code	✓	✓	✓	✓
Home business		Code	✓	✓	✓	✓
Intensive animal husbandry [#]		Code	✓	✓	✓	✓
Low-impact industry	If using an existing building and involving no building work other than <i>minor building work</i>	Exempt				
	if the criteria for being exempt do not apply	Code	✓	✓	✓	✓
Multi-residential [#]		Code	✓	✓	✓	✓
Native forestry [#]		Code	✓	✓	✓	✓
Public Utility		Code	✓	✓	✓	✓
Rural industry		Code	✓	✓	✓	✓

Assessment categories

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assess- ment category ^o	Column 4: Relevant assessment criteria*			
			Industrial Zone Code	Infrastructure Works Code	Landscaping Code	Vehicle parking & access Code
Service station		Code	✓	✓	✓	✓
Shop		Code	✓	✓	✓	✓
Temporary residential [#]		Code	✓	✓	✓	✓
Tourist accommodation [#]		Code	✓	✓	✓	✓
All other uses (excepting road ⁺)		Impact	See the IPA ¹⁵ .			

^o Assessment categories may be affected by overlays. See overlay maps to determine if the land is affected.

* The ✓ symbol indicates that the code is an applicable code. See section 4.1(2)(c).

[#] The Industrial Zone Code identifies this use as an 'inconsistent use'. See section 5.4.4.

⁺ Section 4.3 makes some uses of roads exempt development.



Table 4.6 Assessment table for development other than making a material change of use—Industrial Zone

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assessment category	Column 4 Relevant assessment criteria
Building work not associated with a material change of use	work undertaken in or on an existing building	Self	Planning Scheme Building Matters Code
	if the criteria for being self-assessable do not apply or if not complying with the applicable code for self-assessable development	Code	Industrial Zone Code
Carrying out operational work for a gate or grid		Code	Gates and Grids Code
Carrying out operational work for reconfiguring a lot		Code	Infrastructure Works Code
Carrying out operational work involving filling or excavation not associated with reconfiguring a lot	if involving more than 100 cubic metres of material	Self	Filling and Excavation Code (Acceptable solutions in Table 6.2 only)
	if involving more than 100 cubic metres of material and not complying with the applicable code for self-assessable development	Code	Filling and Excavation Code
Placing an advertising device on premises	if a blind sign, business plate, cabinet sign, flag sign, property name sign, or window sign	Exempt	
	if an above awning sign, awning facia sign, banner sign or bunting, below awning sign, building facia sign, canopy sign, frontage sign, ground base sign, projecting wall sign, roof sign, wall sign	Self	Advertising Devices Code (compliance with 'Solutions for acceptable devices' for the applicable type of device only)
	if the qualifications for being exempt or self-assessable do not apply or if not complying with the applicable code for self-assessable development	Code	Advertising Devices Code
Reconfiguring a lot		Code	Reconfiguring a Lot Code and Infrastructure Works Code
Otherwise		Exempt	

* *Development may be subject to a changed assessment category and applicable codes via an overlay. See section 1.5 Planning scheme has overlay areas.*

4.7 Assessment categories—Residential Zone

Table 4.7 Assessment table for making a material change of use—Residential Zone

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assess- ment category ^o	Column 4: Relevant assessment criteria [*]			
			Residential Zone Code	Infrastructure Works Code	Landscaping Code	Vehicle parking & access Code
Aquaculture [#]		Code	✓	✓	✓	✓
Cattery or kennel [#]	if not in the low density residential precinct	Code	✓	✓	✓	✓
Commercial premises [#]		Code	✓	✓	✓	✓
Community services	If not involving external building work and the use is conducted within a building	Code	✓	✓	✓	✓
Community space		Exempt				
Display yard [#]		Code	✓	✓	✓	✓
Dwelling house		Self	Dwelling House Code			
	If the development does not comply with the applicable code for self-assessable development	Code	✓	✓		
Extractive Industry [#]		Code	✓	✓	✓	✓
Farm		Code	✓	✓	✓	✓
Farm forestry [#]		Code	✓	✓	✓	✓
General industry [#]		Code	✓	✓	✓	✓
Home business		Self	Home Business Code (acceptable solutions only)			
	If the development does not comply with the applicable code for self-assessable development	Code	Home Business Code			
Intensive animal husbandry [#]		Code	✓	✓	✓	✓
Low impact industry [#]		Code	✓	✓	✓	✓
Multi-residential	If comprising only two dwelling units	Self	Multi-residential Code (acceptable solutions only)			



Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assess- ment category ^o	Column 4: Relevant assessment criteria*			
			Residential Zone Code	Infrastructure Works Code	Landscaping Code	Vehicle parking & access Code
	if comprising only two dwelling units and not complying with the Multi-residential Code (acceptable solutions only); or if comprising more than two units located in the Multi-residential Precinct	Code		✓	✓	✓
			Multi-residential Code			
Native forestry [#]		Code	✓	✓	✓	✓
Public utility		Code	✓	✓	✓	✓
Rural industry [#]		Code	✓	✓	✓	✓
Special industry [#]		Code	✓	✓	✓	✓
Temporary residential [#]		Code	✓	✓	✓	✓
All other uses (excepting road ⁺)		Impact	See the IPA ¹⁶ .			

^o Assessment categories may be affected by overlays. See overlay maps to determine if the land is affected.

* The ✓ symbol indicates that the code is an applicable code. See section 4.1(2)(c).

[#] The Residential Zone Code identifies this use as an 'inconsistent use'. See section 5.5.4.

⁺ Section 4.3 makes some uses of roads exempt development.

Assessment categories

Table 4.8 Assessment table for development other than making a material change of use—Residential Zone*

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assessment category	Column 4 Relevant assessment criteria
Building work not associated with a material change of use	work undertaken in or on an existing building	Self	Planning Scheme Building Matters Code
	if the criteria for being self-assessable do not apply or if not complying with the applicable code for self-assessable development	Code	Residential Zone Code
Carrying out operational work for a gate or grid		Code	Gates and Grids Code
Carrying out operational work for reconfiguring a lot		Code	Infrastructure Works Code
Carrying out operational work involving filling or excavation not associated with reconfiguring a lot	if involving more than 100 cubic metres of material	Self	Filling and Excavation Code (Acceptable solutions in Table 6.2 only)
	if involving more than 100 cubic metres of material and not complying with the applicable code for self-assessable development	Code	Filling and Excavation Code
Placing an advertising device on premises	if a business plate, property name sign, or window sign	Exempt	
	if an above awning sign, awning fascia sign, below awning sign, building fascia sign, canopy sign, projecting wall sign	Self	Advertising Devices Code (compliance with 'Solutions for acceptable devices' for the applicable type of device only)
	if the qualifications for being exempt or self-assessable do not apply or if not complying with the applicable code for self-assessable development	Code	Advertising Devices Code
Reconfiguring a lot		Code	Reconfiguring a Lot Code and Infrastructure Works Code
Otherwise		Exempt	

* Development may be subject to a changed assessment category and applicable codes via an overlay. See section 1.5 Planning scheme has overlay areas.



4.8 Assessment categories—Rural Zone

Table 4.9 Assessment table for making a material change of use—Rural Zone

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assess- ment category ^o	Column 4: Relevant assessment criteria*			
			Rural Zone Code	Infrastructure Works Code	Landscaping Code	Vehicle parking & access Code
Aquaculture		Code	✓	✓	✓	✓
Cattery or kennel		Code	✓	✓	✓	✓
Commercial premises [#]		Code	✓	✓	✓	✓
Community services		Code	✓	✓	✓	✓
Community space		Exempt				
Display yard		Code	✓	✓	✓	✓
Dwelling house		Self	Dwelling House Code			
	If the development does not comply with the applicable code for self-assessable development	Code	✓			
Education or health premises		Code	✓	✓	✓	✓
Extractive industry		Code	✓	✓	✓	✓
Farm		Exempt				
Farm forestry	if on a lot less than 3 hectares	Exempt				
	if on a lot not less than 3 hectares	Self	Forestry Code (Acceptable solutions only)			
	if the qualifications for being exempt do not apply or if not complying with the relevant assessment criteria for self-assessable development	Code	Forestry Code			
Food or entertainment venue		Code	✓	✓	✓	✓
General industry [#]		Code	✓	✓	✓	✓
Home business		Self	Home Business Code (acceptable solutions only)			
	If the development does not	Code		✓		✓

Assessment categories

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assess- ment category ^o	Column 4: Relevant assessment criteria*			
			Rural Zone Code	Infrastructure Works Code	Landscaping Code	Vehicle parking & access Code
	comply with the applicable code for self-assessable development		Home Business Code			
Intensive animal husbandry		Code	✓	✓	✓	✓
			Intensive Animal Husbandry Code			
Low impact industry [#]		Code	✓	✓	✓	✓
Multi-residential [#]		Code	✓	✓	✓	✓
Native forestry	if on a lot less than 3 hectares	Exempt				
	if on a lot not less than 3 hectares	Self	Forestry Code (Acceptable solutions only)			
	if the qualifications for being exempt do not apply or if not complying with the relevant assessment criteria for self- assessable development	Code	Forestry Code			
Public utility		Code	✓	✓	✓	✓
Rural industry		Code	✓	✓	✓	✓
Service station		Code	✓	✓	✓	✓
Shop [#]		Code	✓	✓	✓	✓
Special industry [#]		Code	✓	✓	✓	✓
Temporary residential		Code	Temporary Residential Code			
Tourist accommodation		Code	✓	✓	✓	✓
All other uses (excepting road ⁺)		Impact	See the IPA ¹⁷ .			

^o Assessment categories may be affected by overlays. See overlay maps to determine if the land is affected.

* The ✓ symbol indicates that the code is an applicable code. See section 4.1(2)(c).

The Rural Zone Code identifies this use as an 'inconsistent use'. See section 5.6.4.

+ Section 4.3 makes some uses of roads exempt development.



Table 4.10 Assessment table for development other than making a material change of use—Rural Zone*

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assessment category	Column 4 Relevant assessment criteria
Building work not associated with a material change of use	work undertaken in or on an existing building	Self	Planning Scheme Building Matters Code
	if the criteria for being self-assessable do not apply or if not complying with the applicable code for self-assessable development	Code	Rural Zone Code
Carrying out operational work for a gate or grid		Code	Gates and Grids Code
Carrying out operational work for reconfiguring a lot		Code	Infrastructure Works Code
Carrying out operational work involving filling or excavation not associated with reconfiguring a lot	if involving more than 100 cubic metres of material	Self	Filling and Excavation Code (Acceptable solutions in Table 6.2 only)
	if involving more than 100 cubic metres of material and not complying with the applicable code for self-assessable development	Code	Filling and Excavation Code
Placing an advertising device on premises	if a blind sign, business plate, cabinet sign, flag sign, property name sign, or window sign	Exempt	
	if an above awning sign, awning facia sign, banner sign or bunting, below awning sign, building facia sign, canopy sign, frontage sign, ground base sign, projecting wall sign, roof sign, wall sign	Self	Advertising Devices Code (compliance with 'Solutions for acceptable devices' for the applicable type of device only)
	if the qualifications for being exempt or self-assessable do not apply or if not complying with the applicable code for self-assessable development	Code	Advertising Devices Code
Reconfiguring a lot		Code	Reconfiguring a Lot Code and Infrastructure Works Code
Otherwise		Exempt	

* Development may be subject to a changed assessment category and applicable codes via an overlay. See section 1.5 **Planning scheme has overlay areas**.

Division 3—Overlays

4.9 Natural Features or Resources Overlays

Table 4.11 Assessment table for making a material change of use—Natural Features or Resources Overlays

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assessment category	Column 4 Relevant assessment criteria
All (except Community space, Farm)	If within 100 metres of a <i>creek</i> or 200 metres of a <i>river</i>	Code	Natural Features or Resources Overlays Code
All (except Community space, Farm, Farm forestry, Native forestry)	If within 1000 metres of a mineral lease, active prospect and the Rosehall Project shown on Map NFR01	Code	Natural Features or Resources Overlays Code
All (except Community space, Farm forestry, Native forestry)	If within 100 metres of a State Forest or a <i>National Park</i> shown on Map NFR01	Code	Natural Features or Resources Overlays Code
All (except Community space, Dwelling house, Farm (if not involving the production of fish, crustaceans or shellfish), Farm forestry, Home business, Native forestry)	If in the Rural Zone AND on <i>Cropping Land</i> or <i>Mixed Farming Land</i> shown on Map NFR01	Code	Natural Features or Resources Overlays Code
Multi-residential, Temporary residential, or Tourist accommodation	If on a lot with a frontage to a stock route shown on Map NFR01	Code	Natural Features or Resources Overlays Code



**Table 4.12 Assessment table for other than making a material change of use—
Natural Features or Resources Overlays**

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assessment category	Column 4 Relevant assessment criteria
Carrying out operational work involving filling or excavation	if more than 100 cubic metres of material and	Code	Natural Features or Resources Overlays Code
	(a) if within 100 metres of a <i>creek</i> ; or		
	(b) if within 200 metres of a <i>river</i>	Code	Natural Features or Resources Overlays Code
	if more than 100 cubic metres of material and if within 100 metres of		
(c) a State Forest or			
(d) National Park as shown on Map NFR01			

4.10 Cultural heritage features overlays

Table 4.13 Assessment table for making a material change of use—Cultural heritage features overlays

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assessment category	Column 4 Relevant assessment criteria
All types	if involving building work that changes the external appearance of any building within the Heritage and Character Overlay or if within the Drainage & Flood Liability Overlay	Code	Cultural Heritage Features Overlays Code
All (except Community space, Dwelling house, Farm, Farm forestry, Home business, Native forestry)	If within the <i>Higher Probability Indigenous Cultural Heritage Area</i> or within 200 metres of a <i>major water course</i> shown on Map CHF01	Code	Cultural Heritage Features Overlays Code

Table 4.14 Assessment table for other than making a material change of use—Cultural heritage features overlays

Column 1 Type of development	Column 2 Qualifications (if any)	Column 3 Assessment category	Column 4 Relevant assessment criteria
Building work not associated with a material change of use	if involving building work that changes the external appearance of any building within the Heritage and Character Overlay	Code	Cultural Heritage Features Overlays Code
Carrying out works not associated with a material change of use	If within the Flood Liable Overlay Area	Code	Cultural Heritage Features Overlays Code



PART 5—ASSESSMENT PROVISIONS—ZONES AND OVERLAYS

Division 1—Preliminary provisions

5.1 Composition

- (1) The provisions in Part 5 comprise the following—
 - (a) *Division 1—Preliminary provisions*
 - (b) *Division 2—Assessment provisions for the five zones*—which are relevant to the assessment of development within the five zones of the local government area; and
 - (c) *Division 3—Assessment provisions for overlays*—which apply to specific parts of the local government area¹⁸.

¹⁸ Part 6 contains the General Development Codes, which apply to specific land uses in addition to zone codes or overlay area code.



Division 2—Assessment provisions for zones

5.2 Assessment provisions—Commercial Zone

5.2.1 Commercial Zone Code

- (1) Section 5.2 is the Commercial Zone Code—
- (a) 5.2.2—Compliance with the code
 - (b) 5.2.3—Purpose
 - (c) 5.2.4—Specific outcomes (inconsistent uses)
 - (d) 5.2.5—Effects of use
 - (e) 5.2.6—Effects of works

5.2.2 Compliance with the code

- (2) Development complies with the Commercial Zone Code if it is consistent with the specific outcomes for this code.

5.2.3 Purpose

- (3) The purpose of the Commercial Zone Code is to ensure that development occurring within the zone contributes to the achievement of the following overall outcomes—
- (a) An attractive, vibrant and compact business core serves the local government area.
 - (b) An identifiable symbolic and social ‘heart’ for the town and local government area facilitates government, commerce, recreation, and community uses in a convenient and accessible location.
 - (c) Commercial uses, including shops, offices, business services, personal services, hotels, and restaurants provide the community with a broad range of facilities.

5.2.4 Specific outcomes (inconsistent uses)

- (4) The following uses are inconsistent uses and are not appropriately located in the Commercial Zone—
- (a) Aquaculture;
 - (b) Dwelling house;

- (c) Extractive industry;
- (d) Farm;
- (e) Farm forestry;
- (f) General industry;
- (g) Intensive animal husbandry;
- (h) Native forestry;
- (i) Rural industry;
- (j) Special industry; and,
- (k) Temporary residential.

5.2.5 Effects of use

Table 5.1 Specific outcomes and probable solutions—effects of use in the Commercial Zone

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Site suitability</i>	
(a) Sites are suitably sized and configured for the intended use and any associated works, including—	A. Sites are at least 600 square metres in area. B. The road frontage of the site is at least 16 metres long.
(i) building work;	
(ii) vehicle parking, manoeuvring and access;	
(iii) landscaping, screening, or buffering;	
(iv) waste management facilities;	
(v) water cycle management.	
(b) Non-business uses only locate in the Commercial Zone if there is a clear need for such activity that could not be satisfied by carrying out the development on land in another zone.	<i>No probable solution stated</i>
<i>Infrastructure and servicing</i>	
(c) Adequate space for the storage of waste in a screened enclosure is provided.	A. Areas for the storage of waste receptacles are provided and entirely screened with a solid fence not less than 1.8 metres high.
(d) The use is suitably serviced with infrastructure including potable water supply and wastewater disposal.	<i>No probable solution stated</i>



Column 1: Specific outcomes	Column 2: Probable solutions
<i>Infrastructure (aerodrome)</i>	
(e) The use is located and operated to avoid significant adverse effects on the safe operation of aircraft by—	<i>No probable solution stated</i>
(i) reducing or avoiding the attraction of flying vertebrates to the use; and,	
(ii) locating, orientating and designing lighting to avoid confusing, distracting, or interfering with a pilot's vision.	

5.2.6 Effects of works

Table 5.2 Specific outcomes and probable solutions—effects of works in the Commercial Zone¹⁹

Column 1: Specific outcomes	Column 2: Probable solution
<i>Built form and building envelope</i>	
(a) Building design, scale and siting contribute to an appealing commercial streetscape through—	A. Buildings are not more than two storeys or 10 metres high. B. Buildings have a site cover of not more than 75%. C. The length of any unbroken elevation in a single plane does not exceed 15 metres.
(i) an appropriate building scale that is sympathetic to adjacent buildings and structures;	
(ii) facade design and detailing that complements traditional building elements;	
(iii) articulating walls	
(iv) the building addressing the street frontage so that the main entrance is visible from the street;	
(v) incorporating sun control features, such as awnings and deep reveals, in facades;	
(vi) not using reflective glass in the building facade.	

¹⁹ The specific outcomes for works in this table are applicable to material changes of use involving works.

Column 1: Specific outcomes	Column 2: Probable solution
(b) The <i>building line</i> maintains the streetscape and commercial character of the locality.	A. Buildings are not set back from the Lyons Street alignment. B. Continuous awnings are provided along the Lyons Street frontage.
(c) Buildings are sited to allow for appropriate access and servicing of the premises and to protect the residential amenity of any residential land abutting the rear of the site.	A. Buildings are at least 10 metres from any rear boundary that is common to land in the Residential Zone.
<i>Amenity</i>	
(d) New buildings protect residential amenity by being physically and visually separated from residential uses on adjacent land.	A. A 1.8 metres high solid screen fence is erected along any boundary common with land in a Residential Zone. B. Boundary clearances at the interface with residential uses are not less than— (ii) 5 metres to a side boundary; and, (iii) 10 metres to a rear boundary.
(e) Footpath treatments are compatible with the locality.	A. The footpath is paved along the frontage of the site from the property boundary to the back of the kerb and channel.
(f) Business advertising, including any illuminated devices, does not create a visual impact and does not impede the flow of pedestrians along the footpath.	A. Advertising devices on awnings do not exceed 1.2 square metres. B. Advertising devices that are signs on building facades do not exceed 2.4 square metres. C. Advertising devices on awnings are not closer to ground level than 2.4 metres.
<i>Safe operation of aircraft</i>	
(g) Works are located to avoid significant adverse effects on the safe operation of aircraft by—	A. Works are not more than 12 metres high.
(h) not protruding into operational airspace; and,	
(i) reducing or avoiding the attraction of flying vertebrates to the use; and,	
(j) locating, orientating and designing lighting to avoid confusing, distracting, or interfering with a pilot's vision.	



5.3 Assessment provisions—Community Zone

5.3.1 Community Zone Code

- (5) Section 5.3 is the Community Zone Code—
- (a) 5.3.2—Compliance with the code
 - (b) 5.3.3—Purpose
 - (c) 5.3.4—Specific outcomes (inconsistent uses)
 - (d) 5.3.5—Effects of use
 - (e) 5.3.6—Effects of works.

5.3.2 Compliance with the code

- (6) Development complies with the Community Zone Code if it is consistent with the specific outcomes for this code.

5.3.3 Purpose

- (7) The purpose of the Community Zone is to ensure that development occurring within the zone contributes to the achievement of the following overall outcomes—
- (a) The community has convenient and safe access to a wide range of social, community, and cultural activities and is well-served by educational, health and other infrastructure services.
 - (b) Parks, playgrounds, sports grounds and similar public spaces are distributed equitably.
 - (c) Potential adverse environmental effects, particularly those relating to amenity, are minimised or avoided.

5.3.4 Specific outcomes (inconsistent uses)

- (8) The following uses are inconsistent uses and do not locate in the Community Zone—
- (a) Aquaculture;
 - (b) Cattery or kennel;
 - (c) Business use;
 - (d) Display yard;
 - (e) Dwelling house—if not a caretaker's residence;
 - (f) Extractive industry;

- (g) General industry;
- (h) Home business;
- (i) Intensive animal husbandry;
- (j) Low impact industry;
- (k) Multi-residential;
- (l) Rural industry;
- (m) Service station;
- (n) Shop;
- (o) Special industry; and,
- (p) Temporary residential.

5.3.5 Effects of use

Table 5.3 Specific outcomes and probable solutions—effects of use in the Community Zone

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Site suitability</i>	
(a) Sites are suitably sized and configured for the intended use and any associated works, including—	<i>No probable solution stated</i>
(i) building work;	
(ii) vehicle parking, manoeuvring and access;	
(iii) landscaping, screening, or buffering;	
(iv) waste management facilities;	
(v) water cycle management.	
(b) Uses that require water and sewerage services are located in the <i>Town Services Area</i> .	<i>No probable solution stated</i>
<i>Amenity</i>	
(c) On land abutting land in the Residential Zone, activity and noise levels do not exceed those reasonably expected within a residential area.	A. The only activities carried on of premises between the hours of 8.00 pm and 6.00 am is administration or a residential use.
<i>Infrastructure and servicing</i>	
(d) The use is suitably serviced with infrastructure including potable water supply and wastewater disposal.	A. If not in the <i>Town Services Area</i> the premises accommodates a system of collecting, storing and distributing a potable water supply with a storage capacity of at least 45,000 litres.



Column 1: Specific outcomes	Column 2: Probable solutions
<i>Safe operation of aircraft</i>	
(e) The use is located and operated to avoid significant adverse effects on the safe operation of aircraft by—	<i>No probable solution stated</i>
(i) reducing or avoiding the attraction of flying vertebrates to the use; and,	
(ii) locating, orientating and designing lighting to avoid confusing, distracting, or interfering with a pilot's vision.	

5.3.6 Effects of works

Table 5.4 Specific outcomes and probable solutions—effects of works in the Community Zone

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Built form and building envelope</i>	
(a) All buildings contribute to a pleasant streetscape.	A. Buildings are not less than 6 metres from a road alignment.
(b) Adequate space is provided between buildings to allow for ventilation, access and to ensure buildings are not inappropriately bulky in appearance.	A. Buildings are not less than 3 metres from a side boundary. B. Buildings are not less than 6 metres from a rear boundary.
(c) Buildings are appropriate in scale and form.	A. Buildings are not more than two storeys or 8.5 metres high above natural ground level.
<i>Amenity</i>	
(d) Privacy of adjoining dwellings is maintained and overlooking is minimised through the use of design elements such as—	<i>No probable solution stated</i>
(i) privacy screens or hoods	
(ii) limiting side boundary windows	
(iii) landscaping treatments.	
(e) Advertising devices do not create an adverse visual impact or otherwise interfere with the use or enjoyment of the locality.	<i>No probable solution stated</i>

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Landscaping</i>	
(f) Landscaping elements reflects the themes of the locality and does not reduce the visual privacy or streetscape in the locality.	A. Where the site adjoins a residential use or land contained in the residential area landscaping is a minimum of 4 metres wide at the common boundary.
(g) Landscaping is a minimum of 4 metres wide at the major road frontage and 3 metres to all other boundaries.	B. Fences are a maximum of 1.2 metres in height if of solid construction, and 1.8 metres in height if up to 50% transparent.
<i>Safe operation of aircraft</i>	
(h) Works are located to avoid significant adverse effects on the safe operation of aircraft by—	A. Works are not more than 12 metres high.
(i) not protruding into operational airspace; and,	
(ii) reducing or avoiding the attraction of flying vertebrates to the use; and,	
(iii) locating, orientating and designing lighting to avoid confusing, distracting, or interfering with a pilot's vision.	

5.4 Assessment provisions—Industrial Zone

5.4.1 Industrial Zone Code

- (9) Section 5.4 is the Industrial Zone Code—
- (a) 5.4.2—Compliance with the code
 - (b) 5.4.3—Purpose
 - (c) 5.4.4—Specific outcomes (inconsistent uses)
 - (d) 5.4.5—Specific outcomes (Business uses)
 - (e) 5.4.6—Effects of use
 - (f) 5.4.7—Effects of works.

5.4.2 Compliance with the code

- (10) Development complies with the Industrial Zone Code if it is consistent with the specific outcomes for this code.



5.4.3 Purpose

- (11) The purpose of the Industrial Zone Code is to ensure that development occurring within the zone contributes to the achievement of the following overall outcomes—
- (a) The Industrial Zone accommodates a range of industrial uses that generally contain all potential adverse environmental effects within their own site.
 - (b) Industrial uses and associated works are consistent with the scale and character of other development in the locality.
 - (c) Industrial uses have convenient and safe access to the State-controlled road network, generally via local roads, without adversely affecting pavement condition, safety, efficiency or capacity.

5.4.4 Specific outcomes (inconsistent uses)

- (12) The following uses are inconsistent uses and do not locate in the Industrial Zone—
- (a) Dwelling house;
 - (b) Extractive industry;
 - (c) Farm forestry;
 - (d) Intensive animal husbandry;
 - (e) Multi-residential;
 - (f) Native forestry;
 - (g) Temporary residential; and,
 - (h) Tourist accommodation.

5.4.5 Specific outcomes (Business uses)

- (13) Commercial premises, Food or entertainment venue, and Shop only locate within the Industrial Zone if they—
- (a) provide a service to industrial activities in the locality; or,
 - (b) are likely to have an environmental effect such that the use would be better situated within the Industrial Zone than in the Commercial Zone.

5.4.6 Effects of use

Table 5.5 Specific outcomes and probable solutions—effects of use in the Industrial Zone

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Site suitability</i>	
(a) Sites are suitably sized and configured for the intended use and any associated works, including—	<i>No probable solution stated</i>
(i) building work;	
(ii) vehicle parking, manoeuvring and access;	
(iii) landscaping, screening, or buffering;	
(iv) waste management facilities;	
(v) water cycle management.	
<i>Amenity</i>	
(b) Uses maintain the amenity of the locality by not emitting excessive amounts of odours, gases or particulate emissions.	<p>A. Odour emissions do not exceed 1 Odour Unit (measured in accordance with the Environmental Protection Authority guideline).</p> <p>B. All raw materials and semi-finished or final products are stored within buildings.</p> <p>C. If within 150 metres of land included in a Residential Zone—</p> <p>(ii) outdoor activities occur only between 7.00 AM and 7.00 PM, Monday to Saturday; and,</p> <p>(iii) the only indoor activity occurring between 7.00 PM and 7.00 AM or on Sundays is administration.</p>
(c) Uses maintain or enhance the noise environment at the closest and nearby noise sensitive receptors.	<p>A. Noise-producing activities are—</p> <p>(ii) housed indoors; and,</p> <p>(iii) only operated during the hours of 7.00 a.m. and 6.00 p.m.</p>
(d) Artificial lighting does not create a nuisance.	A. Illumination levels in nearby residential areas do not exceed 8 lux.
(e) Illuminated signs are not visible from residential areas.	
(f) The amenity of adjoining areas is maintained.	<i>No probable solution stated</i>



Column 1: Specific outcomes	Column 2: Probable solutions
<i>On-site effluent disposal</i>	
<p>(g) The intensity and scale of the use of premises does not—</p> <ul style="list-style-type: none"> (i) increase any adverse ecological impacts, particularly on any nearby sensitive receiving environments, as a result of the system or increasing the cumulative effects of the systems in the locality; (ii) increase any health risks during a system failure; (iii) deteriorate the water quality of existing and/or proposed water supplies; (iv) limit the sustainable disposal of domestic effluent. 	<i>No probable solution stated</i>
<i>Infrastructure and servicing</i>	
<p>(h) Adequate space for the storage of waste is provided.</p> <p>(i) The use is suitably serviced with infrastructure including potable water supply and wastewater disposal.</p>	<p>A. Areas for the storage of waste receptacles are provided and screened with a fence not less than 1.8 metres high.</p> <p>A. The land is situated in the <i>Town Services Area</i>.</p>
<i>Hazard and risk management</i>	
<p>(j) The risk of potential injury, death or damage on the nearby community is minimised by—</p> <ul style="list-style-type: none"> (i) using inherently safe designs and procedures accompanied by high quality safety management systems; (ii) adopting risk management procedures that are developed in accordance with <i>Australian Standard 4360</i>. 	<i>No probable solution stated</i>
<p>(k) The use is located and operated to avoid significant adverse effects on the safe operation of aircraft by—</p> <ul style="list-style-type: none"> (i) reducing or avoiding the attraction of flying vertebrates to the use; and, (ii) locating, orientating and designing lighting to avoid confusing, distracting, or interfering with a pilot's vision. 	<i>No probable solution stated</i>

5.4.7 Effects of works

Table 5.6 Specific outcomes and probable solutions—effects of works in the Industrial Zone

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Built form and building envelope</i>	
(a) Buildings are sited and designed to present a pleasant streetscape.	A. Buildings are not more than 10 metres high. B. Site cover is not more than 75%. C. Buildings are at least— (ii) 6 metres from any road frontage; (iii) half the height of the building or 4 metres, whichever is the lesser, from any common boundary with land not in the Industrial Zone.
(b) Building lengths of more than 30 metres are punctuated with architectural treatments such as— (i) variations in materials, colours or textures; (ii) inclusion of windows or fenestration; (iii) steps in the walls.	<i>No probable solution stated</i>
(c) Building bulk is reduced through the use of building design, screening and design treatments of facades.	<i>No probable solution stated</i>
<i>Landscaping</i>	
(d) Landscaping elements reflect the themes of nearby residential areas and improve the visual privacy and streetscape of the locality.	<i>No probable solution stated</i>
<i>Amenity</i>	
(e) On-site car parking areas are screened from view of residential areas.	<i>No probable solution stated</i>
(f) Landscaping is incorporated into car parking areas and the edges of sites.	<i>No probable solution stated</i>
(g) Storage and rubbish disposal areas are not visible from the street or residential areas by being either screened or contained indoors	<i>No probable solution stated</i>



Column 1: Specific outcomes	Column 2: Probable solutions
<i>Car parking and access</i>	
(h) A high level of safety is maintained for all site users.	A. All vehicles are able to enter and leave the site in a forward motion. B. Pedestrian and vehicle movement within the site is separated. C. Provision is made for the on-site manoeuvring of all business vehicles servicing the site.
(i) Adequate car parking, access and servicing are provided for all uses.	A. Car parking, access and servicing are provided in accordance with the Vehicle Parking and Access Code (see section 6.13).
<i>Nature conservation</i>	
(j) Disturbance to the natural environment caused by works is minimised.	<i>No probable solution stated</i>
(k) Works include the provision for containing and managing contaminated runoff.	<i>No probable solution stated</i>
(l) Wherever possible vegetation is retained on site and incorporated into landscape treatments.	<i>No probable solution stated</i>
<i>Wastewater, surface water and refuse disposal</i>	
(m) Wastewater does not enter watercourses or groundwater because the following measures have been implemented—	<i>No probable solution stated</i>
(i) disposing of wastewater to a sewer in accordance with <i>Australian Standard 4494</i> ;	
(ii) capturing wastewater on site and disposing of it either to an on site pre-treatment facility or to an approved off site treatment facility;	
(iii) the provision and use of silt traps, wetland systems, oil separators and/or grease traps—where otherwise the risk of contaminated run-off is significant;	
(iv) providing bunded areas intended for activities for which the spillage of chemicals, oils or fuel is possible; and,	
(v) locating storage tanks containing hazardous, toxic or noxious wastes only in locations that are flood free for a 1 in 100 year flood event.	

Column 1: Specific outcomes	Column 2: Probable solutions
(n) Stormwater drainage and run-off from hard stand areas do not result in overloading of downstream flows due to a concentration of flows.	<i>No probable solution stated</i>
(o) Where large quantities of concentrated run-off are likely, retarding basins are provided to avoid concentration of stormwater flows.	<i>No probable solution stated</i>
(p) Run-off from hard stand areas is captured on site and disposed of to a stormwater drainage area.	<i>No probable solution stated</i>
(q) Refuse disposal does not cause a risk to health.	<i>No probable solution stated</i>
<i>Infrastructure and servicing</i>	
(r) Adequate infrastructure is provided, including a potable water supply and adequate supply of water for fire-fighting purposes.	<i>No probable solution stated</i>

5.5 Assessment provisions—Residential Zone

5.5.1 Residential Zone Code

- (14) Section 5.5 is the Residential Zone Code
- (a) 5.5.2—Compliance with the code
 - (b) 5.5.3—Purpose
 - (c) 5.5.4—Specific outcomes (inconsistent uses)
 - (d) 5.5.5—Effects of use
 - (e) 5.5.6—Effects of works.

5.5.2 Compliance with the code

- (15) Development complies with the Residential Zone Code if it is consistent with the specific outcomes for this code.

5.5.3 Purpose

- (16) The purpose of the Residential Zone Code is to ensure that development occurring within the zone contributes to the achievement of the following overall outcomes—
- (a) The Residential Zone accommodates—



- (i) predominantly single dwelling houses and other low density housing forms within the town area; and,
 - (ii) a mix of dwelling types, with duplexes on suitably positioned and sized sites and multi-residential uses on sites near the Commercial Zone, to take advantage of proximity and ease of access to services; and,
 - (iii) home businesses that are compatible with the maintenance of residential amenity.
- (b) Sensitively designed works and convenient access to local services and facilities creates a pleasant living environment.
 - (c) Buildings and works associated with them enhance Mundubbera's country town character.
 - (d) Appropriate infrastructure is available to meet the long-term needs of the community.
 - (e) Non-residential development only establishes in the Residential Zone where it predominantly provides a local service and does not adversely affect the residential amenity of the locality or its country town character.

5.5.4 Specific outcomes (inconsistent uses)

- (17) The following uses are inconsistent uses and do not locate in the Residential Zone—
- (a) Aquaculture;
 - (b) Cattery or kennel;
 - (c) Commercial premises—if occupying more than 50 square metres gross floor area;
 - (d) Display yard;
 - (e) Extractive industry;
 - (f) Farm forestry;
 - (g) General industry;
 - (h) Intensive animal husbandry;
 - (i) Low impact industry;

- (j) Native forestry;
- (k) Rural industry;
- (l) Special industry; and,
- (m) Temporary residential.

5.5.5 Effects of use

Table 5.7 Specific outcomes and probable solutions—effects of use in the Residential Zone

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Site suitability</i>	
(a) Sites are suitably sized and configured for the intended use and any associated works, including— <ul style="list-style-type: none"> (i) building work; (ii) vehicle parking, manoeuvring and access; (iii) landscaping, screening, or buffering; (iv) waste management facilities; (v) water cycle management. 	A. The site has an area of not less than 800 square metres and a frontage of not less than 20 metres.
<i>Character and amenity</i>	
(b) Uses are compatible with and do not compromise the character of the locality.	<i>No probable solution stated</i>
(c) Non-residential uses do not interfere with the existing or future amenity of the residential area.	A. Activities associate with non-residential uses only occur between the hours of 7.00 am and 7.00 pm.
(d) A screen fence between 1.8 and 2 metres high is provided to the side and rear boundaries.	<i>No probable solution stated</i>
(e) Residential and other uses where occupants are likely to be sensitive to high levels of dust, light, noise, odours, vibrations and other physical changes do not locate close to industrial or rural uses or extractive, quarry or mineral resources and their haul routes, having regard to the separation and buffering distances set out in Table 5.8 Desirable separation and buffering distances.	<i>No probable solution stated</i>



Column 1: Specific outcomes	Column 2: Probable solutions
(f) Residential and other uses where occupants are likely to be sensitive to high levels of dust, light, noise, odours, vibrations and other physical changes mitigate or avoid adverse effects by— <ul style="list-style-type: none"> (i) not locating close to arterial roads; (ii) designing and constructing appropriate buildings and works. 	<i>No probable solution stated</i>
<i>Infrastructure and servicing</i>	
(g) Adequate space for the storage of waste in waste receptacles is provided.	<i>No probable solution stated</i>
(h) Such area is screened with a fence not less than 1.8 metres high.	
(i) The use is suitably serviced with infrastructure including potable water supply and wastewater disposal.	<ul style="list-style-type: none"> A. The land is situated in the <i>Town Services Area</i>. B. If not in the <i>Town Services Area</i> the premises accommodates a system of collecting, storing and distributing a potable water supply with a storage capacity of at least 45,000 litres.
(j) The use is located and operated to avoid significant adverse effects on the safe operation of aircraft by— <ul style="list-style-type: none"> (i) reducing or avoiding the attraction of flying vertebrates to the use; and, (ii) locating, orientating and designing lighting to avoid confusing, distracting, or interfering with a pilot's vision. 	<i>No probable solution stated</i>

Table 5.8 Desirable separation and buffering distances

Column 1: Rural activity (and circumstances)	Column 2: Minimum separation distance	
	Default minimum (metres)	Minimum with buffering provided (metres)
Chemical spray drift	300	40
Odour for more than 88 hours per year	500	site specific considerations apply
Noise	if more than 10 hours per year but less than 50 hours per year	60 (day) 1000 (night)
	if more than 50 hours per year	500 (day) 1000 (night)
		15 (day) 250 (night)
		120 (day)
Dust, smoke or ash	150	40

5.5.6 Effects of works

Table 5.9 Specific outcomes and probable solutions—effects of works in the Residential Zone

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Character</i>	
(a) The character of the locality is reflected in the building and associated works by—	<i>No probable solution stated</i>
(i) providing roof-forms that reflect the dominant design of the locality;	
(ii) providing street facades that complement traditional forms;	
(iii) using materials that are in widespread use in and complement the locality;	
(iv) providing fences or retaining walls, if any, that complement the locality.	
<i>Built form and building envelope</i>	
(b) Buildings contribute to a pleasant streetscape by having a domestic scale, form and character.	<p>A. Buildings are not less than 6 metres from a road frontage.</p> <p>B. Buildings do not exceed two storeys or 8.5 metres above natural ground level.</p> <p>C. Building walls within 5 metres of a side boundary do not exceed 15 metres in length.</p>
(c) Adequate space is provided between buildings to allow for airflow and circulation and access.	<p>A. Side boundary setbacks are a minimum of 3 metres.</p> <p>B. Rear boundary setbacks are a minimum of 6 metres.</p>
<i>Amenity</i>	
(d) Privacy of adjoining dwellings is maintained through the use of design elements such as—	<i>No probable solution stated</i>
(i) privacy screens or hoods;	
(ii) limiting side boundary windows; and,	
(iii) landscaping elements.	
(e) The size and location of advertising devices associated with non-residential uses do not adversely affect the visual amenity of a locality.	<p>A. Advertising devices are a maximum of 1 square metres in size.</p> <p>B. Advertising devices are not illuminated.</p>



Column 1: Specific outcomes	Column 2: Probable solutions
<i>Open Space</i>	
(f) Sufficient space is provided around buildings to accommodate private recreation and open space.	A. Site cover does not exceed 40%. B. A minimum of 30% of the site is provided as private open space and recreation.
(g) Private open space is easily accessible from main habitable rooms at ground storey level.	<i>No probable solution stated</i>
(h) Screening is provided where necessary to provide privacy for users of open space on the site.	<i>No probable solution stated</i>

5.6 Assessment provisions—Rural Zone

5.6.1 Rural Zone Code

(18) Section 5.6 is the Rural Zone Code—

- (a) 5.6.2—Compliance with the code
- (b) 5.6.3—Purpose
- (c) 5.6.4—Specific outcomes (inconsistent uses)
- (d) 5.6.5—Effects of use
- (e) 5.6.6—Effects of works.

5.6.2 Compliance with the code

(19) Development complies with the Rural Zone Code if it is consistent with the specific outcomes for this code.

5.6.3 Purpose

(20) The purpose of the Rural Zone Code is to ensure that all development occurring within the zone assists the achievement of the following overall outcomes for the Rural Zone—

- (a) Land is used efficiently for rural production free from intrusion from incompatible land uses.
- (b) Rural uses, including any associated accommodation for rural workers, are undertaken in manner that does not result in environmental harm or adversely affect amenity.
- (c) Intensive animal industries such as dairy farms, stables, piggeries, poultry farms, feed lots, and

- aquaculture, do not create unacceptable offsite impacts.
- (d) Rural uses carry out value-adding activities in a way that does not prejudice rural amenity.
 - (e) Industry is only conducted where—
 - (i) it services business, residents or rural enterprises in the locality such that if it was to otherwise locate in the Industrial Zone it would significantly compromise accessibility and convenience of a section of the community; and,
 - (ii) it does not prejudice the amenity of the locality.
 - (f) Recreation and tourism activities are—
 - (i) carried out so as not to prejudice the attraction of the rural area;
 - (ii) buffered so that customary farm management practices on nearby land do not adversely affect the health or safety of users or occupiers.
 - (g) Tourist uses that benefit from one or more natural features, natural resources, or cultural heritage features do not compromise the economic potential of the lot for primary production.
 - (h) Uses other than those referred to above locate in the Rural Zone if they can only be practicably located there due to their—
 - (i) scale; or,
 - (ii) effects; or,
 - (iii) necessary relationship to a cultural heritage feature, a natural feature, a natural resource, infrastructure, or other activity within the Rural Zone.

5.6.4 Specific outcomes (inconsistent uses)

- (21) The following uses are inconsistent uses and do not locate in the Rural Zone—
 - (a) Commercial premises;



- (b) General industry;
- (c) Low impact industry;
- (d) Multi-residential—other than rural workers accommodation;
- (e) Shop; and,
- (f) Special industry.

5.6.5 Effects of use

Table 5.10 Specific outcomes and probable solutions—effects of use in the Rural Zone

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Site suitability</i>	
(a) Sites are suitably sized and configured for the intended use and any associated works, including—	<i>No probable solution stated</i>
(i) building work;	
(ii) vehicle parking, manoeuvring and access;	
(iii) landscaping, screening, or buffering;	
(iv) the retention of native vegetation, watercourses and other valuable features;	
(v) waste management facilities;	
(vi) water cycle management.	
(b) The use of premises does not compromise productive agricultural use of cropping land or mixed farming land.	<i>No probable solution stated</i>
<i>Rural workers' accommodation</i>	
(c) The area of any site for rural workers' accommodation is sufficient to maintain local amenity having regard to the need for car parking, landscaping and buffering.	<i>No probable solution stated</i>
(d) Rural workers' accommodation provides an acceptable level of facilities, privacy and amenity.	<i>No probable solution stated</i>
(e) Rural workers' accommodation does not compromise the use of the site or adjoining land for agricultural production.	A. Rural workers' accommodation does not establish on <i>cropping land</i> or <i>mixed farming land</i> ²⁰ .

²⁰

These designations are shown on Map OL1.

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Public safety, health and amenity</i>	
(f) The use of premises does not adversely affect the environment, the health or safety of any person, or the amenity of any area.	A. A supply of potable water of not less than 40,000 litres is provided and connected to the premises.
(g) Areas that are subject to periodic inundation, land slip or failure of any Referable Structure defined under the <i>Water Act 2000</i> are not occupied.	<i>No probable solution stated</i>
(h) Residential and other uses where occupants are likely to be sensitive to high levels of dust, light, noise, odours, vibrations and other physical changes do not locate close to industrial or rural uses or extractive, quarry or mineral resources and their haul routes, having regard to the separation and buffering distances set out in Table 5.8 Desirable separation and buffering distances.	<i>No probable solution stated</i>
(i) The storage of equipment and/or machinery does not cause an adverse visual impact.	A. Equipment and machinery is stored within buildings.
(j) The use is located and operated to avoid significant adverse effects on the safe operation of aircraft by— (i) reducing or avoiding the attraction of flying vertebrates to the use; and, (ii) locating, orientating and designing lighting to avoid confusing, distracting, or interfering with a pilot's vision.	<i>No probable solution stated</i>



5.6.6 Effects of works

Table 5.11 Specific outcomes and probable solutions—effects of works in the Rural Zone

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Character</i>	
(a) Development density is compatible with the character of the locality.	<p>A. Not more than one dwelling is erected on the lot.</p> <p>B. Any additional dwellings are provided only for bona fide workers associated with a rural use on the premises.</p>
(b) Buildings do not detract from the rural character of the locality by being visually intrusive or prominent.	A. Buildings are not more than 10 metres high.
(c) Native vegetation is retained within the lot to—	<i>No probable solution stated</i>
(i) maintain the rural character and appeal of the locality;	
(ii) screen the less visually attractive parts of a site;	
(iii) maintain natural systems;	
(iv) prevent or reduce the likelihood of land degradation; and,	
(v) provide buffers between otherwise incompatible land uses by reducing the migration of dust, chemical spray, odours or similar.	
<i>Public safety, health and amenity</i>	
(d) Works do not adversely affect public safety, health or amenity.	<i>No probable solution stated</i>

Column 1: Specific outcomes	Column 2: Probable solutions
<p>(e) Works do not increase the exposure of occupants or users of premises to wildfire hazards by—</p> <ul style="list-style-type: none"> (i) providing and maintaining safe and convenient access for emergency vehicles; (ii) providing and maintaining a 'buffer zone' of not less than 10 metres around all residential buildings; (iii) providing and maintaining an adequate supply of water for fire fighting purposes within 40 metres all residential buildings; (iv) shielding any external gas cylinder from exposure to radiant heat from a possible wildfire. 	<i>No probable solution stated</i>
<p>(f) The size and location of advertising devices do not adversely effect the amenity of the locality.</p>	<i>No probable solution stated</i>
<i>Infrastructure and servicing</i>	
<p>(g) The use is suitably serviced with infrastructure including potable water supply and wastewater disposal.</p>	<i>No probable solution stated</i>
<i>On-site effluent disposal</i>	
<p>(h) The intensity and scale of the use of premises do not—</p> <ul style="list-style-type: none"> (i) increase any adverse ecological impacts, particularly on any nearby sensitive receiving environments, as a result of the system or increasing the cumulative effects of the systems in the locality; (ii) increase any health risks during a system failure; (iii) deteriorate the water quality of existing and/or proposed water supplies; (iv) limit the sustainable disposal of domestic effluent. 	<i>No probable solution stated</i>



Division 3—Assessment provisions for Overlays

5.7 Assessment provisions—Natural Features or Resources Overlays

5.7.1 Natural Features or Resources Overlays Code

- (1) The following provisions comprise the Natural Features or Resources Overlays Code—
- (a) 5.7.2—Compliance with the code
 - (b) 5.7.3—Purpose of the code
 - (c) 5.7.4—Specific outcomes for areas identified as *cropping land* or *mixed farming land*
 - (d) 5.7.5—Specific outcomes for development within 100 metres of a State Forests or
 - (e) 5.7.6—Specific outcomes for development on a lot with a frontage to a stock route
 - (f) 5.7.7—Specific outcomes for rivers and creeks
 - (g) 5.7.8—Specific outcomes for mineral resources.

5.7.2 Compliance with the code

- (2) Development complies with the Natural Features or Resources Overlays Code if it is consistent with the specific outcomes for this code.

5.7.3 Purpose of the code

- (3) The purpose of the Natural Features or Resources Overlays Code is to ensure that all development occurring within or adjacent to the identified areas and features assists the achievement of the following overall outcomes for the Natural Features or Resources Overlays—
- (a) retention of *cropping land* and *mixed farming land* for agricultural production;
 - (b) protection and enhancement of the local government area's biodiversity and natural processes and systems;
 - (c) maintenance of scenic or visual amenity;
 - (d) protection and enhancement of riparian corridors.

- (e) protection of mineral and extractive resources and their respective haul routes.

5.7.4 Specific outcomes for areas identified as *cropping land or mixed farming land*

- (4) Within areas identified as cropping land or mixed farming land, development—
 - (a) does not reduce the area of land available for agricultural production; or,
 - (b) is located only on land that is not capable of sustainable use for crop or animal production, excepting for *intensive animal husbandry*, with a reasonable level of inputs and without causing degradation of land or other natural resources²¹; or,
 - (c) cannot readily be located elsewhere and there is an overriding community need for it; or,
 - (d) does not otherwise reduce the long-term production capacity of the land.
- (5) Aquaculture does not locate on Good Quality Agricultural Land.

5.7.5 Specific outcomes for development within 100 metres of a State Forests or National Park

- (6) Development within 100 metres of a State Forest or National Park, creates no significant adverse effects, including those related to—
 - (a) unmanaged access;
 - (b) diminished water quality;
 - (c) the introduction of exotic plants and animals, including pests;
 - (d) fire management; or

²¹ Due to the scale of mapping it is possible that land that does not qualify as either *cropping land* or *mixed farming land* has been mapped as such. A site-specific investigation may assess the land as not being GOAL using the State Planning Policy 1/92 *Planning Guidelines—The Identification of Good Quality Agricultural Land*.



- (e) other changes to natural systems and processes.

5.7.6 Specific outcomes for development on a lot with a frontage to a stock route

- (7) Development on a lot fronting an identified stock route has no adverse effects on the route in terms of—
 - (a) the operational efficiency or safety of the route;
 - (b) potential conflicts between access to the lot and the use of the stock route.
- (8) The amenity of any proposed residential use is protected having regard to the distance or buffering between such use and the stock route.
- (9) Any works within the stock route that are part of or are associated with the proposed development are designed and constructed to be robust and fit for their purpose having regard to the movement of stock.

5.7.7 Specific outcomes for rivers and creeks

- (10) Works and uses do not adversely affect water quality, habitat, or landscape values including impacts from disturbed soils or additional nutrients.
- (11) Works and uses do not compromise an integrated open space system along watercourses and other areas of high conservation value throughout the local government area.
- (12) Development does not reduce environmental values through—
 - (a) the loss of vegetation²²;
 - (b) visual exposure or detracting; or
 - (c) other physical changes;
- (13) The stability of stream banks is maintained or enhanced.

²² The *State Code for Vegetation Management on Freehold land*—September 2000 may also apply. See the *Vegetation Management Act 1999* for when a development permit is required to clear remnant vegetation.

5.7.8 Specific outcomes for mineral resources

- (14) Incompatible landuses are not located in close proximity to existing or potential mineral resources or their haul routes.

5.7.9 Specific outcomes for aquaculture

- (15) Aquaculture does not locate on Good Quality Agricultural Land.

5.8 Assessment provisions—Cultural Heritage Features Overlays Code

5.8.1 Cultural Heritage Features Overlays Code

- (16) The following provisions comprise the Cultural Heritage Features Overlays Code—
- (a) 5.8.2—Compliance with the code
 - (b) 5.8.3—Purpose of the code
 - (c) 5.8.4—Specific outcomes for flooding
 - (d) 5.8.5—Specific outcomes for the Heritage and Character Overlay Area
 - (e) 5.8.6—Specific outcomes for Indigenous Cultural Heritage.

5.8.2 Compliance with the code

- (17) Development complies with the Cultural Heritage Features Overlays Code if it is consistent with the specific outcomes.

5.8.3 Purpose of the code

- (18) The purpose of the Cultural Heritage Features Overlays Code is to ensure that all development within the identified overlays assists the achievement of the following overall outcomes for the Cultural Heritage Features Overlays—
- (a) the protection and enhancement of townscape and residential amenity;
 - (b) development respects or at least does not compromise cultural heritage values of places and buildings; and
 - (c) development intensities are suited to available infrastructure.



5.8.4 Specific outcomes for flooding

- (19) For development located in the Drainage and Flood Liability Overlay—

Immunity from flooding

- (a) An acceptable level of flood immunity is provided.
- (b) Development minimises risks to personal safety and the risk of damage to property.

Flooding or drainage problems

- (c) Works do not create or increase flooding or drainage problems.

5.8.5 Specific outcomes for the Heritage and Character Overlay Area

- (20) If development within the Heritage and Character Overlay Area includes works—

- (a) the building is conserved or enhanced;
- (b) the form, character and appearance of the existing building is recognised and respected;
- (c) heritage values are recognised and respected;
- (d) demolition or removal of a building within the Heritage and Character Overlay Area is only undertaken where the building is structurally unsound.

5.8.6 Specific outcomes for Indigenous Cultural Heritage

- (21) For development located in the Higher Probability Indigenous Cultural Heritage Overlays—

- (a) Artefacts, or places, or structures of significance to indigenous cultural heritage remain intact and are preserved.

- (22) Development in the vicinity of any artefact, place, or structure of significance to indigenous cultural heritage—

- (a) does not detract from the existing level of accessibility and visibility; and,
- (b) is respectful of the cultural heritage.

PART 6—ASSESSMENT
PROVISIONS—SPECIFIC
DEVELOPMENT

6.1 Advertising Devices Code

- (1) The provisions of this section comprise the Advertising Devices Code.

6.1.1 Compliance with the Advertising Devices Code

- (2) Development complies with the Advertising Devices Code if it is consistent with the specific outcomes for the code.

6.1.2 Purpose

- (3) The overall outcomes are the purpose of the Advertising Devices code.
- (4) The overall outcomes for the Advertising Devices Code are—
- (a) Advertising devices contribute positively to the character and functionality of the local government area and have no significant detrimental effect on amenity, land use or public safety; and,
 - (b) Advertising devices are—
 - (i) safely constructed and securely placed; and
 - (ii) do not create a hazard to motorists, pedestrians, cyclists, or occupants of adjoining premises.



6.1.3 Specific outcomes and solutions

Specific outcomes

Scale and Design

- (5) Advertising devices are consistent with the scale and design of buildings and other works on the site and in the locality in which they are located.
- (6) Advertising devices use materials, designs, and colours that are compatible with the character of the area in which they are located.

Siting and Provision

- (7) Advertising devices are located and constructed having regard to—
 - (a) maintaining or enhancing the amenity of the site or locality where the devices are located;
 - (b) reducing the potential effects associated with compromising lines of sight for residents, pedestrians, cyclists and/or vehicular traffic;
 - (c) avoiding hazards to people or property including not obscuring house or street numbers or names; and,
 - (d) avoiding hazards to people via protruding at unusual or obtrusive heights or angles.

Illumination including Animated and Flashing Signs

- (8) Flashing signs do not resemble official traffic signs or signals nor are they located in positions where a traffic hazard is likely to be created.
- (9) Advertising devices are located having regard to the amenity of the local area and the potential nuisance effects of illuminated signs in the Hinterland Residential, Urban Residential and Rural Zones—
- (10) Advertising Devices that incorporate flashing or pulsating forms of illumination do not create a nuisance.
- (11) The level of illumination for advertising devices, if any—
 - (a) is consistent with the nature of the surrounding area; and,
 - (b) does not detrimentally affect the amenity of an area.

Clearances

- (12) Advertising devices, where displayed on premises, have regard to the clearance distance between the lowest part of the advertisement and the pavement for vehicles, cyclists, pedestrians and children.

Signs adjacent to sensitive locations

- (13) The design and location of the advertising device minimises or avoids adverse effects on the built environment or the landscape, having regard to places of scenic, historic, architectural, scientific or cultural interest.

Probable solutions

For subsections (5) to (7)—

- (14) An advertising device complies with the criteria applicable to the type of advertising device stated in column 2 of Table 6.1 and illustrated in the corresponding illustrative diagram in column 2 immediately following such criteria.

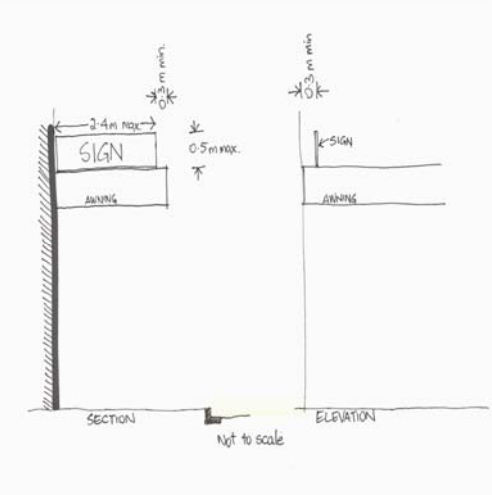
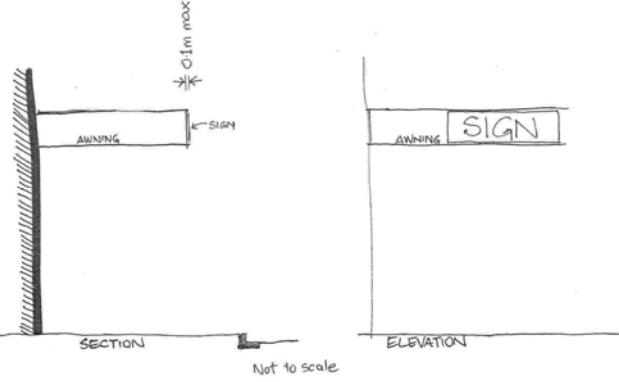
For subsections (8) to (11)—

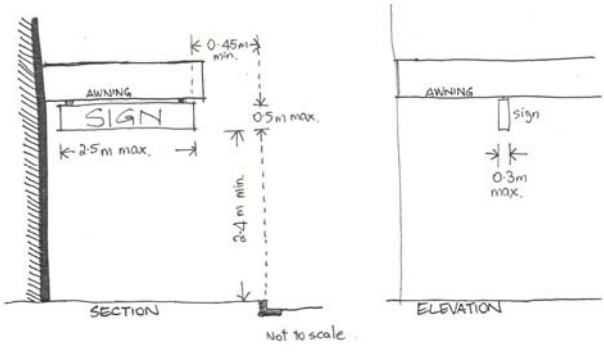
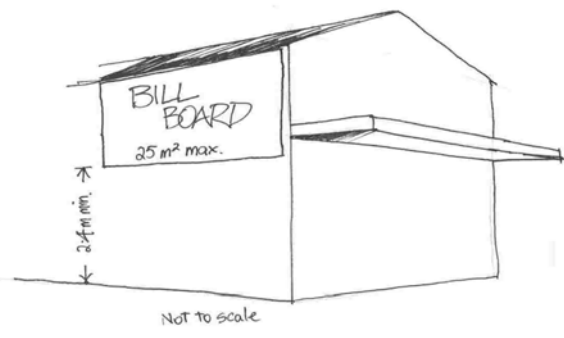
- (15) The luminance levels of advertising devices do not exceed the following—
- (a) for premises in the Industrial Zone—500 cd/m²;
 - (b) for premises in the Commercial Zone—400 cd/m²;
 - (c) for premises in the Community Purposes, Residential, or Rural Zones—300 cd/m².


Table 6.1 Table to Acceptable Solutions and Probable Solutions

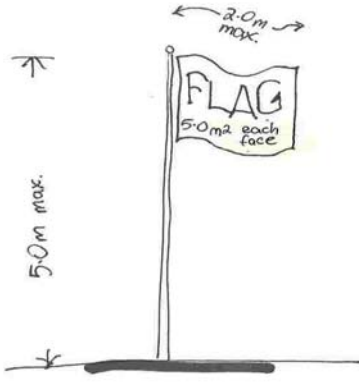
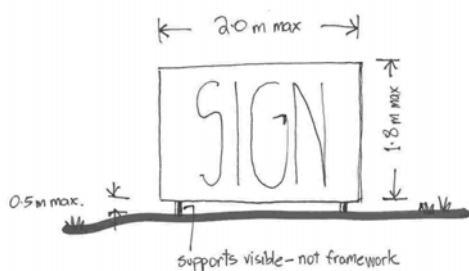
Column 1	Column 2
Advertising Device type	Criteria—Acceptable Solutions (if self-assessable) or Probable Solutions (if code assessable)
(a) Above Awning Sign	<ul style="list-style-type: none"> (i) maximum depth of 0.5 metres; and (ii) maximum width of 0.3 metres; and (iii) no projection beyond the width of the awning or greater than 2.4 metres in length, whichever is the shorter; and (iv) minimum setback from the face of the awning fascia of 0.3 metres; and (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.



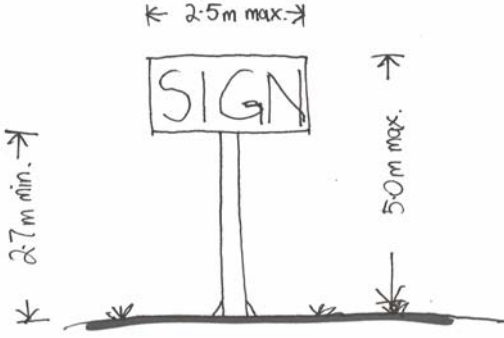
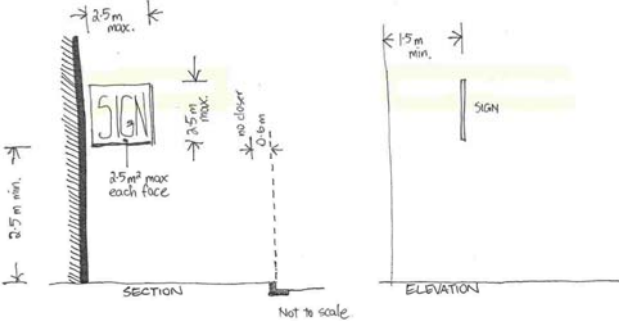
Column 1 Advertising Device type	Column 2 Criteria—Acceptable Solutions (if self-assessable) or Probable Solutions (if code assessable)
	<p><u>Illustrative diagram</u></p> 
(b) Awning Fascia Sign	<p>(i) no projection above or below the fascia of the awning; and</p> <p>(ii) maximum depth of 0.1 metres.</p> <p><u>Illustrative diagram</u></p> 
(c) Below Awning Sign	<p>(i) maximum depth of 0.5 metres; and</p> <p>(ii) maximum width of 0.3 metres; and</p> <p>(iii) no projection beyond the width of the awning or greater than 2.5 metres in length, whichever is the shorter; and</p> <p>(iv) no projection within 0.45 metres of the vertical projection of the kerb; and</p> <p>(v) not closer than 2.5 metres to any other below awning sign; and</p> <p>(vi) not closer than 1.5 metres to the end of the awning; and</p>

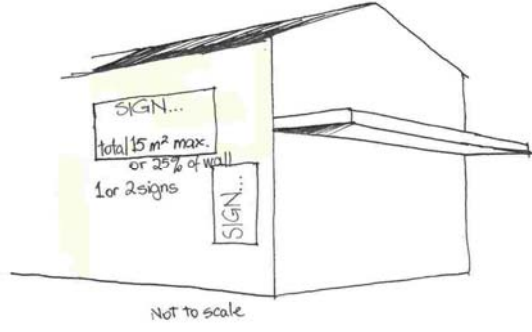
Column 1 Advertising Device type	Column 2 Criteria—Acceptable Solutions (if self-assessable) or Probable Solutions (if code assessable)
	<p>(vii) a maximum of two faces and being perpendicular to the frontage of the site; and</p> <p>(viii) minimum ground clearance of 2.4 metres; and</p> <p>(ix) nothing suspended from it.</p> <p><i>Illustrative diagram</i></p> 
(d) Billboard	<p>(i) one billboard only on the site; and</p> <p>(ii) maximum area of 25 square metres per side; and</p> <p>(iii) if erected on the wall of a building—</p> <p>A. no projection beyond the wall or parapet; and</p> <p>B. minimum ground clearance of 2.4 metres; and</p> <p>C. maximum projection of 0.3 metres from the wall.</p> <p><i>Illustrative diagram</i></p> 
(e) Blind sign	<p>(i) minimum clearance of 2.2 metres between the lowest part of the blind and the footpath beneath it;</p> <p>(ii) the area of the blind used for any advertising does not exceed 50% of the total blind area; and</p> <p>(iii) the blind does not extend beyond the awning or verandah.</p>

Column 1 Advertising Device type	Column 2 Criteria—Acceptable Solutions (if self-assessable) or Probable Solutions (if code assessable)
	<p><i>Illustrative diagram</i></p>  <p>The diagram consists of two parts: a cross-section labeled 'SECTION' and an elevation labeled 'ELEVATION'. The cross-section shows a building facade with a fascia. A sign canopy is attached to the fascia, extending outwards. A vertical dimension line indicates a minimum height of 2.2m from the ground level to the top of the canopy. A horizontal dimension line indicates a maximum depth of 0.95m from the vertical face of the fascia to the end of the canopy. The elevation shows a building facade with a sign above the entrance and a sign on a door. The sign above the entrance is labeled 'SIGN' and the sign on the door is also labeled 'SIGN'. The text 'Not to scale' is written below the diagrams.</p>
(f) Building Fascia Sign	<ul style="list-style-type: none"> (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.
(g) Canopy Sign	<ul style="list-style-type: none"> (i) a minimum height of 2.2 metres above ground level or footway; (ii) a maximum height of 600mm; and (iii) no more than three (3) canopy signs per premises for sites with a frontage length less than 15 metres in the industrial and Commercial Zones. <p><i>Illustrative diagram: see Blind sign</i></p>
(h) Flag Sign	<ul style="list-style-type: none"> (i) maximum length of 2 metres; (ii) maximum height of 5 metres above natural ground level; (iii) maximum face area of 10 m² for the two flag faces.

Column 1 Advertising Device type	Column 2 Criteria—Acceptable Solutions (if self-assessable) or Probable Solutions (if code assessable)
	<p><u>Illustrative diagram</u></p> 
(i) Frontage Sign	<ul style="list-style-type: none"> (i) a maximum area of 5 m² and a single face; (ii) if in the Community Zone, Residential Zone or Rural Zone—a maximum of one sign per frontage; (iii) no extension of the sign beyond the outer extremities of any boundary fence; and (iv) no boundary fence sign attached to chain-wire fencing or other types of see-through fencing.
(j) Ground Base Sign	<ul style="list-style-type: none"> (i) free-standing; (ii) maximum length of 2 metres; (iii) maximum height of 1.8 metres above natural ground level; (iv) maximum ground clearance of 0.5 metres; and (v) no part of the framework exposed except for supports. <p><u>Illustrative diagram</u></p> 
(k) Pole or Pylon Sign	<ul style="list-style-type: none"> (i) maximum height of 5 metres; (ii) minimum ground clearance of 2.7 metres;



Column 1 Advertising Device type	Column 2 Criteria—Acceptable Solutions (if self-assessable) or Probable Solutions (if code assessable)
	<p>(iii) maximum area of 5 square metres for each face;</p> <p>(iv) maximum length of 2.5 metres;</p> <p>(v) maximum width of 0.3 metres; and</p> <p>(vi) no movement or rotation.</p> <p><i>Illustrative diagram</i></p> 
(l) Projecting Wall Sign	<p>(i) maximum area of 2.5 square metres of each of two sign faces;</p> <p>(ii) maximum depth of 2.5 metres;</p> <p>(iii) maximum length of 2.5 metres;</p> <p>(iv) no projection within 0.6 metres of the vertical projection of the face of the adjacent kerb;</p> <p>(v) a minimum setback of 1.5 metres from any site boundary;</p> <p>(vi) no projection higher than the roof or top of the parapet;</p> <p>(vii) maximum height of 6 metres; and,</p> <p>(viii) minimum ground clearance of 2.5 metres.</p> <p><i>Illustrative diagram</i></p> 

Column 1 Advertising Device type	Column 2 Criteria—Acceptable Solutions (if self-assessable) or Probable Solutions (if code assessable)
(m) Roof Sign	(i) maximum length of 3 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 or any height limit which applies in the relevant zone or to the site; and (v) no projection beyond the walls or highest point of the roof.
(n) Wall Sign	(i) no more than two signs on any wall; (ii) no projection beyond the walls; and (iii) total maximum area of 15 square metres for all wall signs or 25% of the area of the wall, whichever is the lesser. <u>Illustrative diagram</u> 

6.2 Dwelling house code

(16) The following acceptable solutions comprise the Dwelling House Code²³—

Density

- (a) The lot has an area of at least 500 square metres.
- (b) Not more than **one dwelling** is erected on the lot.

²³ A Class 1 building constructed in a designated bushfire prone area is subject to Performance Requirement P2.3.4 of the BCA. See section 1.6 and Map BPA for the application of designated bushfire prone areas in the local government area.



Scale and siting for carrying out building work

- (c) For land in the **Residential Zone**—no part of any building or structure is more than 8.5 metres high.
- (d) For land in **other than the Residential Zone**—no part of any building or structure is more than 10 metres high.
- (e) The site cover is not more than 50%.
- (f) The dwelling house is not closer than eight metres from any State-controlled road.

Parking—

- (g) Not less than one car parking space complying with *Australian Standard AS 2890.1* (only Figure 5.2 where the 'space width' from Figure 2.2 is taken to be 2.4 metres) is provided entirely within the lot.

6.3 Filling and Excavation Code

- (17) The provisions of this section comprised the Filling and Excavation Code.

6.3.1 Compliance with the Filling and Excavation Code

- (18) Development complies with the Filling and Excavation Code if it is consistent with the specific outcomes for the code.

6.3.2 Overall outcomes

- (19) The overall outcomes are the purpose of the Filling and Excavation Code.
- (20) The overall outcomes for the Filling and Excavation Code are—
 - (a) ground level changes are geotechnically and ecologically sound;
 - (b) where filling or excavation occurs on a flood-affected site, there is no increase in the risk of flood damage to life or property for existing and proposed development; and,
 - (c) filling or excavation does not adversely affect the visual character and amenity of the site or the locality;

- (d) filling or excavation does not adversely affect other premises.

6.3.3 Specific outcomes and acceptable solutions or probable solutions

- (21) The specific outcomes and acceptable solutions (if self assessable) or probable solutions (if code assessable) for filling and excavation are contained in Table 6.2.

Table 6.2 Specific outcomes and solutions

Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
<i>Geotechnical</i>	
(a) The type, composition, and placement and source of fill material is geotechnically suitable and is adequately compacted to support future development.	<p>A. No demolition material is placed on the land.</p> <p>B. Only the following material is used for filling—</p> <ul style="list-style-type: none"> (ii) soil, (iii) earth, (iv) rocks less than 150mm diameter, (v) sand, (vi) gravel, or (vii) other clean inert material free of organic, putrescible or refuse material.
<i>Amenity</i>	
(b) Filling and excavation does not adversely affect visual amenity, slope stability or erosion potential of the subject or adjoining premises.	<i>No acceptable or probable solution identified</i>
(c) Any retaining walls are set back at least half the height of the wall from the boundary of the site.	<i>No acceptable or probable solution identified</i>
(d) Traffic generated by filling and excavation does not adversely affect the amenity of the locality and haul routes used for transporting fill or excavated material follow the most direct route to the nearest State-controlled road.	<p>A. The filling or excavation does not generate more than 20 truck movements per day.</p> <p>B. The transportation of filling or excavated material does not occur for longer than four weeks.</p>
<i>Environmental effects</i>	
(e) Filling (or fill material) and excavation does not contaminate land or waters.	<i>No acceptable or probable solution identified</i>



Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
(f) No contaminated material is disturbed or used in filling.	<p>A. Filling or excavation does not occur on land that is on the Environmental Management Register or the Contaminated Land Register under the <i>Environmental Protection Act</i>.</p> <p>B. Fill material does not contain any hazardous contaminant²⁴ as defined under the <i>Environmental Protection Act 1994</i>.</p>
(g) Filling and excavation does not adversely affect environmental values in receiving waterways or wetlands nor adversely affect areas of nature conservation significance.	<p>A. Filling or excavation does not occur—</p> <p>(ii) within 100 metres of any wetland or creek or 200 metres of a river; or,</p> <p>(iii) below a 100 year ARI flood level.</p>
(h) Filling and excavation does not lead to increased erosion or sediment-laden run-off as erosion and sediment control measures are employed while works are being carried out and such measures are in accordance with the <i>Soil Erosion and Sediment Control Guidelines for Queensland</i> and the <i>Queensland Urban Drainage Manual</i> .	<i>No acceptable or probable solution identified.</i>
(i) No dust emissions are prevented from extending beyond the boundary of the site through the use of measures such as—	<i>No acceptable or probable solution identified.</i>
<p>(i) regular water spraying of exposed areas;</p> <p>(ii) provision of dust-stabilized or sealed areas;</p> <p>(iii) placing a protective covering on exposed areas; and,</p> <p>(iv) the installation of wind barriers.</p>	
(j) Emissions of air pollutants from the premises, as a result of filling or excavation, do not cause any significant environmental harm or nuisance.	<p>A. Work is only carried out between the hours of 7:00 AM and 6:00 PM Mondays to Fridays, excluding for public holidays.</p> <p>B. No air emissions, including odours, are detectable outside the site.</p>

²⁴ The *Environmental Protection Act 1994* establishes obligations of owners and local governments regarding hazardous contaminants. See for example sections 371 and 372.

Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
<i>Flooding and drainage</i>	
(k) The finished surface level — <ul style="list-style-type: none"> (i) is free draining; (ii) is free from flooding; (iii) does not interrupt or materially change the surface water drainage from or onto adjoining land; (iv) does not adversely affect the flow of water in any overland flow path; and (v) permits surface water to drain to a lawful point of discharge. 	<i>No acceptable or probable solution identified</i>
(l) Filling and excavation does not cause any new or exacerbate an existing flooding or drainage problem including— <ul style="list-style-type: none"> (i) the loss or reduction of flood storage; (ii) creation of afflux; (iii) hazards to property or people; (iv) any impediment to a Counter Disaster Plan measure; (v) creating new flood prone land or a flood hazard; (vi) adverse hydraulic impact on areas external to the site. 	<i>No acceptable or probable solution identified</i>

6.4 Forestry Code

(22) The provisions of this section comprise the Forestry Code.

6.4.1 Compliance with the Forestry Code

(23) Development complies with the Forestry Code if it is consistent with the specific outcomes for the code.

6.4.2 Purpose

(24) The overall outcome is the purpose of the Forestry Code.

(25) The overall outcome of the Forestry Code is to ensure forestry is carried out sustainably, having regard to amenity and ecological values.



6.4.3 Specific Outcomes, Acceptable Solutions and Probable Solutions

Table 6.3 Specific outcomes and solutions

Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
(a) Forestry is established and maintained in a manner that does not adversely affect the use of adjacent land, areas of high conservation value or places of cultural heritage significance.	A. A forest practice is not located closer than: <ul style="list-style-type: none"> i. 20 metres from a <i>creek or river</i>; ii. 40 metres from a place of cultural heritage significance.
(b) Forestry is established and maintained in a manner that protects the amenity of the locality.	A. Forestry is conducted using the following minimum separation distances: <ul style="list-style-type: none"> i. 10 metres from boundaries; ii. 20 metres from a public road or a rail corridor. B. Use of equipment and machinery associated with Forestry is restricted to: <ul style="list-style-type: none"> i. Monday to Saturday - 7am to 7pm; ii. Sunday and Public Holidays - 8am to 7pm.
(c) Haulage of logs or timber does not adversely affect transport infrastructure or public safety.	A. Haulage does not occur when school buses operate on the same route. B. Haulage does not occur on unsealed roads during wet weather.
(d) Forestry is established and maintained in a manner that maintains the environmental integrity, catchment values and the ecological values of the site.	<i>No probable solution or acceptable solution stated</i>

6.5 Gates and Grids Code

- (1) The provisions in this section comprise the Gates and Grids Code.

6.5.1 Compliance with the Gates and Grids Code

- (2) Development complies with the Gates and Grids Code if it is consistent with the specific outcomes for the code.

6.5.2 Purpose

- (3) The overall outcomes are the purpose of the Gates and Grids Code.

- (4) The following are the overall outcomes sought for the Gates and Grids Code—
- (a) Gates and grids prevent the movement of livestock, while facilitating the passage of pedestrians and vehicles;
 - (b) Gates and Grids are—
 - (i) provided in a cost-effective manner; and,
 - (ii) constructed to standards that optimise their whole-of-life costs; and,
 - (iii) capable of being used safely by vehicles and pedestrians.

6.5.3 Specific outcomes and probable solutions

Table 6.4 Specific outcome and probable solutions for gates and grids

Column 1: Specific outcomes	Column 2: Probable solutions
(a) The gate or grid allows the safe movement of traffic and pedestrians along the road during and after construction.	<p>A. Gates and grids are provided and maintained to the standards stated in planning scheme policy 6</p> <p>B. Gates and grids are located perpendicular to the centre line of the road.</p> <p>C. The gate or grid is clearly identified to road users by signs.</p>

6.6 Home Business Code

- (5) The provisions of this section comprise the Home Business Code.

6.6.1 Compliance with the Home Business Code

- (6) Development complies with the Home Business Code if it is consistent with the specific outcomes for the code.

6.6.2 Purpose

- (7) The overall outcomes are the purpose of the Home Business Code.
- (8) The following are the overall outcomes sought for the Home Business Code—
- (a) home businesses are conducted by residents within their dwelling, or its curtilage, while maintaining its primary use as a residence;



- (b) home businesses do not detract from the amenity of the locality;
- (c) home businesses are inconspicuous.

6.6.3 Specific outcomes and acceptable solutions or probable solutions

Table 6.5 Specific outcomes and solutions

Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
<i>Amenity</i>	
(a) The use of part of a dwelling for a home business does not compromise the primary use of the premises as a residential building.	<ul style="list-style-type: none"> A. The home business does not— <ul style="list-style-type: none"> i. have a GFA greater than 50 m² if providing visitor accommodation or greater than 30 m² otherwise; ii. if providing visitor accommodation in the Residential Zone not more than two bedrooms are used for accommodating visitors; iii. employ more than 2 persons who are not residents of the dwelling.
(b) The operation of the home business does not adversely affect the amenity of the locality.	<ul style="list-style-type: none"> A. If not providing accommodation, the hours of operation are limited to between 7.00 am and 7.00 pm weekdays and between 7.00 am and 1.00 pm Saturdays. B. The Home business does not— <ul style="list-style-type: none"> i. accommodate at any one time more than 6 visitors if in the Residential Zone, or 10 visitors otherwise; ii. involve the display or storage of goods where they are visible from outside the premises; iii. involve the storage, repair, maintenance, fitting of accessories or parts, servicing, painting, or detailing of vehicles or vehicle components; and iv. involve the sale or hiring out of articles, goods, materials or vehicles.
(c) The home business does not result in any adverse environmental impacts that significantly alter the expected residential environment or amenity.	<ul style="list-style-type: none"> A. The home business does not result in the release of any contaminants (as defined in the <i>Environmental Protection Act 1994</i>).

Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
(d) Advertising devices do not adversely affect the amenity of the locality.	<p>A. The total area of advertising devices on the premises is not more than 0.5 m².</p> <p>B. Advertising devices are not illuminated, moving or flashing at any time.</p> <p>C. Any advertising devices are only located on the premises or are a <i>frontage sign</i>.</p>
<i>Car parking and access</i>	
(e) Traffic generation and car parking do not adversely affect the amenity of the locality.	<p>A. The use does not generate more than 10 vehicle movements per day.</p> <p>B. If in the Residential Zone, not more than one vehicle (excluding any vehicles normally driven by residents of the premises) is parked at or near the premises at any one time.</p> <p>C. Not more than one service vehicle travels to the site per week.</p> <p>D. No vehicle that is associated with the use and which has a gross vehicle mass of more than 5 tonnes is stopped or parked at or near the premises.</p>
<i>Works</i>	
(f) Building works and operational works are consistent with the scale, location and character of works reasonably expected in a residential area.	<p>A. No new building or structure is more than 8.5 metres high if in the Residential Zone, or more than 10 metres if in the Rural Zone.</p> <p>B. Site cover is not increased or is not more than 50%.</p>
<i>Infrastructure</i>	
(g) The home business does not adversely affect existing services.	<i>No probable solution or acceptable solution stated</i>

6.7 Infrastructure Works Code

- (9) The provisions in this section comprise the Infrastructure Works Code.

6.7.1 Compliance with the Infrastructure Works Code

- (10) Development complies with the Infrastructure Works Code if it is consistent with the specific outcomes for the code.

6.7.2 Purpose

- (11) The overall outcomes are the purpose of the Development Infrastructure Works Code.



- (12) The following are the overall outcomes sought for the Development Infrastructure Works Code—

Generally—

- (a) infrastructure is—
 - (i) provided in a cost-effective, efficient and coordinated manner;
 - (ii) provided in a manner that creates no significant adverse environmental effects;
 - (iii) capable of being used safely;

Work associated with a material change of use—

- (b) services are provided to a level ordinarily expected by the community and not less than that generally in the locality;

Operational work for reconfiguring a lot—

- (c) roads are constructed to suitable standards that optimise their whole-of-life costs;
- (d) each lot is adequately connected to—
 - (i) water supply (potable supply and for fire fighting);
 - (ii) sewerage;
 - (iii) stormwater drainage;
 - (iv) power supply; and
 - (v) telecommunications.

6.7.3 Specific outcomes

- (13) The nature and scale of the use or works are consistent with the capacity of the infrastructure servicing the premises and its safe and efficient operation.

- (14) Each new lot is capable of being connected to or providing within it—

- (a) an adequate and reliable potable water supply; and,
- (b) a sustainable system of sewage and other wastewater disposal; and,
- (c) drainage; and,
- (d) a reticulated electricity supply; and,
- (e) telecommunications.

- (15) Water supply, sewerage and roads are provided to—
- (a) meet appropriate standards at the least whole of life cost, including avoiding unnecessary duplication;
 - (b) be robust and fit for the purpose and intended period of operation;
 - (c) be easily maintained without unnecessarily requiring specialist expertise or equipment;
 - (d) be comprised of components and materials that are readily accessible and available; and
 - (e) be readily integrated with existing systems and facilitate the orderly provision of future systems.
- (16) Adequate stormwater drainage is provided to—
- (a) meet appropriate standards at the least whole of life cost, including avoiding unnecessary duplication;
 - (b) detain, collect and reuse stormwater without ponding for a prolonged period;
 - (c) protect the efficiency of downstream drainage;
 - (d) be accessible, easily maintained, and durable;
 - (e) maintain the safety of people and property;
 - (f) direct stormwater to one or more lawful points of discharge;
 - (g) prevent erosion and the accumulation of sediment;
 - (h) protect the quality of downstream water within acceptable limits by removing or reducing sediment, nutrients and other pollutants.
- (17) Uses and works maintain or improve the safe and efficient operation of roads having regard to—
- (a) the traffic profile and factors influencing road usage;
 - (b) the potential for conflict between vehicles or between vehicles and pedestrians;
 - (c) the number and location of driveways connecting car parks with the public road network in the local government area;
- (18) erosion resulting from the works is minimised and the amount of sediment leaving the site is minimised;



6.7.4 Probable Solutions

For subsections (15) to (17)—

- (19) Water supply, sewerage, roads and drainage are designed and constructed to the standards stated in *Planning Scheme Policy 5—Design and Construction Standards for Infrastructure*.

For subsection (17)—

- (20) Vehicular access to sites with more than one frontage road is via the least trafficked road.
- (21) Not more than one vehicular access connects the vehicular parking and maneuvering areas with the public road network.
- (22) Vehicle crossovers are separated from any other vehicle crossover by a distance of not less than 3 metres.
- (23) In a designated bushfire prone area the reconfiguring incorporates a perimeter road that has a minimum cleared width of 20 metres and, with a constructed road not less than 6 metres wide.

6.8 Intensive Animal Husbandry Code

- (24) The provisions in this section comprise the Intensive Animal Husbandry Code.

6.8.1 Compliance with Intensive Animal Husbandry Code

- (25) Development complies with the Intensive Animal Husbandry Code if it is consistent with the specific outcomes for the code.

6.8.2 Purpose

- (26) The overall outcomes are the purpose of the Intensive Animal Husbandry Code.
- (27) The following are the overall outcomes sought for the Intensive Animal Husbandry code—
- (a) sites are large enough to accommodate Intensive animal husbandry uses without compromising the character or amenity of an area;
 - (b) sites are appropriately located in relation to natural features and other uses or works;

- (c) the use does not compromise the existing or future amenity of a locality;
- (d) the establishment and management of Intensive animal husbandry uses do not compromise natural systems or processes.

6.8.3 Specific outcomes and probable solutions

Table 6.6 Specific outcomes and acceptable solutions

Column 1: Specific outcomes	Column 2: Probable solutions
<i>Location</i>	
(a) The use does not compromise the use of the site or adjoining land for agricultural production.	A. Intensive animal husbandry uses do not establish on <i>cropping land</i> or <i>mixed farming land</i> ²⁵ .
<i>Amenity</i>	
(b) The siting of all structures is consistent with the amenity of the locality, including visual amenity and the noise environment.	A. Buildings and other structures are setback from property boundaries in accordance with Table 6.7. B. The use does not generate noise greater than 5 dB(A) above average background noise levels at the boundary of the site.
<i>Waste management</i>	
(c) The siting of waste disposal areas does not compromise the amenity of an area.	A. Waste disposal areas are setback from property boundaries the distances state in Table 6.7.
(d) The disposal of liquid or solid wastes generated by intensive animal husbandry uses does not create unacceptable impacts having regard to considerations such as the release of contaminants, including odours, and associated management techniques.	<i>No probable solution identified</i>
(e) Waste disposal areas are situated only where there is no risk of contaminating groundwater or surface water resource.	<i>No probable solution identified</i>
(f) Waste disposal areas do not adversely affect native or riparian vegetation.	<i>No probable solution identified</i>

Table 6.7 Setback distances for Intensive animal husbandry.

Setback from:	Piggery or feedlot (metres)	Poultry farm (metres)	Stables (metres)	Dairy (metres)
Road frontage	200	60		60
Creek	100	100	100	100

²⁵ These areas are shown on Map NRF01.



Setback from:	Piggery or	Poultry farm	Stables (metres)	Dairy (metres)
	feedlot (metres)	(metres)		
<i>River</i>	200	200	200	200
Side or rear boundary	50	50	15	20
Any dwelling on another lot	500	400	20	300
Land in the Residential Zone	1000	800	100	600

6.9 Landscaping Code

(28) The provisions of this section comprise the Landscaping Code.

6.9.1 Compliance with the Landscaping Code

(29) Development complies with the Landscaping Code if it is consistent with the specific outcomes for the code.

6.9.2 Purpose

(30) The purpose of the Landscaping Code is to seek the following overall outcomes—

- (a) an attractive environment suited to the local government area;
- (b) streetscape and landscape character that is consistent throughout a zone;
- (c) landscaping that is functional, complementary to the climate, and suitable for the 'Brigalow Belt'²⁶;
- (d) landscaping that complements and enhances the uses and other works with which it is associated;
- (e) visually pleasant townscapes, streetscapes and landscapes;
- (f) the protection of privacy of occupiers of nearby premises;
- (g) the maximisation of personal safety;
- (h) retention of vegetation of ecological, aesthetic and/or cultural significance;
- (i) landscaping in the public and private realms are complementary; and
- (j) landscaping is—

²⁶ The local government area is entirely within the Brigalow Belt bioregion.

- (i) easily maintained, and
- (ii) conserves energy and water.

6.9.3 Specific outcomes

- (31) This section contains the specific outcomes and acceptable solutions (if self assessable) or probable solutions (if code assessable) for the Landscaping Code.

Amenity

- (32) Landscaping protects the amenity of any existing or future residential areas.
- (33) Landscaping protects and enhances the amenity along arterial roads.
- (34) Landscaping disguises or screens aesthetically undesirable features of development including—
- (a) service; and
 - (b) outdoor storage areas such as those used to store refuse receptacles.
- (35) Landscaping is consistent with the established and desired landscape character of the street or locality.

Character

- (36) Landscaping makes a positive contribution to the character of the locality in which it is situated.
- (37) Where a street or locality has a specific character derived from existing vegetation, landscaping accommodates the retention of existing vegetation, including street trees, and the planting of similar species to achieve continuity (except where the species is identified as an undesirable species, or listed on any noxious plant register).

Suited to its context

- (38) Landscaping is sensitive to site attributes such as streetscape character, natural landform, views, land capability, drainage and availability of water.
- (39) Landscaping is sympathetic to the local environment having regard to—
- (a) the ability of the landscaping to minimise the need for irrigation;
 - (b) the extent of areas that are suitable for the on-site absorption of stormwater;



- (c) the ability for permeable surfaces to properly drain.
- (40) Landscaping reduces erosion through the incorporation of measures such as using vegetation for soil stabilisation and sediment screening.
- (41) Landscaping integrates well with the future use and other works situated on the lot.
- (42) Landscaping preserves access to infrastructure services and facilities and ensures that plants, materials, and irrigation devices are sited taking into consideration the location and accessibility of overhead and underground infrastructure services and facilities.

Convenience and safety

- (43) Landscaped areas are accessible to all persons.
- (44) Landscaping provides protection from climatic elements including shade in summer and the screening of wind in winter.
- (45) Landscaping provides visual relief and shade throughout outdoor carparking areas.
- (46) Landscaping accommodates clearly visible pedestrian and vehicle sight lines to minimise the likelihood of accidental collision by—
 - (a) not locating structures that are more than 700 mm high within sight lines;
 - (b) not planting species that are likely to grow higher than 700 mm within a sight line;
 - (c) constructing pathways for pedestrians and cyclists on desire lines.
- (47) Landscape design discourages crime and vandalism and enhances personal and property security based on the principles of *Crime Prevention Through Environmental Design* by—
 - (a) providing security and path lights around building entries, driveways, parking areas and walking paths; and,
 - (b) maintaining or establishing a high degree of visibility along pathways, at access points and other publicly accessible spaces; and,
 - (c) restricting opportunities for people to conceal themselves.

- (48) Landscaping incorporates safety features including adequate lighting, non-slip surfaces and handrails.
- (49) Any play areas within the landscaping are—
 - (a) separated, either by distance or a suitable barrier, from areas on which vehicles are driven; and,
 - (b) substantially shaded between the hours of 10:00 AM and 2:00 PM

Natural environmental values

- (50) The ecological values of a site and/or of adjoining land are enhanced, taking into account the proximity to any environmentally sensitive area, or any element of high community value, habitat, waterway corridor or wetland.
- (51) The landscaped area minimises the demand for potable water from the local government's water reticulation system.
- (52) Landscaping works can be efficiently and effectively maintained, having regard to—
 - (a) the selection of endemic species to minimise maintenance and for longevity; and,
 - (b) the provision of suitable irrigation systems.

6.9.4 Probable solutions

Solutions applicable to the whole of the local government area

For subsections (50) to (52)—

- (53) Only endemic vegetation (i.e. local species) as identified in *Planning Scheme Policy 3—Landscaping (Division 3)* are situated within the landscaped area.
- (54) No 'undesirable species' as listed in *Planning Scheme Policy 3—Landscaping (Division 3)* are included in the landscaping.

For subsection (34)—

- (55) No service areas and outdoor storage areas are visible from locations off the site.

Solutions for other than the Rural Zone

- (56) Table 6.8 (Column 3) contains probable solutions or acceptable solutions that apply in the circumstances identified in Columns 1 and 2 of such table.



Table 6.8 Additional probable solutions—landscaping associated with development in the Commercial, Community Purposes, Industrial, & Residential Zones

Column 1: Zone				Column 2: Applicable circumstances	Column 3: Probable solutions
Commercial	Community Purposes	Industrial	Residential		
Yes	Yes	Yes	Yes	All	A. <i>For subsection (45) above—</i> external car parking areas include one shade tree for every 8 parking space distributed throughout such parking areas.
Yes	Yes	Yes		where the lot abuts land included in the Residential Zone	B. <i>For subsection (32) above—</i> Landscaping not less than 3 metres wide that visually screens the lot is provided along the full length of boundaries common to land in the Residential Zone.
Yes	Yes	Yes	Yes	all non-residential uses within 50 metres of land used for a residential use or land in the Residential Zone	C. <i>For subsection (32) above—</i> Landscaping buffer not less than 3 metres wide that visually screens the non-residential use is provided between the residential use or the land in the Residential Zone and the non-residential use.
Yes		Yes		for frontages other than a frontage to an arterial road	D. <i>For subsection (33) above—</i> Landscaping not less than 3 metres wide and which visually enhances the lot and the works located thereon is provided along the full length of the road frontage, other than at approved access points.
			Yes	for frontages other than a frontage to an arterial road	E. <i>For subsection (33) above—</i> A landscaped area not less than 2 metres wide and which visually enhances the lot and the works located thereon is provided along the full length of the road frontage, other than at approved access points.
Yes	Yes	Yes	Yes	where the lot fronts an arterial road	F. <i>For subsection (33) above—</i> A landscaped area that is not less than 5 metres wide is provided along the full length of the road frontage, other than at approved access points.
	Yes		Yes	all	G. <i>For subsections (35) and (36) above—</i> Not less than 25% of the site is developed with landscaping

Column 1: Zone				Column 2:	Column 3: Probable solutions
				Applicable circumstances	
Commercial	Community Purposes	Industrial	Residential		
		Yes		all	H. <i>For subsections (35) and (36) above—Not less than 10% of the site is developed with landscaping</i>

Solutions for the Rural Zone

(57) Table 6.9 (Column 2) contains probable solutions or acceptable solutions that apply in the circumstances identified in Column 1 of that table.

Table 6.9 Additional probable solutions—landscaping associated with development in the Rural Zone

Column 1: Applicable circumstances	Column 2: Probable solutions
All	A. <i>For subsection (45) above—External car parking areas include one shade tree for every 8 parking space distributed throughout such parking areas.</i>
where the lot abuts land included in the Residential Zone	B. <i>For subsection (32) above—Landscaping not less than 10 metres wide that visually screens the lot is provided along the full length of boundaries common to land in the Residential Zone.</i>
all non-residential uses within 50 metres of land used for a residential use or land in the Residential Zone	C. <i>For subsection (32) above—Landscaping not less than 3 metres wide that visually screens the non-residential use is provided between residential use, or the land in the Urban Residential Zone or Hinterland Residential Zone, and the non-residential use.</i>
where the lot fronts an arterial road	D. <i>For subsection (33) above—Landscaping that is not less than 10 metres wide is provided along the full length of the road frontage, other than at approved access points.</i>
other than where the lot fronts an arterial road	E. <i>For subsection (35) above—Landscaping not less than 5 metres wide is provided along the full length of the road frontage, other than at approved access points.</i>

6.10 Multi-residential Code

(58) The provisions of this section comprise the Multi-residential Code.



6.10.1 Compliance with the Multi-residential Code

- (59) Development complies with the Multi-residential Code if it is consistent with the specific outcomes for the code.

6.10.2 Purpose

- (60) The overall outcomes are the purpose of the Multi-residential Code.
- (61) The following are the overall outcomes sought for the Multi-residential Code—
- (a) development maintains the streetscape and character of the locality and provides an acceptable level of residential amenity;
 - (b) new housing provides for the development and maintenance of a pleasant residential environment for occupants;
 - (c) a range residential types and densities, providing choice for residents, is available; and

6.10.3 Effects of use

Table 6.10 Specific outcomes and solutions

Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
<i>Site suitability and amenity</i>	
(a) Lots are of suitable size and shape for the intended purpose.	<p>A. The site is at least 800 m² in area.</p> <p>B. For a duplex—the lot is capable of accommodating a horizontal rectangle 15 metres by 25 metres.</p> <p>C. For Multi-residential the site area is not less than 300 m² per dwelling unit.</p>
(b) On-site facilities (eg clothes drying, refuse collection) do not detract from the amenity of adjoining dwellings.	<i>No acceptable or probable solution identified</i>
<i>Open space</i>	
(c) Landscaping—	A. At least 30% of the site is—
(i) contributes to a pleasant residential streetscape;	i. not occupied by buildings, areas on which vehicles are driven, clothes drying areas, refuse storage areas, and;
(ii) preserves and integrates within the landscape design significant existing trees.	ii. incorporates <i>landscaping</i> .

6.10.4 Effects of works

Table 6.11 Specific outcomes and solutions

Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
<i>Building work—scale and bulk</i>	
(a) Buildings contribute to a pleasant streetscape.	A. Buildings and structures are not more than 8.5 metres high.
(b) Buildings and structures have a scale compatible with the predominant building scale in the locality.	B. Walls of buildings within 5 metres of a side boundary are not more than 15 metres long.
(c) Buildings do not appear bulky.	C. Walls longer than 15 metres incorporate recesses of not less than 1 metre.
	D. Site cover, including ancillary buildings, is not more than 35%.
	E. No roof has any dimension in a single plane of more than 18 metres.
	F. Buildings are not less than— <ul style="list-style-type: none"> <li data-bbox="922 954 1206 985">i. 6 metres from a road; <li data-bbox="922 1001 1342 1032">ii. 6 metres from a rear boundary; and <li data-bbox="922 1048 1326 1124">iii. 3 metres or half the height of the building (whichever is the greater) from a side boundary.

Building work—amenity



Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
(d) Building design and siting protect the visual and acoustic amenity of nearby dwellings.	A. No unscreened window is closer to a side or rear boundary than 2 metres (at ground floor level) or 6 metres (above ground floor level).
(e) Buildings avoid or minimise the adverse effects of road traffic noise, dust or vibration from arterial roads.	B. Retaining walls located on or within 1 metre of a boundary are no more than 1.5 metres high.
(f) Overlooking is avoided through— (i) orienting and locating windows and balconies away from adjacent residential buildings; (ii) the use of privacy screens or hoods; (iii) carrying out landscaping treatments.	C. Boundary fences are no more than 2 metres high. D. Car parking is not situated between the building and the street frontage. E. Not more than two garage doors or openings are within 45 degrees of facing a street frontage.
(g) The character of the locality is reflected in the design, including— (i) articulating the roofline and reflecting the dominant design of the locality; (ii) within facades—making use of materials that complement those used in the locality.	
(h) The building contributes to a pleasant streetscape and generally address the street (with at least one pedestrian entrance visible from the street).	
<i>Required infrastructure and services</i>	
(i) Infrastructure is provided to levels expected in an urban residential environment.	<i>No acceptable or probable solution identified</i>
(j) Adequate parking is provided on the site.	A. No fewer than three parking spaces complying with Australian Standard AS 2890.1 (only Figure 5.2 where the 'space width' from Figure 2.2 is taken to be 2.4 metres) are provided entirely within the lot.

6.11 Planning Scheme Building Matters Code²⁷

(62) The following acceptable solutions comprise the Planning Scheme Building Matters Code—

²⁷ This code only applies to 'building work not associated with a material change of use'—see the 'Assessment table for other than making a material change of use' for each zone.

- (a) No part of any building or structure is more than 8.5 metres high.
- (b) *Site cover* is not more than 50%.

6.12 Reconfiguring a Lot Code

- (63) The provisions of this section comprise the Reconfiguring a Lot Code.

6.12.1 Compliance with the Reconfiguring a Lot Code

- (64) Development complies with the Reconfiguring a Lot Code if it is consistent with the specific outcomes for the code.

6.12.2 Purpose

- (65) The overall outcomes are the purpose of the Reconfiguring a Lot Code.
- (66) The following are the overall outcomes sought for the Reconfiguring a Lot Code—

General—

- (a) lots are suitable for the intended use or probable uses having regard to the zone in which the site is included;
- (b) adequate clearances are provided between existing buildings and new boundaries;
- (c) access to lots is not likely to create or exacerbate a traffic problem or adversely affect the function of a road.

If an increase in the number of lots—

- (d) lots are or will be connected to services in a cost-effective sequence in the local government area considering the feasibility of such connections;
- (e) the reconfiguring does not compromise the future development of adjoining land;
- (f) environmental values are not compromised;
- (g) the productivity of good quality agricultural lands is not compromised;
- (h) any other overall outcomes sought with respect to the zone in which the reconfiguring occurs.



6.12.3 Specific outcomes

- (67) This section contains the specific outcomes for the Reconfiguring a Lot Code.

Lot size and configuration—generally applicable

- (68) The reconfiguring is compatible with other development in the locality and is suitable for its intended use, or probable use, considering—
- (a) the area, proportion and orientation of the lots; and,
 - (b) the frontage to a road; and,
 - (c) the topography of the site; and,
 - (d) *if in the Rural Zone*—the capability of the land to be sustainably used for crop or animal production, other than *intensive animal husbandry*, with a reasonable level of inputs and without causing degradation of land or other natural resources; and,
 - (e) the location of existing features, uses and works on the land or on adjacent land; and,
 - (f) existing and proposed access.
- (69) The reconfiguring does not result in increased risk to life or property as a result of flooding, landslip, wildfire, or other natural hazard, having regard to the likely subsequent development on the land.
- (70) Adequate pedestrian and vehicular access is available to all lots.

If an increase in the number of lots—

- (71) The reconfiguring protects areas of high conservation value, significant habitat and other natural features, including watercourses.
- (72) The reconfiguring integrates well with—
- (a) existing uses and works; and,
 - (b) likely future development in the locality.

For lots in a Residential Zone or on which dwellings may be built—

- (73) The reconfiguring provides an area within each lot suitable for a building able to accommodate the intended or probable use of the site.

- (74) Lots are orientated to facilitate the siting of dwellings to take account of micro-climatic benefits.
- (75) Lots in the Residential Zone are designed to enable buildings to be oriented to enable climatic extremes to be moderated using energy conservation principles.
- (76) Each lot on which a dwelling may be built has an adequate supply of water available for fire fighting purposes.
- (77) Lots are located and designed with recognition of the inclusion of buffers to minimise conflicts with rural or other incompatible uses.

For lots in a designated bushfire prone area—

- (78) The reconfiguring includes a fuel-modified buffer that—
 - (a) has been selectively cleared where necessary; and,
 - (b) includes landscaping that is designed and provided to protect buildings and not increase the level of bushfire risk.

If involving the opening of a road—

- (79) The design of each new road conveys its primary function in road network in the local government area.
- (80) The design of each new road encourages safe and proper driver behaviour considering the primary function of that road.
- (81) The road layout does not compromise the safe and efficient use of the existing or future road network.
- (82) The road layout, design and construction take account of the need for access by emergency vehicles and possible evacuation.

Nature conservation—

- (83) The reconfiguration of land does not result in degradation of the natural environment.
- (84) Reconfiguration does not adversely impact on the drainage of the subject land or adjacent lands.
- (85) Each lot is able to accommodate any use that is exempt or self-assessable without—
 - (a) increasing any adverse ecological impacts, particularly on any nearby sensitive receiving environments, as a result of any infrastructure



- system or increasing the cumulative effects of the systems in the locality;
- (b) increasing any health risks during a system failure;
- (c) deteriorating the water quality of existing and/or proposed water supplies;
- (d) limiting the sustainable disposal of domestic effluent.

6.12.4 Probable solutions

(86) This section contains probable solutions for the Reconfiguring a Lot Code.

General site suitability—for subsections (68) to (70)—

- (87) Lots are regular in shape.
- (88) Lot sizes and frontages are not less than the minimum identified in Column 2 of Table 6.12 as being applicable in the zones, and circumstances if any, stated in Column 1.

Table 6.12 Minimum sizes for lots

Column 1:	Column 2: Minimum sizes	
Zone (and circumstances, if any)	Minimum area	Minimum frontage
Commercial	400 square metres	10 metres
Community Purposes	4,000 square metres	40 metres
Industrial	1,000 square metres	20 metres
Residential	500 square metres	16 metres
Residential (if a rear lot)	800 square metres (not including access strip)	6 metres
Residential (if within the Low Density Residential Precinct)	2 hectare	70 metres
Rural (if <i>cropping land</i>)	40 hectares (subject however to the 40 hectares being suitable for use for horticultural activities and not including buildings, infrastructure and other non productive uses and areas)	200 metres
Rural (otherwise)	200 hectares	200 metres

- (89) A suitable building platform is available that—
 - (a) is not below the highest recorded flood level or otherwise subject to flooding or inundation;
 - (b) has an area of not less than 80 square metres;
 - (c) has a width-to-depth ratio of at least 1:2;

- (d) has a maximum slope of natural ground level less than 20%.

In the Residential Zone and if an increase in the number of lots—for subsection (72)—

- (90) The land is situated within the *Mundubbera Town Services Area*.

In the Rural Zone—if an increase in the number of lots—for subsection (69)—

- (91) In bushfire prone areas the reconfiguring incorporates—
 - (a) a perimeter road that has a minimum cleared width of 20 metres;
 - (b) a constructed road width of 6 metres;
 - (c) construction to an all-weather standard.
 - (d) a ring road system that provides a fire break and access for fire fighters.

6.13 Vehicle Parking and Access Code

- (92) The provisions of this section comprise the Vehicle Parking and Access Code.

6.13.1 Compliance with the Vehicle Parking and Access Code

- (93) Development complies with the Vehicle Parking and Access Code if it is consistent with the specific outcomes for the code.

6.13.2 Purpose

- (94) The overall outcomes are the purpose of the Vehicle Parking and Access Code.
- (95) The following are the overall outcomes sought for the Vehicle Parking and Access Code—
 - (a) uses do not generate excessive parking, manoeuvring or servicing on nearby roads; and,
 - (b) uses provide safe, efficient and convenient vehicular, pedestrian and cycle access to the site and movement within it; and,
 - (c) uses provide adequate on-site facilities for servicing by delivery, refuse and other service vehicles; and,



- (d) uses do not provide excessive off-site impacts associated with the manoeuvring and parking of vehicles.

6.13.3 Specific outcomes and acceptable solutions

- (96) The specific outcomes, acceptable solutions and probable solutions for the Vehicle Parking and Access Code are identified in Table 6.13 .

Table 6.13 Specific outcomes and solutions

Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
<i>Vehicle parking</i>	
(a) Sufficient vehicle parking is provided to meet demand for the number and type of vehicles for the type of development. The number of vehicle parking spaces provided is consistent with the practical opportunities available for shared car parking provision and the operation of alternative transport modes to private motor vehicles.	A. The number of vehicle parking spaces is not less than that identified as applicable to the specific use, defined use in Table 6.14.
(b) Vehicle parking areas are freely accessible to all employees on site and visitors to the development during the normal hours of operation of the development with no encumbrance, fee or charge.	A. Vehicle parking areas have no gateways, doors, or similar devices that restrict vehicular access by employees or visitors.
(c) Development does not result in any adverse impact through the reduction in the vehicle parking capacity of the site and/or the local area.	<i>No acceptable solution or probable solution identified</i>

Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
(d) Vehicle parking areas, driveways and associated accesses function satisfactorily, and are constructed and line-marked to be suitable for their intended purpose.	<p>A. All vehicle-parking areas are provided on the lot in accordance with <i>Australian Standard AS2890.1 Part 1: Off-Street Car Parking</i> (excepting for sections 4.3 and 4.4 and Appendix C).</p> <p>B. Where the development includes a combination of 'low turnover' and 'high turnover' car spaces (as defined in the Australian Standard), the parking spaces and aisles are designed to the high turnover or Class 3 requirements in <i>Australian Standard AS2890.1 Part 1: Off-Street Parking</i>.</p> <p>C. Vehicle parking areas are constructed with a hard stand surface to the standards set out in <i>Planning Scheme Policy 5—Design and Construction Standards for Infrastructure Works</i>.</p> <p>D. Signs and line marking are provided in accordance Queensland Department of Main Roads Manual of Uniform Traffic Control Devices.</p> <p>E. There is no increase in the number of access points to arterial roads.</p>
(e) Tandem vehicle parking is only used in circumstances where no inconvenience arises from its use.	<i>No acceptable or probable solution identified</i>
<i>Manoeuvring</i>	
(f) Suitable on-site manoeuvring and circulation is provided to avoid use of the public road system for movement between different car parking and vehicle service areas in the development.	<p>A. Manoeuvring and circulation is provided within the site in accordance with AUSTROADS AP-34/95 Design Vehicles and Turning Path Templates, <i>AS2890.1-Parking Facilities Part 1 Off Street Parking</i> and <i>AS2890.2 Off Street Parking Part 2 Commercial Vehicles</i>.</p>
<i>Servicing</i>	
(g) Uses include adequate on-site provision for loading/unloading and set down areas.	<p>A. Loading/unloading and set down areas provided in accordance with AS2890.2 – Off Street Parking Part 2: Commercial Vehicles allow for the:</p> <ul style="list-style-type: none"> (ii) collection and set down of passengers; (iii) parking of trailers; (iv) service vehicle parking; and (v) loading and unloading of goods.



Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
(h) The use is able to be properly serviced by service vehicles.	<p>A. For sites greater than 4,000m² in area, provision is made for service vehicles in accordance with Table 6.15.</p> <p><i>OR</i></p> <p>B. Provision is made for service vehicles, in accordance with Table 6.16, for sites less than 4,000m² in area that require access by service vehicles.</p>
<i>Amenity</i>	
(i) Vehicle parking areas do not detract from the amenity of the locality.	<p>A. In vehicle parking areas exceeding 300 m² in site area, at least 5% of the area of the site is landscaped in and adjacent to such vehicle parking area to the standards set out in <i>Planning Scheme Policy 3—Landscaping</i>.</p>
(j) Refuse storage areas are screened from view and positioned to avoid nuisance to neighbours.	<p>A. The refuse storage area is contained entirely within a building.</p> <p><i>OR</i></p> <p>B. The refuse storage area is—</p> <p>(ii) no closer than three metres from any street frontage and 1.5 metres from any other boundary;</p> <p>(iii) entirely enclosed with a screen wall extending 0.2 metres above the height of the refuse receptacles.</p>
(k) Vehicle parking and manoeuvring areas and traffic generated by the use do not adversely affect amenity or result in an environmental nuisance having regard to:	<p>A. All areas on the site on which vehicles drive are constructed and surfaced to the standards set out in <i>Planning Scheme Policy 5—Design and Construction Standards for Infrastructure Works</i>.</p> <p>B. Vehicular access between the local government area-wide road network and the areas referred to in A is constructed to the standards set out in <i>Planning Scheme Policy 5—Design and Construction Standards for Infrastructure Works</i>.</p>
<p>(i) the appearance of such areas;</p> <p>(ii) dust emissions;</p> <p>(iii) noise from vehicle movement; and</p> <p>(iv) erosion and sediment control.</p>	

Column 1: Specific outcomes	Column 2: Acceptable solutions (if self-assessable) or Probable solutions (if code assessable)
<i>Cycles and pedestrians</i>	
<p>(l) Accessways and footway systems within the site provide for safe and convenient access so that—</p> <ul style="list-style-type: none"> (i) the main pedestrian access from the street to the building is easily identified; and (ii) the vehicular access to the site is separate from the pedestrian access; and (iii) design features are used to delineate areas of potential conflict between vehicles and pedestrians. 	<i>No acceptable or probable solution identified</i>
<p>(m) Adequate provision is made for bicycle parking on the lot.</p>	<ul style="list-style-type: none"> A. For all uses, other than residential uses, where the required vehicle parking provision exceeds 20 parking spaces—the number of bicycle parking facilities provided on the site is not less than that set out in <i>Main Roads Road Planning and Design Manual (Table 5.12)</i>. B. Bicycle facilities are designed and constructed in accordance with <i>AS2890.3, Parking Facilities Part 3: Bicycle Parking Facilities</i>.
<p>(n) Uses provide safe pedestrian access from the street and within the site, including from any vehicle parking or set down area to the main entrance of any building by—</p> <ul style="list-style-type: none"> (i) including direct pedestrian-only pathways between the footpath, the parking area and the building's main entrance; (ii) not constructing or erecting solid walls or fences adjacent to pedestrian walkways; (iii) providing a low-speed traffic environment within the site; (iv) installing appropriate lighting, directional signs, and pavement marking. 	<i>No acceptable or probable solution identified</i>
<p>(o) Access is provided for persons with disabilities or mobility difficulties.</p>	<ul style="list-style-type: none"> A. Parking spaces for the people with disabilities is provided at the rate set out in <i>Standard AS2890.1 Part 1: Off-Street Car Parking (Appendix C Table C1)</i>. B. Access and internal manoeuvring is provided in accordance with <i>Australian Standard AS1428.1—2001 Design for access and mobility</i>.



Table 6.14 Car parking requirements

Column 1: Use	Column 2: Minimum requirements
Home business	1 car space (in addition to the 1 car space required for the residential component)
Multi-residential	1 car space per dwelling unit, plus one car park per 3 dwelling units for visitor car parking
Business use	1 car space per 30 m ² of GFA, or part thereof
Industrial use	2 car spaces plus 1 car space per 150 square metres of GFA or part thereof
Community use	1 car park per 10 m ² of GFA or part thereof
Other uses	not stated ²⁸

Table 6.15 Service vehicles

Column 1: Use or Development	Column 2: Service Vehicle Provisions
Aged persons accommodation	HRV
Intensive animal use	AV
Aquaculture	HRV
Bulk Garden Supplies	HRV
Cafe	SRV
Commercial services	SRV
Community	SRV
Educational establishment	SRV
Hospital	HRV
Minor aquaculture	HRV
Motel	SRV
Office	SRV
Rural industry	AV
Shopping centre	AV

Notes:

SRV *Small Rigid Vehicle as defined in AS2890.2-off Street Parking Pt 2:Commercial Vehicle Facilities*

HRV *Heavy Rigid Vehicle as defined in AS2890.2*

AV *Articulated Vehicle as defined in AS2890.2*

Table 6.16 HRV and AV Requirements

Site Area (metres square)	Requirement
Less than 1000m ²	Demonstrate that the development can accommodate the particular design vehicle but a separate service bay and associated manoeuvring are not required. Where it can be demonstrated that loading and unloading can take place within the road reserve, without impacting on the safe and efficient operation of traffic and with no detrimental impact on amenity, Council or its delegate may determine that HRV and AV access is not required.
1000m ² - 2000m ²	(a) service bay for HRV, is required. (b) restricted manoeuvring on site, for HRV or AV (as required) (c) full on site manoeuvring, for other classes of service vehicle, is required.
2000m ² - 4000m ²	(a) service bay to be provided for HRV or AV (as required) (b) restricted manoeuvring on site, for HRV or AV (as required) (c) full on site manoeuvring, for HRV and other classes of service vehicle, are required.



PART 7—PERFORMANCE INDICATORS

The performance indicators for the planning scheme are stated in the column 2 in the table opposite the corresponding desired environmental outcome.



Column 1: Desired Environmental Outcome		Column 2: Performance Indicator	
(a)	The settlement pattern in the local government area is focussed on the town of Mundubbera, particularly Lyons Street as its activity centre.	(a)	Where significant new business and community development has occurred, has it been located within the town of Mundubbera?
		(a)	Where urban development has occurred, is it in the preferred use area of Mundubbera Town?
(b)	Rural lands are protected from incompatible development and support a vibrant and sustainable rural economy.	(b)	Has development which contributes to economic growth occurred in appropriate locations in the local government area?
(c)	Services are delivered to the community efficiently and equitably.	(c)	Where new housing, services or facilities have been provided do they reflect the community need?
		(c)	Where development has occurred, has it adversely impacted on access to, and the availability of, public spaces or places?
(d)	New housing is located and designed prudently to complement and infill within or extend from, the existing urban area in an orderly and efficient manner.	(d)	Has new housing been appropriately located to complement and infill existing urban areas?
		(d)	Where development has occurred, has it been located away from areas subject to natural or other hazards, or designed to mitigate adverse impacts?
(e)	A safe, efficient and convenient transport network provides safe and equitable access, and services the local government area and the region efficiently.	(e)	Where development has occurred, has it impacted on the access or avoided adverse affects on the transport network?
(f)	Residents of the local government area enjoy a high quality lifestyle based on its rural character and its natural features and resources.	(f)	Where non-residential development has occurred, has it been designed and located to minimise impacts on adjoining residential uses?
		(f)	Where development has occurred, has it met established standards for the built environment?
		(f)	Where development has occurred, has it adversely affected significant cultural heritage features?
(g)	The biodiversity, ecological and amenity values of all natural areas, including the Auburn River National Park and state forests, are maintained.	(g)	Where development has occurred, has it adversely affected the significant natural features or resources in the local government area?
(h)	The natural environment experiences minimal adverse affects such as loss of biological diversity, reduction in the capacity of ecosystems, air and water pollution, and soil degradation.	(h)	Where development has occurred, has resulted in inappropriate clearing of remnant native vegetation, soil degradation or water pollution?
		(h)	Where development has occurred, has it reduced availability of resources?