

# **SHIRE OF ETHERIDGE**

**(ALIGNMENT AMENDMENT)**

**PLANNING SCHEME  
PROVISIONS**

**PLANNING SCHEME FOR THE SHIRE OF ETHERIDGE**

**Adoption**

The local government for the Shire of Etheridge adopted this planning scheme on 18 and 19 October 2005.

**Commencement**

This planning scheme took effect on 28/10/2005.

**State Planning Policies**

The Minister has identified that the state planning policy has not been integrated in the planning scheme.

Editor's note—In accordance with section 8(4) (a) of the Act the State Planning Policy applies to the extent of any inconsistency.

The Chief Executive Officer  
Etheridge Shire Council

.....  
Norman Garsden

# PART 1 – INTRODUCTION

## *Division 1 – About the Planning Scheme*

### 1.1.1 Purpose of Planning Scheme

In accordance with the *Integrated Planning Act 1997* (IPA), the local government for the Shire of Etheridge has prepared this planning scheme as a framework for managing a defined use or use class in a way that advances the purpose of IPA by:-

- (a) identifying accepted development, assessable development, and prohibited development;
- (b) identifying outcomes sought to be achieved as the context for assessing a defined use or use class; and
- (c) incorporating the desired strategic outcomes, strategies and priority actions of the Gulf Region Development Plan as they relate to the Shire.

The planning scheme was amended for alignment with the *Planning Act 2016* (the Act) by the Minister's rules under section 293 of the Act on 17 May 2017.

Editor's note – The planning scheme has not been amended to align with the regulated requirements as provided in the *Planning Act 2016*. The regulated requirements do not apply to this planning scheme.

Editor's note—State legislation may state that the planning scheme does not apply to certain areas, e.g. strategic port land where there is a land use plan only to the extent of any inconsistency. In accordance with the provisions of section 24 of the *Sustainable Ports Development Act 2015* a port overlay for a master planned area prevails over the planning scheme, to the extent of any inconsistency.

### 1.1.2 Planning Scheme Components

The planning scheme comprises the following components:

- (a) about the planning scheme
- (b) strategic framework
- (c) desired environmental outcomes
- (d) the following zones (with tables of assessment):
  - (i) Rural zone;
  - (ii) Residential zone;
  - (iii) Industrial zone;
  - (iv) Community infrastructure zone; and
  - (v) Commercial zone.
- (e) the following overlays (with tables of assessment):
  - (i) Good Quality Agricultural Land Overlay;
  - (ii) Aerodrome and Aviation Facilities Overlay; and
  - (iii) Bushfire Management Overlay.
- (f) the following development codes:
  - (vi) Dwelling House Code;
  - (vii) Home-based Industry Code
  - (viii) Accommodation Building Code;
  - (ix) Tourism Code;
  - (x) Advertising Devices Code;
  - (xi) Planning Scheme Building Matters Code;
  - (xii) Reconfiguring a Lot Code; and
  - (xiii) General Development Code.
- (g) Schedules

### **1.1.3 Interpretation**

#### **1.1.3.1 Definitions**

The dictionary in Schedule 4 defines particular words used in this planning scheme as follows:-

- (a) defined uses and use classes; and
- (b) administrative terms.

Editor's note — The regulated requirements do not apply to this planning scheme.

#### **1.1.3.2 Terms Defined in the Act**

Terms defined in this planning scheme have the same meaning as in the Act.

Editor's note— The regulated requirements do not apply to this planning scheme.

### **1.1.4 Roads, Watercourses and Reclaimed Land**

#### **1.1.4.1 Roads**

- (a) Whether shown on the Zoning Maps as being covered by a particular Zone or not, for the purposes of this planning scheme road<sup>1</sup> areas (road reserves) are not included in any Zone; and
- (b) No part of a road shall be used for any purpose other than the installation of infrastructure including services such as water, sewerage, electricity, telephone and data transmission.

Where a road is closed, the Council shall determine under what Zone the closed road area will be placed.

#### **1.1.4.2 Watercourses and Reclaimed Land**

If a watercourse or reclaimed land is not shown as being covered by a Zone, the following applies:-

- (a) if the watercourse or reclaimed land is adjoined on both sides by land in the same Zone - the watercourse or reclaimed land has the same Zoning as the adjoining land;
- (b) if the watercourse or reclaimed land is adjoined on one side by land in a Zone and adjoined on the other side by land in another Zone - the watercourse or reclaimed land has the same Zoning as the adjoining land and the centreline of the watercourse or reclaimed land is the boundary between the two Zones; and
- (c) if the watercourse or reclaimed land is adjoined on one side only by land in a Zone - the entire watercourse or reclaimed land has the same Zoning as the adjoining Zoned land.

### **1.1.5 Restoration of Accidentally Damaged or Destroyed Buildings**

Building work for the restoration to its original form in terms of floor plan and building height of any building that has been accidentally damaged or destroyed is declared an accepted development.

#### **1.1.6 Categories of Development**

- (1) The categories of development under the Act are:
  - (a) accepted development

Editor's note—A development approval is not required for development that is accepted development. Under section 44(6)(a) of the Act, if a categorising instrument does not apply a category of development to a particular development, the development is accepted development. Schedule 10 of the Regulation also prescribes accepted development.

- (b) assessable development
  - i. code assessment
  - ii. impact assessment

Editor's note—A development approval is required for assessable development. Schedules 9, 10 and 14 of the Regulation also prescribe assessable development.

- (c) prohibited development.

Editor's note—A development application may not be made for prohibited development. Schedule 10 of the Regulation prescribes prohibited development.

- (2) The planning scheme states the category of development for certain types of development, and specifies the category of assessment for assessable development in the planning scheme area in the categories of development and assessment tables at Part 3 Zones and Part 4 Overlays.

Where more than one use is sought on a site and each use would be subject to a different category of development under the Zone or a defined use or use class would be subject to a different category of development under an Overlay, or under different Overlays, the higher assessment category applies as follows:-

- (a) Accepted development subject to requirements prevails over accepted development;
- (b) code assessable prevails over accepted development subject to requirements or accepted development; and
- (c) impact assessable prevails over code assessable, accepted development subject to requirements or accepted development.

Editor's note—Section 43 of the Act identifies that a categorising instrument categorises development and specifies categories of assessment and may be a regulation or local categorising instrument. A local categorising instrument includes a planning scheme, a TLPI or a variation approval.

### **1.1.7 Hierarchy of Assessment Benchmarks**

- (1) Where there is inconsistency between provisions in the planning scheme, the following rules apply:
  - (a) the strategic framework and desired environmental outcomes prevail over all other components to the extent of the inconsistency for impact assessment
  - (b) relevant codes as specified in schedules 6-7 and 10 of the Regulation prevail over all other components to the extent of the inconsistency
  - (c) overlays prevail over all other components (other than the matters mentioned in (a) and (b) to the extent of the inconsistency
  - (d) zone codes prevail over use codes and other development codes to the extent of the inconsistency

### **1.1.8 Probable Solutions**

Probable Solutions for Specific Outcomes provide a guide for achieving those outcomes in whole or in part, and do not limit the Assessment Manager's discretion under the Act<sup>1</sup> to impose conditions on a development approval.

### **1.1.9 Acceptable Solutions**

Acceptable Solutions for Specific Outcomes provide for compliance for accepted development subject to requirements development.

### **1.1.10 Regulated Requirements**

The regulated requirements as identified in section 5(2) (a) of the Planning Regulation 2017 are not reflected in this planning scheme.

---

<sup>1</sup> The Act, Section 65.

## ***Division 2 – Strategic Framework***

### **1.2.1 Preliminary**

- (a) The Strategic Framework summarises the overall effect of the planning scheme on the nature and location of development as well as expresses related decisions about Community Infrastructure;
- (b) The Strategic Framework also provides a guide for related decisions by the local government, developers, other infrastructure providers and the community generally; and
- (c) The Strategic Framework does not provide a basis for assessment of individual development proposals under the planning scheme.

### **1.2.2 Strategic Framework**

The Strategic Framework for the Shire comprises the following objectives which form the basis for the provisions of this planning scheme:-

- (a) the towns of Georgetown, Forsayth, Kidston, Mount Surprise and Einasleigh will continue to provide a focus for business, community activities and infrastructure provision within the Shire, with Georgetown being the more important centre;
- (b) the rural area will provide for, and accommodate, a range of agricultural (predominantly cattle grazing) uses;
- (c) all of the local government area provides for compatible Tourism Activities;
- (d) the existing major roads and the railway provide an essential communication framework connecting the towns with each other and with centres outside the local government area;
- (e) important natural features or identified resources, including mineral and extractive resources, will constrain the use of land due to the desire to protect their values or the potential hazard they impose;
- (f) new uses and works are located, designed and managed in ways that maximize the efficiency of infrastructure, and compatibility with other uses, works, cultural features, cultural resources and natural resources, including mineral and extractive resources; and
- (g) the Etheridge Shire Sport and Recreation Plan will continue to provide the framework for the delivery of Sport and Recreation in the Shire.

### **1.2.3 Planning Strategy Map**

The Map identifies significant lines of connection such as State-controlled roads and railways.

## ***PLANNING STRATEGY MAP***

**This map is bound in with the Zoning Maps, and the Overlay Maps, in the Planning Scheme Maps Volume.**





## **PART 2 – DESIRED ENVIRONMENTAL OUTCOMES**

### **2.1 Desired Environmental Outcomes**

The Desired Environmental Outcomes are based on the idea of ecological sustainability established by the Act and are the basis for the measures set out in this planning scheme.

Each Desired Environmental Outcome is sought to be achieved to the extent practicable having regard to each of the other Desired Environmental Outcomes.

The Desired Environmental Outcomes for the area are as follows:-

#### **2.1.1 Valuable Features**

- (a) To maintain and protect the outstanding natural assets of the Shire, including the Undara Volcanic National Park, the Blackbraes National Park, the Bulleringa National Park and the Blackbraes and Mount Rosey Resources Reserves, and other important natural areas, wetlands and river catchment systems;
- (b) To maintain and protect the Shire's natural environment with respect to the maintenance of biodiversity and principles of ecological sustainability;
- (c) To conserve and protect the significant cultural features of the Shire, including cultural sites, heritage sites, Aboriginal cultural heritage, historic buildings, features and precincts;
- (d) To ensure that a defined use or use class within or adjacent to areas of outstanding natural, significant or cultural features is sympathetic to, and compatible with, assets and features; and
- (e) To protect significant extractive and mineral resources as well as Good Quality Agricultural Land from an adverse defined use or use class.

#### **2.1.2 Land Use and Defined Uses or Use Classes**

- (a) To recognise and consolidate the function of Georgetown as the administrative, business and community services centre within the Shire;
- (b) To recognise and consolidate the Industrial and Commercial Activities, Tourism and Recreational Activities of the towns;
- (c) To provide for the diverse residential, recreational and accommodation needs of the residents of the Shire and its visitors;
- (d) To promote orderly defined uses or use classes to maximize the health and welfare of the Shire's residents;
- (e) To protect the area from loss of vegetation, soil degradation and water pollution due to erosion, chemical contamination, effluent disposal and the like;
- (f) The standard of the built environment to reflect the economic constraints and community expectations;
- (g) To identify and minimise the impacts of a defined use or use class from natural and man-made hazards;
- (h) To maximise the economic base of the Shire by increasing the Shire's Tourism, Business, Commercial, Industrial and Agriculture potential;
- (i) To promote the expansion of Tourism - minor Activities throughout the rural areas of the Shire;
- (j) To protect extractive and mining resource areas, associated haul routes and major transport corridors from incompatible land use; and

- (k) To identify and minimise the adverse impacts of flood, bushfire, and landslide on the community and the built and natural environment.

### **2.1.3 Infrastructure**

- (a) To establish a co-ordinated approach linking the provision of infrastructure, land use and economic development;
- (b) To ensure that social infrastructure is provided to the highest level and commensurate with the community needs and expectations for health and safety;
- (c) To ensure that the provision of water and sewerage infrastructure is provided in an efficient and timely manner;
- (d) To encourage the consolidation of urban areas to ensure efficient use of service infrastructure;
- (e) To provide for the integration and safe operation of all transport modes;
- (f) To protect major transport corridors by ensuring that land uses sensitive to noise, dust and/or fuel combustion emissions are suitably located away from the corridors; and
- (g) To protect infrastructure from encroachment by defined uses or use classes.

# PART 3– ZONES

## *Division 1 – Rural Zone*

### **3.1 Rural Zone**

#### **3.1.1 Intent**

The Rural Zone contains the Rural Activities of the Shire, predominantly grazing (cattle breeding and fattening), as well as agriculture and extractive activities of mineral and extractive resources and Aboriginal traditional uses and activities, together with their immediate support facilities such as Station Homesteads and Dwelling Houses. Uses of a non-rural nature which seek to support these rural and extractive activities, as well as recreational uses which cannot be located in the town areas may be allowed to establish subject to detailed assessment (impact assessment). Use of rural areas for Tourism - minor facilities such as 'homestay' and 'small eco-tourism' activities based on natural features or rural activities are to be encouraged. Tourism - major facilities for tourists will be subject to detailed assessment.

Fragmentation of lands within the Rural Zone will not be supported unless it can be shown that there will be a positive and long term benefit to the Shire community.

In assessing any proposal to establish new land uses or expand and intensify existing land uses within the Rural Zone, there will be a focus on the avoidance or minimization of adverse impacts on the environment or adjacent and nearby Rural Activities. Defined uses or use classed along major tourist routes (road or rail) are to avoid any adverse impacts on Tourism experiences.

Known mineral and extractive resources and existing and potential haulage routes will be protected from incompatible uses.

Reflecting the Shire's rural base, the Rural Zone is the predominant Zone throughout the Shire.

#### **3.1.2 Rural Zone Objectives**

- (a) The primary uses established in the Rural Zone will be Animal Husbandry and Agriculture, together with Station Homesteads and Dwelling Houses. Where adequate and economically viable mineral and extractive resources are identified, the provision of the necessary infrastructure to extract and market these resources will be supported;
- (b) Intensive Agricultural uses whether temporary or of short duration will be considered ancillary to an Animal Husbandry use. Long term or permanent Intensive Agriculture will only be supported where there is an economic benefit to the Shire and the environmental impacts of such use can be managed satisfactorily and the use can be demonstrated to be ecologically sustainable;
- (c) It is recognised that the Shire contains natural features, natural resources (including extractive and mineral resources), cultural features and homestay activities which are of interest to tourists. Where such features and facilities exist and it can be shown that tourist based facilities can be established in close proximity to the relevant resource, feature or existing property Station Homesteads without adverse environmental or amenity impacts, then the establishment of such facilities will not be opposed;
- (d) Other uses are located in the rural area if they cannot practicably be located in the towns due to their nature, scale, effects, or necessary relationship to particular cultural features, natural resources, or natural features, infrastructure or activities. The other uses would include recreational uses requiring adequate buffers or safety zones or larger sites;
- (e) The health and safety of residents in, and visitors to, the rural area, and the amenity they enjoy, are maintained;
- (f) Uses and works are located and designed to maximize the efficient use, extension and safe operation of infrastructure wherever possible;

- (g) Uses and works are located, designed and managed to be compatible with other uses and works and to avoid significant adverse effects on the natural environment;
- (h) Residential uses will only be supported where they are primarily ancillary to other uses in the rural area;
- (i) Extractive and mineral extraction operations and resources will be protected from inappropriate development or encroachment that might result in a loss of natural resource values; and
- (j) The recognition of the importance of ecosystems, cultural events and entertainment tourism together with the linking of Tourism opportunities and the rail infrastructure.

## ***Division 2 – Tables of Assessment for the Rural Zone***

### **3.2.1 Categories of Development and Assessment for the Rural Zone**

The categories of development and assessment are identified for defined uses or use classes in the Rural Zone in Column 2 of Tables 3.1 and 3.2 as follows:-

- (a) Table 3.1 – identifies the categories of development and assessment for development in the Rural zone for making a material change of use<sup>1</sup> for a defined use, or another use in a defined use class, listed in Column 1; or
- (b) Table 3.2 – identifies the categories of development and assessment for other development listed in Column 1, including:-
  - carrying out building work not associated with a material change of use involving accepted development subject to requirements or assessable development;
  - placing an advertising device on premises not associated with a material change of use involving accepted development subject to requirements or assessable development;
  - reconfiguring a lot; and
  - carrying out operational work for reconfiguring a lot.

### **3.2.2 Assessment Benchmarks for Assessable Development and Requirements for Accepted Development in the Rural Zone**

- (1) The assessment benchmarks for assessable development and requirements for accepted development in the Rural Zone are referred to in Column 3 of Tables 3.1 and 3.2.

---

<sup>1</sup> Works associated with an application for a material change of use involving assessable development or accepted development subject to requirements may be assessed together with a material change of use involving assessable development or accepted development subject to requirements.

**TABLE 3.1**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE RURAL ZONE – MAKING A MATERIAL CHANGE OF USE**

Note:-

- Categories of development and assessment may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<p><b>Column 1</b></p> <p><b>Defined Use or Use Class<sup>1</sup></b></p>	<p><b>Column 2</b></p> <p><b>Categories of development and assessment</b></p>	<p><b>Column 3</b></p> <p><b>Assessment benchmarks for assessable development and requirements for accepted development<sup>2</sup></b></p>
<p>Aerodrome</p>	<p><b>Code Assessable</b></p>	<p>Rural Zone Code and Advertising Devices Code</p>
<p>Agriculture or Animal Husbandry</p>	<p><b>Accepted development<sup>3</sup></b> if:-                      (a) located on a lot that does not have frontage to a State controlled road<sup>4</sup>; or                      (b) located on a lot with frontage to a State controlled road<sup>4</sup> and any associated Dwelling House is set back from the centre line of the bitumen road more than 50m</p> <p>or</p> <p><b>Code Assessable</b></p>	<p>-</p> <p>Rural Zone Code</p>
<p>Caretaker's Residence</p>	<p><b>Code Assessable</b></p>	<p>Dwelling House Code, Rural Zone Code and General Development Code</p>
<p>Community Facilities</p>	<p><b>Code Assessable</b></p>	<p>General Development Code, Advertising Devices Code and Rural Zone Code</p>
<p>Community Infrastructure</p>	<p><b>Code Assessable</b></p>	<p>General Development Code, Rural Zone Code and Community Infrastructure Zone Code</p>

<sup>1</sup> See Schedule 4 (Dictionary).

<sup>2</sup> For impact assessable development, 'assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

<sup>3</sup> Although accepted development under the Planning Scheme, the Act, the Regulation or other assessment may be required against other statutory instruments.

<sup>4</sup> The State controlled roads are the Gregory Developmental Road, the Gulf Developmental Road, the Kennedy Developmental Road, and the Forsyth Road.

Column 1 Defined Use or Use Class <sup>1</sup>	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks <sup>2</sup> for assessable development and requirements for accepted development
Dwelling House	<p><b>Accepted development subject to requirements</b></p> <p>or</p> <p><b>Code Assessable</b> - if not complying with the applicable Codes for accepted development subject to requirements</p>	<p>Dwelling House Code</p> <p>Dwelling House Code, Rural Zone Code and General Development Code</p>
Home-based Industry	<p><b>Accepted development subject to requirements</b></p> <p>or</p> <p><b>Code Assessable</b> - if not complying with the applicable Codes for accepted development subject to requirements</p>	<p>Home-based Industry Code</p> <p>Home-based Industry Code, Rural Zone Code and General Development Code</p>
Intensive Agriculture	<b>Code Assessable</b>	Rural Zone Code
Minor Aquaculture	<b>Accepted development</b>	-
Sport and Recreation	<b>Code Assessable</b>	Rural Zone Code, General Development Code and Community Infrastructure Zone Code
Station Homestead	<p><b>Accepted development subject to requirements</b></p> <p>or</p> <p><b>Code Assessable</b> - if not complying with the applicable Codes for accepted development subject to requirements</p>	<p>Dwelling House Code</p> <p>Dwelling House Code, Rural Zone Code and General Development Code</p>
Tourism - minor	<b>Code Assessable</b>	Tourism Code, Rural Zone Code, Advertising Devices Code and General Development Code
All other defined or not defined, defined uses or use classes	<b>Impact Assessable</b>	Assessed against the whole of the planning scheme <sup>3</sup>

<sup>1</sup> See Schedule 4 (Dictionary).

<sup>2</sup> For impact assessable development, 'assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.<sup>3</sup> See the Act Section 45(5).

<sup>3</sup> See the Act Section 45(5).

**TABLE 3.2**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT  
FOR THE RURAL ZONE – OTHER DEVELOPMENT**

Note:-

- Categories of development and assessment may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<p><b>Column 1</b></p> <p><b>Type Of Development</b></p>	<p><b>Column 2</b></p> <p><b>Categories of development and assessment</b></p>	<p><b>Column 3</b></p> <p><b>Assessment benchmarks for assessable development and requirements for accepted development</b></p>
<p>Carrying out building work not associated with a material change of use involving assessable development or accepted development subject to requirements</p>	<p><b>Accepted development</b> - if minor extension</p> <p>or</p> <p><b>Accepted development subject to requirements<sup>1</sup></b> - if use involves existing buildings on the site</p> <p>or</p> <p><b>Code Assessable</b> if:-                      (a) use does not involve existing buildings on the site; or                      (b) not complying with the applicable assessment benchmarks for accepted development subject to requirements<sup>2</sup></p>	<p>-</p> <p>Planning Scheme Building Matters Code</p> <p>Planning Scheme Building Matters Code and Rural Zone Code</p>
<p>Placing an advertising device on premises not associated with a material change of use involving assessable development or accepted development subject to requirements</p>	<p><b>Accepted development</b> if :-                      (a) a business place for a Home-based Industry and:-                      (i) not greater than 0.5m<sup>2</sup> in area;                      (ii) not illuminated; and                      (iii) wholly within the premises or on a fence facing the road; or                      (b) a business place for other use, a cabinet sign, flag sign, sun blind, temporary sign, transom sign or window sign</p> <p>or</p> <p><b>Accepted development subject to requirements</b> - if identified as a consistent advertising device in Schedule 2<sup>3</sup></p>	<p>-</p> <p>Advertising Devices Code</p>

<sup>1</sup> This does not include building work that under Schedule 6 of the Regulation, the planning scheme is prohibited from stating is assessable development.

<sup>2</sup> This does not include building work that under Schedule 6 of the Regulation, the planning scheme is prohibited from stating is assessable development.

<sup>3</sup> See Schedule 2.



Column 1 Type Of Development	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
	<p>Or</p> <p><b>Code Assessable</b> if:-</p> <p>(a) the criteria for accepted development or accepted development subject to requirements do not apply; or</p> <p>(b) not complying with the applicable assessment benchmarks for accepted development subject to requirements</p>	Advertising Devices Code and Rural Zone Code
Reconfiguring a Lot	<b>Code Assessable</b>	Reconfiguring a Lot Code
Carrying out operational work for Reconfiguring a Lot	<b>Code Assessable</b>	Reconfiguring a Lot Code
Other	<b>Accepted development</b>	-

## ***Division 3 – Rural Zone Code***

### **3.3 Rural Zone Code**

#### **3.3.1 Overall Outcomes for the Rural Zone Code**

The Overall Outcomes are the purpose of the Rural Zone Code and are as follows:-

- (a) to minimise the adverse impacts of a defined use or use class on rural activities and resources which underpin and support the economic base of the Shire;
- (b) to ensure all new defined uses or use classes implement and continue appropriate measures to maintain the existing biodiversity, natural and semi-natural habitats of the Shire;
- (c) to maintain and improve the water quality of the Shire's waterways and catchment areas;
- (d) to ensure cultural values are identified and cultural areas and artefacts are given appropriate respect and protection from defined uses or use classes;
- (e) to ensure that a defined use or use class does not adversely impact on the Shire's National Parks and landscape areas;
- (f) to ensure that Good Quality Agricultural Land is kept for agricultural use and the integrity of such lands is protected from fragmentation wherever possible;
- (g) the range of primary industries in the rural area reflects the potential of the area;
- (h) Residential Activities are ancillary to Rural Activities and where not ancillary to the Rural Activities they are small scale and do not impact on the production and use of the land for Rural Activities;
- (i) to protect known mineral and extractive resources and existing and potential haulage routes; and
- (j) to ensure that a defined use or use class does not adversely impact on the existing transport infrastructure.

### 3.3.2 Specific Outcomes and Probable Solutions for the Rural Zone Code

TABLE 3.3

#### SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT FOR THE RURAL ZONE CODE

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b><i>Consistent and Inconsistent Activities in the Rural Zone</i></b></p> <p>The following defined uses or use classes are consistent with the Overall Outcomes sought by the Zone:-</p> <ul style="list-style-type: none"> <li>(i) Accommodation Building (where associated with Tourism);</li> <li>(ii) Aerodrome;</li> <li>(iii) Agriculture;</li> <li>(iv) Animal Husbandry;</li> <li>(v) Caretaker's Residence;</li> <li>(vi) Community Facilities;</li> <li>(vii) Community Infrastructure;</li> <li>(viii) Dwelling House;</li> <li>(ix) Extractive Industry;</li> <li>(x) Home-based Industry;</li> <li>(xi) Industry (where located adjacent to an associated natural resource or known mineral or extractive resources);</li> <li>(xii) Intensive Agriculture;</li> <li>(xiii) Minor Aquaculture;</li> <li>(xiv) Service Station;</li> <li>(xv) Special Industry;</li> <li>(xvi) Sport and Recreation;</li> <li>(xvii) Station Homestead; and</li> <li>(xviii) Tourism - minor and major.</li> </ul>	<p>No Probable Solutions are prescribed.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p>The following defined uses or use classes are inconsistent with the Overall Outcomes sought by the Zone:-</p> <ul style="list-style-type: none"> <li>(i) Accommodation Building (except where associated with Tourism);</li> <li>(ii) Business;</li> <li>(iii) Duplex Dwelling;</li> <li>(iv) Hotel;</li> <li>(v) Industry (except where located adjacent to an associated natural resource or known mineral or extractive resources);</li> <li>(vi) Medical Centre;</li> <li>(vii) Motel;</li> <li>(viii) Multiple Dwelling;</li> <li>(ix) Shop;</li> <li>(x) Showroom; and</li> <li>(xi) A use that could be located in another Zone, within a town area, where the population is better served by the closer proximity of the use.</li> </ul>	
<p><b><i>Natural and Cultural Values</i></b></p> <p>There are no significant adverse effects on the natural and cultural values of the environment, including loss or fragmentation of natural vegetation, land degradation, or water pollution, arising from, but not limited to:-</p> <ul style="list-style-type: none"> <li>(i) disturbance of the land;</li> <li>(ii) siting of buildings and other works;</li> <li>(iii) waste disposal;</li> <li>(iv) public access; or</li> <li>(v) fire hazard.</li> </ul>	<p>No Probable Solutions are prescribed.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b><i>Amenity, Public Health or Safety</i></b></p> <p>There are no significant adverse effects on amenity, public health or safety with regard to the following:-</p> <ul style="list-style-type: none"> <li>(i) sewage disposal;</li> <li>(ii) water supply for human use;</li> <li>(iii) permanent or temporary occupation of, or access to, areas subject to natural hazards; or</li> <li>(iv) Agriculture or Extractive Industry or works located in close proximity to towns, roads, or other occupied places (such as accommodation or other facilities for Residential Activities or Tourism).</li> </ul>	<p>No Probable Solutions are prescribed.</p>
<p><b><i>Operation and Provision of Infrastructure</i></b></p> <p>Uses are of a type and scale that maintain the standards of service identified in Schedule 1, Part 1<sup>2</sup>.</p> <p>Water supply, sewerage<sup>3</sup> and roads are provided to:-</p> <ul style="list-style-type: none"> <li>(i) meet appropriate standards at the least whole-of-life cost, including avoiding unnecessary duplication;</li> <li>(ii) be robust and fit for the purposes and intended period of operation;</li> <li>(iii) be easily maintained without unnecessarily requiring specialist expertise or equipment;</li> <li>(iv) be comprised of components and materials that are readily accessible and available from numerous local sources; and</li> <li>(v) be readily integrated with existing systems and facilitate the orderly provision of future systems.</li> </ul>	<p>No Probable Solutions are prescribed.</p> <p>Water supply, sewerage and roads are constructed to relevant standards stated in Schedule 1, Part 3<sup>4</sup>.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<sup>2</sup> Schedule 1 does not state any standards of service for the Rural Zone.

<sup>3</sup> There are no Council water supply or sewerage systems in the Rural Zone.

<sup>4</sup> Schedule 1 (Infrastructure), Part 3 (Construction Standards for Infrastructure Works).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p>The safe and efficient operation of roads and railways are maintained having regard to:-</p> <ul style="list-style-type: none"> <li>(i) the nature of vehicles using the road;</li> <li>(ii) the location of uses that may be adversely affected by noise and dust generated from use of the road or railway;</li> <li>(iii) the location and design of access points; and</li> <li>(iv) the design of stormwater drainage.</li> </ul> <p>Uses and works are located and designed to avoid significant adverse effects on safe aircraft operations due to:-</p> <ul style="list-style-type: none"> <li>(i) physical intrusions;</li> <li>(ii) reduced visibility;</li> <li>(iii) collisions with birds;</li> <li>(iv) electromagnetic interference with aircraft navigation systems; or</li> <li>(v) other functional problems for aircraft (including artificial lighting hazards).</li> </ul>	<p>No Probable Solutions are prescribed.</p> <p>Within 500m of an aircraft landing ground the maximum height of a building, structure or object, or height at which an activity is carried out, is 8.5m.</p> <p>No Probable Solutions are prescribed for subsection (ii) to (v).</p>
<p><b>Gravel Pits, Resource Reserves, etc</b></p> <p>The continuing or new use of gravel pits, resource reserves, mining lease areas and other areas of known mineral interest is not significantly constrained by the siting of incompatible uses or works<sup>2</sup>.</p>	<p>Tourism facilities and Station Homesteads are:-</p> <ul style="list-style-type: none"> <li>(i) located more than 1km from mineral sources and more than 500m from gravel pits; and</li> <li>(ii) located so they are not visible from tracks and roads providing access to mineral resources or gravel pits.</li> </ul>
<p><b>Tourism - minor</b></p> <p>Tourism - minor facilities are only in areas remote from an established town area.</p>	<p>Tourism - minor facilities are:-</p> <ul style="list-style-type: none"> <li>(i) located more than 500 metres from a road; and</li> <li>(ii) located so that they are more than 20 kilometres by road from an established town area.</li> </ul>
<p><b>Residential</b></p> <p>Residential Activities that are not ancillary to other uses in the Rural Zone, are a minor use in the Rural Zone and do not locate to create clusters with other Residential Activities.</p>	<p>No Probable Solutions are prescribed.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<sup>2</sup> See Planning Scheme Policy 2 (Information Local Government May Request).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b><i>Home-based Industries</i></b></p> <p>If a Home-based Industry, the predominance of the primary Residential Activity is retained and there are no significant adverse amenity or visual impacts on the locality.</p>	<p>A Home-based Industry that provides visitor accommodation, accommodates a maximum of 10 visitor :-</p>
	<p>The floor area used for a Home-based industry, either in a separate building or a separate part of the main building, is not greater than 50m<sup>2</sup>.</p>
	<p>A Home-based industry ensures that the display of goods and storage of goods or materials are not visible from outside the building.</p>
	<p>The signage for a Home-based business is:</p> <ul style="list-style-type: none"> <li>• limited to one sign ;</li> <li>• not greater than 0.5m<sup>2</sup> in area;</li> <li>• not illuminated; and</li> <li>• wholly within the premises or on a fence facing the road.</li> </ul>
	<p>The Home-based industry does not include:</p> <ul style="list-style-type: none"> <li>• the hiring out of materials, goods, appliances or vehicles; and</li> <li>• repairing, servicing, cleaning, or loading of vehicles not normally associated with use of premises as a Dwelling House.</li> </ul>
<p><b><i>Other Uses</i></b></p> <p>Uses other than Residential, Home-based Industry and those stated inconsistent defined uses or use classes are accommodated in the Rural Zone if, in each case, the use satisfies a community need or takes advantage of an economic opportunity, and:-</p> <ul style="list-style-type: none"> <li>(i) the nature and scale of the use is such that there are no suitable sites available within the towns;</li> <li>(ii) the effects of the use mean that it cannot practicably be made compatible with other uses in the towns except by location outside the town area; or</li> <li>(iii) in order to operate effectively the use needs to be located close to a particular cultural feature, natural feature or resource, infrastructure item or activity that occurs in the locality.</li> </ul>	<p>No Probable Solutions are Prescribed.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

## ***Division 4 – Residential Zone***

### **3.4 Residential Zone**

#### **3.4.1 Intent**

The Residential Zone is intended to develop as the residential area of each of the towns with little intrusion of non-residential uses. The acceptable non-residential uses are Home-based Industries, Community Facilities or uses that provide a local or community service to the residents of the area.

#### **3.4.2 Residential Zone Objectives**

- (a) The primary uses in the Residential Zone will be for Dwelling Houses and supporting Community Infrastructure that needs to locate within or adjacent to the residential areas;
- (b) Other residential buildings and residential uses should be located and designed to minimize any adverse impacts and to maximize the impacts on, and the benefits to, the built environment; and
- (c) The health and safety of residents and visitors are maintained.



## ***Division 5 – Tables of Assessment for the Residential Zone***

### **3.5.1 Categories of Development and Assessment for the Residential Zone**

The categories of development and assessment are identified for defined uses or use classes in the Residential Zone in Column 2 of Tables 3.4 and 3.5 as follows:-

- (a) Table 3.4 – identifies the categories of development and assessment for development in the Residential zone for making a material change of use<sup>1</sup> for a defined use, or another use in a defined use class, listed in Column 1; or
- (b) Table 3.5 – identifies the categories of development and assessment for other development listed in Column 1, including:-
  - carrying out building work not associated with a material change of use involving accepted development subject to requirements or assessable development;
  - placing an advertising device on premises not associated with a material change of use involving accepted development subject to requirements or assessable development;
  - reconfiguring a lot; and
  - carrying out operational work for reconfiguring a lot.

### **3.5.2 Assessment Benchmarks for Assessable Development and Requirements for Accepted Development in the Residential Zone**

- (1) The assessment benchmarks for assessable development and requirements for accepted development in the Residential Zone are referred to in Column 3 of Tables 3.4 and 3.5.

---

<sup>1</sup> Works associated with an application for a material change of use involving assessable development or accepted development subject to requirements may be assessed together with a material change of use involving assessable development or accepted development subject to requirements.

**TABLE 3.4**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE RESIDENTIAL ZONE – MAKING A MATERIAL CHANGE OF USE**

Note:-

- Categories of development and assessment may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<b>Column 1</b> <b>Defined Use or Use Class<sup>1</sup></b>	<b>Column 2</b> <b>Categories of development and assessment</b>	<b>Column 3</b> <b>Assessment benchmarks<sup>2</sup> for assessable development and requirements for accepted development</b>
Caretaker's Residence	<b>Code Assessable</b>	Dwelling House Code, Residential Zone Code and General Development Code
Community Facilities	<b>Code Assessable</b>	Residential Zone Code, General Development Code and Advertising Devices Code
Community Infrastructure	<b>Code Assessable</b>	Residential Zone Code, General Development Code and Community Infrastructure Zone Code
Dwelling House	<b>Accepted development subject to requirements</b> - if located within a service area in Part 2 of Schedule 1 <sup>3</sup>  or <b>Code Assessable</b> - if not complying with the applicable assessment benchmarks for accepted development subject to requirements  or <b>Code Assessable</b> - if not located as for accepted development subject to requirements	Dwelling House Code  Dwelling House Code and Residential Zone Code  Dwelling House Code, Residential Zone Code and General Development Code
Duplex Dwelling	<b>Accepted development</b> - if located within a service area in Part 2 of Schedule 1 <sup>3</sup>  or <b>Code Assessable</b> - if not complying with the applicable assessment benchmarks for accepted development subject to requirements	Accommodation Building Code  Accommodation Building Code and Residential Zone Code

<sup>1</sup> See Schedule 4 (Dictionary).

<sup>2</sup> For impact assessable development, 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

<sup>3</sup> See Schedule 1.

Column 1 Defined Use or Use Class <sup>1</sup>	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks <sup>2</sup> for assessable development and requirements for accepted development
	or <b>Code Assessable</b> - if not located as for <b>Accepted development subject to requirements</b>	Accommodation Building Code, General Development Code and Residential Zone Code
Home-based Industry	<b>Code Assessable</b>	Home-based Industry Code, Residential Zone Code and General Development Code
Medical Centre	<b>Code Assessable</b>	General Development Code, Residential Zone Code and Commercial Zone Code
All other defined or not defined, defined uses or use classes	<b>Impact Assessable</b>	Assessed against the whole of the planning scheme <sup>3</sup>

<sup>1</sup> See Schedule 4 (Dictionary).

<sup>2</sup> For impact assessable development, 'assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

<sup>3</sup> See the Act Section 45(5).

**TABLE 3.5**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE RESIDENTIAL ZONE – OTHER DEVELOPMENT**

Note:-

- Categories of development and assessment may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<p><b>Column 1</b></p> <p><b>Type Of Development</b></p>	<p><b>Column 2</b></p> <p><b>Categories of development and assessment</b></p>	<p><b>Column 3</b></p> <p><b>Assessment benchmarks for assessable development and requirements for accepted development</b></p>
<p>Carrying out building work not associated with a material change of use involving assessable development or accepted development subject to requirements</p>	<p><b>Accepted development</b> - if minor extension</p> <p>or</p> <p><b>Accepted development subject to requirements<sup>1</sup></b> - if use involves existing buildings on the site</p> <p>or</p> <p><b>Code Assessable</b> if:-</p> <p>(a) use does not involve existing buildings on the site; or</p> <p>(b) not complying with the applicable assessment benchmarks for accepted development subject to requirements<sup>2</sup></p>	<p>-</p> <p>Planning Scheme Building Matters Code</p> <p>Planning Scheme Building Matters Code and Residential Zone Code</p>
<p>Placing an advertising device on premises not associated with a material change of use involving assessable development or accepted development subject to requirements</p>	<p><b>Accepted development</b> if:-</p> <p>(a) a business place for a Home-based Industry and:-</p> <p>(i) not greater than 0.5m<sup>2</sup> in area;</p> <p>(ii) not illuminated; and</p> <p>(iii) wholly within the premises or on a fence facing the road; or</p> <p>(b) a business place for other use, a cabinet sign, flag sign, sun blind, temporary sign, transom sign or window sign</p> <p>or</p> <p><b>Accepted development subject to requirements</b> - if identified as a consistent advertising device in Schedule 2<sup>3</sup></p>	<p>-</p> <p>Advertising Devices Code</p>

<sup>1</sup> This does not include building work that under Schedule 6 of the Regulation, the planning scheme is prohibited from stating is assessable development.

<sup>2</sup> This does not include building work that under Schedule 6 of the Regulation, the planning scheme is prohibited from stating is assessable development.

<sup>3</sup> See Schedule 2.

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Type Of Development</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Categories of development and assessment</b></p>	<p style="text-align: center;"><b>Column 3</b></p> <p style="text-align: center;"><b>Assessment benchmarks for assessable development and requirements for accepted development</b></p>
	<p><b>Code Assessable</b> if:-</p> <p>(a) the criteria for accepted development or accepted development subject to requirements do not apply; or</p> <p>(b) not complying with the applicable assessment benchmarks for accepted development subject to requirements</p>	<p>Advertising Devices Code and Residential Zone Code</p>
<p>Reconfiguring a Lot</p>	<p><b>Code Assessable</b></p>	<p>Reconfiguring a Lot Code</p>
<p>Carrying out operational work for Reconfiguring a Lot</p>	<p><b>Code Assessable</b></p>	<p>Reconfiguring a Lot Code</p>
<p>Other</p>	<p><b>Accepted development</b></p>	<p style="text-align: center;">-</p>

## ***Division 6 – Residential Zone Code***

### **3.6 Residential Zone Code**

#### **3.6.1 Overall Outcomes for the Residential Zone Code**

The Overall Outcomes are the purpose of the Residential Zone Code and are as follows:-

- (a) to minimise the adverse impacts of a defined use or use class on residential areas;
- (b) to ensure all new defined uses or use classes implement and continue appropriate measures to maintain and improve the amenity, including the visual amenity and natural and cultural heritage values, for the benefit of residents and visitors;
- (c) to minimise the impact of vehicular traffic and the use of residential streets by inappropriate vehicles;
- (d) the provision and maintenance of infrastructure and services;
- (e) the provision of a range of energy efficient accommodation and housing to meet the needs of residents and visitors together with supporting Community Facilities; and
- (f) to prevent the intrusion, into residential areas, of inappropriate uses.



<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<ul style="list-style-type: none"> <li>(vii) Industry;</li> <li>(viii) Intensive Agriculture;</li> <li>(ix) Minor Aquaculture;</li> <li>(x) Service Station;</li> <li>(xi) Showroom;</li> <li>(xii) Special Industry;</li> <li>(xiii) Station Homestead; and</li> <li>(xiv) Tourism - major.</li> </ul>	
<p><b><i>Amenity, Public Health or Safety</i></b></p> <p>There are no significant adverse effects on amenity, public health or safety with regard to the following:-</p> <ul style="list-style-type: none"> <li>(i) sewage disposal;</li> <li>(ii) water supply for human use; or</li> <li>(iii) permanent or temporary occupation of, or access to, areas subject to natural hazards.</li> </ul>	<p>No Probable Solutions are prescribed.</p>
<p><b><i>Operation and Provision of Infrastructure</i></b></p> <p>Uses are of a type and scale that maintain the standards of service identified in Schedule 1, Part 1.</p> <p>Water supply, sewerage and roads are provided to:-</p> <ul style="list-style-type: none"> <li>(i) meet appropriate standards at the least whole-of-life cost, including avoiding unnecessary duplication;</li> <li>(ii) be robust and fit for the purposes and intended period of operation;</li> <li>(iii) be easily maintained without unnecessarily requiring specialist expertise or equipment;</li> <li>(iv) be comprised of components and materials that are readily accessible and available from numerous local sources; and</li> <li>(v) be readily integrated with existing systems and facilitate the orderly provision of future systems.</li> </ul>	<p>No Probable Solutions are prescribed.</p> <p>Water supply, sewerage and roads are constructed to relevant standards stated in Schedule 1, Part 3<sup>2</sup>.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<sup>2</sup> Schedule 1 (Infrastructure), Part 3 (Construction Standards for Infrastructure Works).





## ***Division 7 – Industrial Zone***

### **3.7 Industrial Zone**

#### **3.7.1 Intent**

The Industrial Zone is intended to develop as an industrial area in the towns.

#### **3.7.2 Industrial Zone Objectives**

- (a) The primary uses in the Industrial Zone will be industries; and
- (b) The health and safety of workers and visitors are maintained.

## ***Division 8 – Tables of Assessment for the Industrial Zone***

### **3.8.1 Categories of Development and Assessment for the Industrial Zone**

The categories of development and assessment are identified for defined uses or use classes in the Industrial Zone in Column 2 of Tables 3.7 and 3.8 as follows:-

- (a) Table 3.7 – identifies the categories of development and assessment for development in the Industrial Zone for making a material change of use<sup>1</sup> for a defined use, or another use in a defined use class, listed in Column 1; or
- (b) Table 3.8 – identifies the categories of development and assessment for other development listed in Column 1, including:-
  - carrying out building work not associated with a material change of use involving accepted development subject to requirements or assessable development;
  - placing an advertising device on premises not associated with a material change of use involving accepted development subject to requirements or assessable development;
  - reconfiguring a lot; and
  - carrying out operational work for reconfiguring a lot.

### **3.8.2 Assessment Benchmarks for Assessable Development and Requirements for Accepted Development in the Industrial Zone**

- (1) The assessment benchmarks for assessable development and requirements for accepted development in the Industrial Zone are referred to in Column 3 of Tables 3.7 and 3.8.

---

<sup>1</sup> Works associated with an application for a material change of use involving accepted development subject to requirements and assessable development may be assessed together with a material change of use involving accepted development subject to requirements and assessable development.

**TABLE 3.7**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE INDUSTRIAL ZONE –  
MAKING A MATERIAL CHANGE OF USE**

Note:-

- Categories of development and assessment may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<b>Column 1</b> <b>Defined Use or Use Class<sup>1</sup></b>	<b>Column 2</b> <b>Categories of development and assessment</b>	<b>Column 3</b> <b>Assessment benchmarks for assessable development and requirements for accepted development<sup>2</sup></b>
Caretaker's Residence	<b>Code Assessable</b>	General Development Code, Industrial Zone Code and Dwelling House Code
Community Infrastructure	<b>Code Assessable</b>	Industrial Zone Code, General Development Code and Community Infrastructure Zone Code
Industry	<b>Code Assessable</b>	Industrial Zone Code, Advertising Devices Code and General Development Code
Service Station	<b>Code Assessable</b>	Industrial Zone Code, Commercial Zone Code, General Development Code and Advertising Devices Code
Showroom	<b>Code Assessable</b>	Industrial Zone Code, Commercial Zone Code, General Development Code and Advertising Devices Code
All other defined or not defined, defined uses or use classes	<b>Impact Assessable</b>	Assessed against the whole of the planning scheme <sup>3</sup>

<sup>1</sup> See Schedule 4 (Dictionary).

<sup>2</sup> For impact assessable development, 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

<sup>3</sup> See the Act Section 45(5).

**TABLE 3.8**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE INDUSTRIAL ZONE – OTHER DEVELOPMENT**

Note:-

- Categories of development and assessment may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<b>Column 1 Type Of Development</b>	<b>Column 2 Categories of development and assessment</b>	<b>Column 3 Assessment benchmarks for assessable development and requirements for accepted development</b>
Carrying out building work not associated with a material change of use involving assessable development or accepted development subject to requirements	<p><b>Accepted development</b> - if minor extension</p> <p>or</p> <p><b>Accepted development subject to requirements<sup>1</sup></b> - if use involves existing buildings on the site</p> <p>or</p> <p><b>Code Assessable if:-</b></p> <p>(a) use does not involve existing buildings on the site; or</p> <p>(b) not complying with the applicable assessment benchmarks for accepted development subject to requirements<sup>2</sup></p>	<p>-</p> <p>Planning Scheme Building Matters Code</p> <p>Planning Scheme Building Matters Code and Industrial Zone Code</p>
Placing an advertising device on premises not associated with a material change of use involving assessable development or accepted development subject to requirements	<p><b>Accepted development if:-</b></p> <p>(a) a business place for a Home-based Industry and:-</p> <p>(i) not greater than 0.5m<sup>2</sup> in area;</p> <p>(ii) not illuminated; and</p> <p>(iii) wholly within the premises or on a fence facing the road;</p> <p>or</p> <p>(b) a business place for other use, a cabinet sign, flag sign, sun blind, temporary sign, transom sign or window sign</p> <p>or</p> <p><b>Accepted development subject to requirements</b> - if identified as a consistent advertising device in Schedule 2<sup>3</sup></p> <p>or</p>	<p>-</p> <p>Advertising Devices Code</p>

<sup>1</sup> This does not include building work that under Schedule 6 of the Regulation, the planning scheme is prohibited from stating is assessable development .

<sup>2</sup> This does not include building work that under Schedule 6 of the Regulation the planning scheme is prohibited from stating is assessable development .

<sup>3</sup> See Schedule 2.

Column 1 Type Of Development	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
	<p><b>Code Assessable</b> if:-</p> <p>(a) the criteria for accepted development or accepted development subject to requirements do not apply; or</p> <p>(b) not complying with the applicable assessment benchmarks for accepted development subject to requirements</p>	Advertising Devices Code and Industrial Zone Code
Reconfiguring a Lot	<b>Code Assessable</b>	Reconfiguring a Lot Code
Carrying out operational work for Reconfiguring a Lot	<b>Code Assessable</b>	Reconfiguring a Lot Code
Other	<b>Accepted development</b>	-

## ***Division 9 – Industrial Zone Code***

### **3.9 Industrial Zone Code**

#### **3.9.1 Overall Outcomes for the Industrial Zone Code**

The Overall Outcomes are the purpose of the Industrial Zone Code and are as follows:-

- (a) any adverse effects on the environment are minimised with respect to water pollution due to erosion, chemical contamination, effluent disposal and the like;
- (b) Industrial Activities reflect the economic potential of the area;
- (c) the standard of the built environment reflects community expectations regarding how the development addresses the streetscape;
- (d) the efficient use and extension and the safe operation of Community Infrastructure are maximised;
- (e) to minimise the use of residential streets by inappropriate industrial vehicles; and
- (f) works and landscaping are managed to prevent and contain the spread and movement of declared weeds and pest animals on to and from the proposed site to protect land, water and vegetation from degradation.





<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<ul style="list-style-type: none"> <li>(xv) Motel;</li> <li>(xvi) Multiple Dwelling;</li> <li>(xvii) Shop;</li> <li>(xviii) Special Industry;</li> <li>(xix) Sport and Recreation;</li> <li>(xx) Station Homestead; and</li> <li>(xxi) Tourism - minor and major.</li> </ul>	
<p><b><i>Natural and Cultural Values</i></b></p> <p>There are no significant adverse effects on the cultural and natural values of the environment, including water pollution, arising from, but not limited to:-</p> <ul style="list-style-type: none"> <li>(i) disturbance of the land;</li> <li>(ii) siting of buildings and other works;</li> <li>(iii) waste disposal;</li> <li>(iv) public access; or</li> <li>(v) fire hazard.</li> </ul>	<p>No Probable Solutions are prescribed.</p>
<p><b><i>Amenity, Public Health or Safety</i></b></p> <p>There are no significant adverse effects on amenity, public health or safety with regard to the following:-</p> <ul style="list-style-type: none"> <li>(i) sewage disposal;</li> <li>(ii) water supply for human use; or</li> <li>(iii) permanent or temporary occupation of, or access to, areas subject to natural hazards.</li> </ul>	<p>No Probable Solutions are prescribed.</p>
<p><b><i>Operation and Provision of Infrastructure</i></b></p> <p>Uses are of a type and scale that maintain the standards of service identified in Schedule 1, Part 1.</p> <p>Water supply, sewerage and roads are provided to:-</p> <ul style="list-style-type: none"> <li>(i) meet appropriate standards at the least whole-of-life cost, including avoiding unnecessary duplication;</li> <li>(ii) be robust and fit for the purposes and intended period of operation;</li> </ul>	<p>No Probable Solutions are prescribed.</p> <p>Water supply, sewerage and roads are constructed to relevant standards stated in Schedule 1, Part 3<sup>2</sup>.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<sup>2</sup> Schedule 1 (Infrastructure), Part 3 (Construction Standards for Infrastructure Works).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p>(iii) be easily maintained without unnecessarily requiring specialist expertise or equipment;</p> <p>(iv) be comprised of components and materials that are readily accessible and available from numerous local sources; and</p> <p>(v) be readily integrated with existing systems and facilitate the orderly provision of future systems.</p> <p>The safe and efficient operation of roads and railways are maintained having regard to:-</p> <p>(i) the nature of vehicles using the road;</p> <p>(ii) the location of uses that may be adversely affected by noise and dust generated from use of the road or railway;</p> <p>(iii) the location and design of access points; and</p> <p>(iv) the design of stormwater drainage.</p> <p>Uses and works are located and designed to avoid significant adverse effects on safe aircraft operations due to:-</p> <p>(i) physical intrusions;</p> <p>(ii) reduced visibility;</p> <p>(iii) collisions with birds;</p> <p>(iv) electromagnetic interference with aircraft navigation systems; or</p> <p>(v) other functional problems for aircraft (including artificial lighting hazards).</p>	<p>No Probable Solutions are prescribed.</p> <p>Within 500m of an aircraft landing ground the maximum height of a building, structure or object, or height at which an activity is carried out, is 8.5m.</p> <p>No Probable Solutions are prescribed for subsections (ii) to (v).</p>
<p>The building is appropriately setback from the front boundary to accommodate landscaping and car parking.</p>	<p>No Probable Solutions are prescribed.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

## ***Division 10 – Community Infrastructure Zone***

### **3.10 Community Infrastructure Zone**

#### **3.10.1 Intent**

The Community Infrastructure Zone is intended for use by Community Facilities, Community Infrastructure and Sports and Recreation. The Zone will include Tourism facilities and may include places of interest to tourists.

#### **3.10.2 Community Infrastructure Zone Objectives**

The primary uses in the Community Infrastructure Zone will be Community Facilities, Community Infrastructure and Sports and Recreation.

## ***Division 11 – Tables of Assessment for the Community Infrastructure Zone***

### **3.11.1 Categories of Development and Assessment for the Community Infrastructure Zone**

The categories of development and assessment are identified for defined uses or use classes in the Community Infrastructure Zone in Column 2 of Tables 3.10 and 3.11 as follows:-

- (a) Table 3.10 – identifies the categories of development and assessment for development in the Community infrastructure Zone for making a material change of use<sup>1</sup> for a defined use, or another use in a defined use class, listed in Column 1; or
- (b) Table 3.11 - other development listed in Column 1, including:-
  - carrying out building work not associated with a material change of use involving accepted development subject to requirements or assessable development;
  - placing an advertising device on premises not associated with a material change of use involving accepted development subject to requirements or assessable development;
  - reconfiguring a lot; and
  - carrying out operational work for reconfiguring a lot.

### **3.11.2 Assessment Benchmarks for Assessable Development and Requirements for Accepted Development in the Community Infrastructure Zone**

- (1) The assessment benchmarks for assessable development and requirements for accepted development in the Community Infrastructure Zone are referred to in Column 3 of Tables 3.10 and 3.11

---

<sup>1</sup> Works associated with an application for a material change of use for accepted development subject to requirements and assessable development may be assessed together with a material change of use for accepted development subject to requirements and assessable development.

**TABLE 3.10**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE COMMUNITY INFRASTRUCTURE ZONE – MAKING A MATERIAL CHANGE OF USE**

Note:-

- Categories of development may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<b>Column 1</b> <b>Defined Use or Use Class<sup>1</sup></b>	<b>Column 2</b> <b>Categories of development and assessment</b>	<b>Column 3</b> <b>Assessment benchmarks<sup>2</sup> for assessable development and requirements for accepted development</b>
Aerodrome	<b>Code Assessable</b>	Community Infrastructure Zone Code and Advertising Devices Code
Caretaker's Residence	<b>Code Assessable</b>	Dwelling House Code, Community Infrastructure Zone Code and General Development Code
Community Facilities	<b>Accepted development</b> - hospital or education facilities proposed to be established  or  <b>Code Assessable</b>	-    Community Infrastructure Zone Code, General Development Code, and Advertising Devices Code
Community Infrastructure	<b>Code Assessable</b>	Community Infrastructure Zone Code and General Development Code
Sport and Recreation	<b>Code Assessable</b>	Community Infrastructure Zone Code and General Development Code
All other defined or not defined, defined uses or use classes	<b>Impact Assessable</b>	Assessed against the whole of the planning scheme <sup>3</sup>

<sup>1</sup> See Schedule 4 (Dictionary).

<sup>2</sup> For impact assessable development, 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

<sup>3</sup> See Section 45(5) of the Act.

**TABLE 3.11**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR  
THE COMMUNITY INFRASTRUCTURE ZONE – OTHER DEVELOPMENT**

Note:-

- Categories of development and assessment may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<p><b>Column 1</b></p> <p><b>Type Of Development</b></p>	<p><b>Column 2</b></p> <p><b>Categories of development and assessment</b></p>	<p><b>Column 3</b></p> <p><b>Assessment benchmarks for assessable development and requirements for accepted development</b></p>
<p>Carrying out building work not associated with a material change of use involving assessable development or accepted development subject to requirements</p>	<p><b>Accepted development</b> - if minor extension</p> <p>or</p> <p><b>Accepted development subject to requirements</b> - if use involves existing buildings on the site</p> <p>or</p> <p><b>Code Assessable</b> if:-</p> <p>(a) use does not involve existing buildings on the site; or</p> <p>(b) not complying with the applicable assessment benchmarks for accepted development subject to requirements</p>	<p>-</p> <p>Planning Scheme Building Matters Code</p> <p>Community Infrastructure Zone Code and Planning Scheme Building Matters Code</p>
<p>Placing an advertising device on premises not associated with a material change of use involving assessable development or accepted development subject to requirements</p>	<p><b>Accepted development</b> if:-</p> <p>(a) a business place for a Home-based Industry and:-</p> <p>(i) not greater than 0.5m<sup>2</sup> in area;</p> <p>(ii) not illuminated; and</p> <p>(iii) wholly within the premises or on a fence facing the road; or</p> <p>(b) a business place for other use, a cabinet sign, flag sign, sun blind, temporary sign, transom sign or window sign</p> <p>or</p> <p><b>Accepted development subject to requirements</b> - if identified as a consistent advertising device in Schedule 2<sup>1</sup></p>	<p>-</p> <p>Advertising Devices Code</p>

<sup>1</sup> See Schedule 2.

Column 1 Type Of Development	Column 2 Assessment Category	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
	or <b>Code Assessable</b> if:- (a) the criteria for accepted development or accepted development subject to requirements; or (b) not complying with the applicable assessment benchmarks for accepted development subject to requirements	Advertising Devices Code and Community Infrastructure Zone Code
Reconfiguring a Lot	<b>Code Assessable</b>	Reconfiguring a Lot Code
Carrying out operational work for Reconfiguring a Lot	<b>Code Assessable</b>	Reconfiguring a Lot Code
Other	<b>Accepted development</b>	-

## ***Division 12 – Community Infrastructure Zone Code***

### **3.12 Community Infrastructure Zone Code**

#### **3.12.1 Overall Outcomes for the Community Infrastructure Zone Code**

The Overall Outcomes are the purpose of the Community Infrastructure Zone Code and are as follows:-

- (a) any adverse effects on the environment are minimised with respect to water pollution, noise, dust and increased volumes of traffic within adjacent residential areas;
- (b) the efficient use and extension and the safe operation of infrastructure are maximised; and
- (c) natural and cultural heritage values will be protected and enhanced where appropriate.





<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p>(xii) Medical Centre (not near hospital);</p> <p>(xiii) Minor Aquaculture;</p> <p>(xiv) Motel;</p> <p>(xv) Multiple Dwelling;</p> <p>(xvi) Service Station;</p> <p>(xvii) Shop;</p> <p>(xviii) Showroom;</p> <p>(xix) Special Industry;</p> <p>(xx) Station Homestead; and</p> <p>(xxi) Tourism - minor and major.</p>	
<p><b><i>Natural and Cultural Values</i></b></p> <p>There are no significant adverse effects on the cultural and natural values of the environment, including water pollution, arising from, but not limited to:-</p> <ul style="list-style-type: none"> <li>(i) disturbance of the land;</li> <li>(ii) siting of buildings and other works;</li> <li>(iii) waste disposal;</li> <li>(iv) public access; or</li> <li>(v) fire hazard.</li> </ul>	<p>No Probable Solutions are prescribed.</p>
<p><b><i>Amenity, Public Health or Safety</i></b></p> <p>There are no significant adverse effects on amenity, public health or safety with regard to the following:-</p> <ul style="list-style-type: none"> <li>(i) sewage disposal;</li> <li>(ii) water supply for human use; or</li> <li>(iii) permanent or temporary occupation of, or access to, areas subject to natural hazards.</li> </ul>	<p>No Probable Solutions are prescribed.</p>
<p><b><i>Operation and Provision of Infrastructure</i></b></p> <p>Uses are of a type and scale that maintain the standards of service identified in Schedule 1, Part 1.</p>	<p>No Probable Solutions are prescribed.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p>Water supply, sewerage and roads are provided to:-</p> <ul style="list-style-type: none"> <li>(i) meet appropriate standards at the least whole-of-life cost, including avoiding unnecessary duplication;</li> <li>(ii) be robust and fit for the purposes and intended period of operation;</li> <li>(iii) be easily maintained without unnecessarily requiring specialist expertise or equipment;</li> <li>(iv) be comprised of components and materials that are readily accessible and available from numerous local sources; and</li> <li>(v) be readily integrated with existing systems and facilitate the orderly provision of future systems.</li> </ul> <p>The safe and efficient operation of roads and railways are maintained having regard to:-</p> <ul style="list-style-type: none"> <li>(i) the nature of vehicles using the road;</li> <li>(ii) the location of uses that may be adversely affected by noise and dust generated from use of the road or railway;</li> <li>(iii) the location and design of access points; and</li> <li>(iv) the design of stormwater drainage.</li> </ul> <p>Uses and works are located and designed to avoid significant adverse effects on safe aircraft operations due to:-</p> <ul style="list-style-type: none"> <li>(i) physical intrusions;</li> <li>(ii) reduced visibility;</li> <li>(iii) collisions with birds;</li> <li>(iv) electromagnetic interference with aircraft navigation systems; or</li> <li>(v) other functional problems for aircraft (including artificial lighting hazards).</li> </ul>	<p>Water supply, sewerage and roads are constructed to relevant standards stated in Schedule 1, Part 3<sup>2</sup>.</p> <p>No Probable Solutions are prescribed.</p> <p>Within 500m of an aircraft landing ground the maximum height of a building, structure or object, or height at which an activity is carried out, is 8.5m.</p> <p>No Probable Solutions are prescribed for subsections (ii) to (v).</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<sup>2</sup> Schedule 1 (Infrastructure), Part 3 (Construction Standards for Infrastructure Works).



## ***Division 13 – Commercial Zone***

### **3.13 Commercial Zone**

#### **3.13.1 Intent**

The Commercial Zone is intended for use as the Business and Commercial centre of the towns where retailing, personal services, business and entertainment activities may establish. This Zone may also include some Commercial or Industrial Activities which commonly occur in conjunction with retailing, business and tourism.

#### **3.13.2 Commercial Zone Objectives**

The primary uses in the Commercial Zone will be Business premises, Shops and Hotels.

## ***Division 14 – Tables of Assessment for the Commercial Zone***

### **3.14.1 Categories of Development and Assessment for the Commercial Zone**

The categories of development and assessment are identified for defined uses or use classes in the Commercial Zone in Column 2 of Tables 3.13 and 3.14 as follows:-

- (a) Table 3.13 – identifies the categories of development and assessment for development in the Commercial Zone for making a material change of use<sup>1</sup> for a defined use, or another use in a defined use class, listed in Column 1; or
- (b) Table 3.14 - other development listed in Column 1, including:-
  - carrying out building work not associated with a material change of use involving accepted development subject to requirements or assessable development;
  - placing an advertising device on premises not associated with a material change of use involving accepted development subject to requirements or assessable development;
  - reconfiguring a lot; and
  - carrying out operational work for reconfiguring a lot.

### **3.14.2 Assessment Benchmarks for Assessable Development Requirements for Accepted Development in the Commercial Zone**

- (1) The assessment benchmarks for assessable development and requirements for accepted development in the Commercial Zone are referred to in Column 3 of Tables 3.13 and 3.14..

---

<sup>1</sup> Works associated with an application for a material change of use involving assessable development or accepted development subject to requirements may be assessed together with a material change of use involving assessable development or accepted development subject to requirements.

**TABLE 3.13**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR  
THE COMMERCIAL ZONE – MAKING A MATERIAL CHANGE OF USE**

Note:-

- Categories of development may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see Section 1.3.6 explaining how the higher assessment category prevails.
- Planning scheme policies indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<b>Column 1</b> <b>Defined Use or Use Class<sup>1</sup></b>	<b>Column 2</b> <b>Categories of development and assessment</b>	<b>Column 3</b> <b>Assessment benchmarks for assessable development and requirements for accepted development<sup>2</sup></b>
Business	<b>Accepted development subject to requirements</b>  or <b>Code Assessable</b> - if not complying with the applicable assessment benchmarks for accepted development subject to requirements	Commercial Zone Code and Advertising Devices Code  Commercial Zone Code, Advertising Devices Code and General Development Code
Caretaker's Residence	<b>Code Assessable</b>	General Development Code, Commercial Zone Code and Dwelling House Code
Community Facilities	<b>Code Assessable</b>	General Development Code, Commercial Zone Code and Advertising Devices Code
Hotel	<b>Code Assessable</b>	General Development Code, Advertising Devices Code and Commercial Zone Code
Medical Centre	<b>Code Assessable</b>	General Development Code, Advertising Devices Code and Commercial Zone Code
Motel	<b>Code Assessable</b>	General Development Code, Advertising Devices Code and Commercial Zone Code
Service Station	<b>Code Assessable</b>	General Development Code, Advertising Devices Code and Commercial Zone Code
Shop	<b>Code Assessable</b>	General Development Code, Advertising Devices Code and Commercial Zone Code

<sup>1</sup> See Schedule 4 (Dictionary).

<sup>2</sup> For impact assessable development, 'assessment benchmark' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

<b>Column 1</b> <b>Defined Use or Use Class<sup>1</sup></b>	<b>Column 2</b> <b>Categories of development and assessment</b>	<b>Column 3</b> <b>Assessment benchmarks for assessable development and requirements for accepted development<sup>2</sup></b>
Showroom	<b>Code Assessable</b>	General Development Code, Advertising Devices Code and Commercial Zone Code
Tourism - minor and major	<b>Code Assessable</b>	General Development Code, Advertising Devices Code, Commercial Zone Code and Tourism Code
All other defined or not defined, defined uses or use classes	<b>Impact Assessable</b>	Assessed against the whole of the planning scheme <sup>3</sup>

---

<sup>1</sup> See Schedule 4 (Dictionary).

<sup>2</sup> For impact assessable development, 'assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

<sup>3</sup> See Section 45(5) of the Act.



**TABLE 3.14**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE COMMERCIAL ZONE – OTHER DEVELOPMENT**

Note:-

- Categories of development and assessment may also be affected by Overlays. See Overlay Maps to determine whether the land is affected. Also see Section 1.3.6 explaining how the higher assessment category prevails.
- Planning scheme policies indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<p><b>Column 1 Type Of Development</b></p>	<p><b>Column 2 Categories of development and assessment</b></p>	<p><b>Column 3 Assessment benchmarks for assessable development and requirements for accepted development</b></p>
<p>Carrying out building work not associated with a material change of use involving assessable development or accepted development subject to requirements</p>	<p><b>Accepted development</b> - if minor extension</p> <p>or</p> <p><b>Accepted development subject to requirements<sup>1</sup></b> - if use involves existing buildings on the site</p> <p>or</p> <p><b>Code Assessable</b> if:-</p> <p>(a) use does not involve existing buildings on the site; or</p> <p>(b) not complying with the applicable assessment benchmarks for accepted development subject to requirements<sup>2</sup></p>	<p>-</p> <p>Planning Scheme Building Matters Code</p> <p>Planning Scheme Building Matters Code and Commercial Zone Code</p>
<p>Placing an advertising device on premises not associated with a material change of use involving assessable development or accepted development subject to requirements</p>	<p><b>Accepted development</b> if:-</p> <p>(a) a business place for a Home-based Industry and:-</p> <p>(i) not greater than 0.5m<sup>2</sup> in area;</p> <p>(ii) not illuminated; and</p> <p>(iii) wholly within the premises or on a fence facing the road; or</p> <p>(b) a business place for other use, a cabinet sign, flag sign, sun blind, temporary sign, transom sign or window sign</p> <p>or</p> <p><b>Accepted development subject to requirements</b> - if identified as a consistent advertising device in Schedule 2<sup>3</sup></p> <p>or</p>	<p>-</p> <p>Advertising Devices Code</p>

<sup>1</sup> This does not include building work that under Schedule 6 of the Regulation is prohibited from being assessable development by a planning scheme.

<sup>2</sup> This does not include building work that under Schedule 6 of the Regulation is prohibited from being assessable development by a planning scheme.

<sup>3</sup> See Schedule 2.

Column 1 Type Of Development	Column 2 Assessment Category	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
	<b>Code Assessable</b> if:- (a) the criteria for accepted development or accepted development subject to requirements do not apply; or (b) not complying with the applicable assessment benchmarks for accepted development subject to requirements	Advertising Devices Code and Commercial Zone Code
Reconfiguring a Lot	<b>Code Assessable</b>	Reconfiguring a Lot Code
Carrying out operational work for Reconfiguring a Lot	<b>Code Assessable</b>	Reconfiguring a Lot Code
Other	<b>Accepted development</b>	-

## ***Division 15 – Commercial Zone Code***

### **3.15 Commercial Zone Code**

#### **3.15.1 Overall Outcomes for the Commercial Zone Code**

The Overall Outcomes are the purpose of the Commercial Zone Code and are as follows:-

- (a) to ensure the development is compatible with the cultural and character of the existing streetscape;
- (b) any adverse effects on the environment are minimised with respect to noise, dust, contaminated stormwater discharge and increased volumes of traffic within the Zone and within adjacent residential areas; and
- (c) the creation of a safe and attractive town centre appropriate for pedestrians; and
- (d) the provision of appropriate services and infrastructure to operate the use.



<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted Development subject to requirements<sup>1</sup></b></p>
<ul style="list-style-type: none"> <li>(xi) Intensive Agriculture;</li> <li>(xii) Minor Aquaculture;</li> <li>(xiii) Multiple Dwelling;</li> <li>(xiv) Special Industry;</li> <li>(xv) Sport and Recreation; and</li> <li>(xvi) Station Homestead.</li> </ul>	
<p><b><i>Amenity, Public Health or Safety</i></b></p> <p>There are no significant adverse effects on amenity, public health or safety with regard to the following:-</p> <ul style="list-style-type: none"> <li>(i) sewage disposal;</li> <li>(ii) water supply for human use; or</li> <li>(iii) permanent or temporary occupation of, or access to, areas subject to natural hazards.</li> </ul>	<p>Site is connected to Council's reticulated water supply system (Schedule 1, Part 2 - Water Supply Service Area Maps);<sup>2</sup></p> <p>or</p> <p>Where the site is not within the reticulated system a tank with a minimum of 45,000 litres capacity is connected to each Business.</p> <p>Sewerage disposal system is provided.<sup>3</sup></p> <p>The defined use or use class is connected to electricity source.</p> <p>The defined use or use class is connected to a telecommunication system.</p>
<p><b><i>Operation and Provision of Infrastructure</i></b></p> <p>Uses are of a type and scale that maintain the standards of service identified in Schedule 1, Part 1.</p>	<p>No Acceptable or Probable Solutions are prescribed.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<sup>2</sup> Water Reticulation Code of Australia (WSA03-1999).

<sup>3</sup> Sewerage Code of Australia (WSA02-1999); Sewerage Pumping Station Code (WSA04-2001); and Plumbing and Drainage Act 2002.

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted Development subject to requirements <sup>1</sup></b></p>
<p>Water supply, sewerage and roads are provided to:-</p> <ul style="list-style-type: none"> <li>(i) meet appropriate standards at the least whole-of-life cost, including avoiding unnecessary duplication;</li> <li>(ii) be robust and fit for the purposes and intended period of operation;</li> <li>(iii) be easily maintained without unnecessarily requiring specialist expertise or equipment;</li> <li>(iv) be comprised of components and materials that are readily accessible and available from numerous local sources; and</li> <li>(v) be readily integrated with existing systems and facilitate the orderly provision of future systems.</li> </ul>	<p>No Acceptable Solution provided.</p> <p>For assessable development the Probable Solution is, water supply, sewerage and roads are constructed to relevant standards stated in Schedule 1, Part 3<sup>2</sup>.</p>
<p>The safe and efficient operation of roads and railways are maintained having regard to:-</p> <ul style="list-style-type: none"> <li>(i) the nature of vehicles using the road;</li> <li>(ii) the location of uses that may be adversely affected by noise and dust generated from use of the road or railway;</li> <li>(iii) the location and design of access points; and</li> <li>(iv) the design of stormwater drainage.</li> </ul>	<p>No Acceptable or Probable Solutions are prescribed.</p>
<p>Uses and works are located and designed to avoid significant adverse effects on safe aircraft operations due to:-</p> <ul style="list-style-type: none"> <li>(i) physical intrusions;</li> <li>(ii) reduced visibility;</li> <li>(iii) collisions with birds;</li> <li>(iv) electromagnetic interference with aircraft navigation systems; or</li> <li>(v) other functional problems for aircraft (including artificial lighting hazards).</li> </ul>	<p>Within 500m of an aircraft landing ground the maximum height of a building, structure or object, or height at which an activity is carried out, is 8.5m.</p> <p>No Probable Solutions are prescribed for subsections (ii) to (v).</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<sup>2</sup> Schedule 1 (Infrastructure), Part 3 (Construction Standards for Infrastructure Works).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted Development subject to requirements <sup>1</sup></b></p>
<p><b>Built Form</b></p> <p>The built form must be compatible with the desired character and amenity of the surrounding area and must not adversely affect the visual amenity.</p>	<p>The maximum height of a building, structure or object, or height at which an activity is carried out, is 12.75m.</p>
<p>Water supply, sewerage and roads are provided to:-</p> <ul style="list-style-type: none"> <li>(i) meet appropriate standards at the least whole-of-life cost, including avoiding unnecessary duplication;</li> <li>(ii) be robust and fit for the purposes and intended period of operation;</li> <li>(iii) be easily maintained without unnecessarily requiring specialist expertise or equipment;</li> <li>(iv) be comprised of components and materials that are readily accessible and available from numerous local sources; and</li> <li>(v) be readily integrated with existing systems and facilitate the orderly provision of future systems.</li> </ul> <p>The safe and efficient operation of roads and railways are maintained having regard to:-</p> <ul style="list-style-type: none"> <li>(i) the nature of vehicles using the road;</li> <li>(ii) the location of uses that may be adversely affected by noise and dust generated from use of the road or railway;</li> <li>(iii) the location and design of access points; and</li> <li>(iv) the design of stormwater drainage.</li> </ul> <p>Uses and works are located and designed to avoid significant adverse effects on safe aircraft operations due to:-</p> <ul style="list-style-type: none"> <li>(ii) physical intrusions;</li> <li>(vi) reduced visibility;</li> <li>(vii) collisions with birds;</li> </ul>	<p>No Acceptable Solution provided.</p> <p>For assessable development the Probable Solution is, water supply, sewerage and roads are constructed to relevant standards stated in Schedule 1, Part 3<sup>2</sup>.</p> <p>No Acceptable or Probable Solutions are prescribed.</p> <p>Within 500m of an aircraft landing ground the maximum height of a building, structure or object, or height at which an activity is carried out, is 8.5m.</p> <p>No Probable Solutions are prescribed for subsections (ii) to (v).</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<sup>2</sup> Schedule 1 (Infrastructure), Part 3 (Construction Standards for Infrastructure Works).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted Development subject to requirements <sup>1</sup></b></p>
<p>(viii) electromagnetic interference with aircraft navigation systems; or</p> <p>(ix) other functional problems for aircraft (including artificial lighting hazards).</p>	
<p><b>Site Coverage</b></p> <p>The site coverage of buildings ensures that there is sufficient area for the provisions of services and landscaping.</p>	<p>The site coverage of all buildings does not exceed 80% of the site area.</p>
<p><b>Building Setbacks<sup>2</sup></b></p> <p>Buildings must be setback to:-</p> <ul style="list-style-type: none"> <li>(i) maintain the character of the area; and</li> <li>(ii) achieve separation from the neighbouring buildings and from road frontages.</li> </ul>	<p>Buildings, structures or objects are constructed to the front boundary of the full frontage of the site.</p> <p>Where a boundary adjoins any zone other than Commercial Zone, the setback is 2m.</p>
<p><b>Awnings</b></p> <p>The design of the building provides for the integration of the development within the existing streetscape and provide for the protection of the public from the inclement weather.</p>	<p>An awning, a minimum of 3 metres in width or setback 0.5m from the tentative kerb line, is provided to the full frontage or frontages of the building where the building is built to the front property alignment or alignments.</p>
<p><b>Site Access, Parking, Loading and Unloading</b></p> <p>Car parking does not hinder or obstruct the use of any area by pedestrians or other vehicles.</p> <p>Parking areas are laid out in such a manner as to provide adequate access to each parking space and to permit free circulation of vehicles entering, leaving and parking.</p>	<p>Site access or accesses are located 15m from an intersection.</p> <p>Off street parking is to be provided at the rear or side or underneath a building.</p> <p>Vehicle unloading areas, goods storage areas, waste storage areas and outdoor equipment are designed and located to be not visible from the street.</p> <p>Parking spaces comply with Table 5.10 - Areas and Dimensions.</p> <p>Access to parking spaces is provided from an aisle with an unobstructed width of at least 6.2 metres.</p> <p>For a parallel parking space the minimum dimensions are 6.2 metres by 2.6 metres.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<sup>2</sup> If adjacent to electricity works, the proposal should be referred to the relevant electricity entity.



<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted Development subject to requirements <sup>1</sup></b></p>
	<p>Car parking spaces for particular uses are in accordance with Table 5.11 - Number of Car Parking Spaces Required.</p> <p>The gradient of a parking space does not exceed 10 per cent.</p>
	<p>Parking areas are:-</p> <ul style="list-style-type: none"> <li>(i) not closer than 3 metres from the alignment of any structure; and</li> <li>(ii) not closer than 3 metres to any boundary of the site.</li> </ul> <p>Parking areas are located within the site on which the use is to be conducted.</p>
<p><b>Other Uses</b></p> <p>The predominance of the primary Commercial Activity is retained and there are no significant adverse effects on the local amenity.</p> <p>Any Business, Medical Centre or Shop are to be located to provide a service centre to serve the adjacent residents rather than be located in different part of the town.</p>	<p>No Acceptable or Probable Solutions are prescribed.</p>

---

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

## **ZONING MAPS**

**These maps are bound in with the Planning Strategy Map, and the Overlay Maps, in the Planning Scheme Maps Volume.**

**PART 4**

**OVERLAYS**

## ***Division 1 – Good Quality Agricultural Land Overlay***

### **4.1 Good Quality Agricultural Land Overlay**

#### **4.1.1 Categories of Development and Assessment for the Good Quality Agricultural Land Overlay**

The categories of development and assessment are identified for defined uses or use classes affected by a Good Quality Agricultural Land Overlay in Column 2 of Tables 4.1 and 4.2 as follows:-

- (a) Table 4.1 - making a material change of use<sup>1</sup> for assessable development or accepted development for a defined use, or another use in a defined use class, listed in Column 1; or
- (b) Table 4.2 - other development listed in Column 1, including:-
  - building work not associated with a material change of use involving assessable development or accepted development subject to requirements ; and
  - operational work not associated with a material change of use involving assessable development or accepted development subject to requirements .

#### **4.1.2 Assessment Benchmarks for Assessable Development Affected by a Good Quality Agricultural Land Overlay**

- (a) The assessment benchmarks for defined uses or use classes affected by a Good Quality Agriculture Land Overlay are referred to in Column 3 of Tables 4.1 and 4.2.

---

<sup>1</sup>

**TABLE 4.1**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE GOOD QUALITY AGRICULTURAL LAND OVERLAY – MAKING A MATERIAL CHANGE OF USE**

Notes:-

- Zones also affect categories of development and assessment. See Zone Maps to determine the Zone of the land. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies 1 and 2 indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<p><b>Column 1</b></p> <p><b>Type Of Development</b></p>	<p><b>Column 2</b></p> <p><b>Categories of development and assessment</b></p>	<p><b>Column 3</b></p> <p><b>Assessment benchmarks for assessable development and requirements for accepted development</b></p>
<p>Agriculture</p>	<p><b>Accepted development</b></p>	<p>-</p>
<p>Animal Husbandry</p>	<p><b>Accepted development</b></p>	<p>-</p>
<p>Minor Aquaculture</p>	<p><b>Accepted development</b></p>	<p>-</p>
<p>Station Homestead</p>	<p><b>Accepted development</b></p>	<p>-</p>
<p>All other defined or not defined, defined uses or use classes</p>	<p><b>Accepted development</b> - if the site is not included within an area, or shares a common boundary with an area identified (Classes A, B and C) on the Good Quality Agricultural Land Overlay Map</p> <p>or</p> <p><b>Code Assessable</b> - if the site is included within an area, or shares a common boundary with an area identified (Classes A, B and C) on the Good Quality Agricultural Land Overlay Map</p>	<p>-</p> <p>Good Quality Agricultural Land Overlay Code</p>

**TABLE 4.2**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE GOOD QUALITY AGRICULTURAL LAND OVERLAY – OTHER DEVELOPMENT**

Note:-

- Zones also affect categories of development and assessment. See Zone Maps to determine the Zone of the land. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies 1 and 2 indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<b>Column 1</b> <b>Type Of Development</b>	<b>Column 2</b> <b>Categories of development and assessment</b>	<b>Column 3</b> <b>Assessment benchmarks for assessable development and requirements for accepted development<sup>1</sup></b>
Carrying out building work not associated with a material change of use involving assessable development or accepted development	<p><b>Accepted development</b> - if the site is not included within an area, or shares a common boundary with an area identified (Classes A, B and C) on the Good Quality Agricultural Land Overlay Map</p> <p>or</p> <p><b>Code Assessable</b> - if the site is included within an area, or shares a common boundary with an area identified (Classes A, B and C) on the Good Quality Agricultural Land Overlay Map</p>	<p>-</p> <p>Good Quality Agricultural Land Overlay Code</p>
Placing an advertising device on premises not associated with a material change of use involving assessable development or accepted development	<p><b>Accepted development</b> - if the site is not included within an area, or shares a common boundary with an area identified (Classes A, B and C) on the Good Quality Agricultural Land Overlay Map</p> <p>or</p> <p><b>Code Assessable</b> - if the site is included within an area, or shares a common boundary with an area identified (Classes A, B and C) on the Good Quality Agricultural Land Overlay Map</p>	<p>-</p> <p>Good Quality Agricultural Land Overlay Code</p>

<sup>1</sup> For impact assessable development 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

Column 1 Type Of Development	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development <sup>1</sup>
Reconfiguring a Lot	<p><b>Accepted development</b> - if the site is not included within an area, or shares a common boundary with an area identified (Classes A, B and C) on the Good Quality Agricultural Land Overlay Map</p> <p>or</p> <p><b>Code Assessable</b> - if the site is included within an area, or shares a common boundary with an area identified (Classes A, B and C) on the Good Quality Agricultural Land Overlay Map</p>	<p>-</p> <p>Good Quality Agricultural Land Overlay Code</p>
Carrying out operational work for Reconfiguring a Lot	<p><b>Accepted development</b> - if the site is not included within an area, or shares a common boundary with an area identified (Classes A, B and C) on the Good Quality Agricultural Land Overlay Map</p> <p>or</p> <p><b>Code Assessable</b> - if the site is included within an area, or shares a common boundary with an area identified (Classes A, B and C) on the Good Quality Agricultural Land Overlay Map</p>	<p>-</p> <p>Good Quality Agricultural Land Overlay Code</p>
Other	<b>Accepted development</b>	-

<sup>1</sup> For impact assessable development 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

## **Division 2 – Good Quality Agricultural Land Overlay Code**

### **4.2 Good Quality Agricultural Land Overlay Code**

#### **4.2.1 Overall Outcomes for the Good Quality Agriculture Land Overlay Code**

The Overall Outcomes are the purpose of the Good Quality Agriculture Land Overlay Code and are as follows:-

- (a) protect areas which are primarily intended to be used for agricultural, horticulture and animal husbandry purposes, except in the case of land which is intended to be used for low intensity pastoral activities and as a means of consolidating and buffering the agricultural and horticultural areas in accordance with the State Planning Policy 1/92: Development and the Conservation of Agricultural Land, Planning Guidelines: The Identification of Good Quality Agricultural Land, and Planning Guidelines: Separating Agricultural and Residential Land Uses; and
- (b) protect lands designated as Classes A, B and C (and shown on the Good Quality Agricultural Land Overlay Map) which are areas considered important in maintaining the integrity of the agricultural based holdings.

#### **4.2.2 Specific Outcomes and Probable Solutions for the Good Quality Agricultural Land Overlay Code**

**TABLE 4.3**

**SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT FOR THE GOOD QUALITY AGRICULTURAL LAND OVERLAY CODE**

<b>Column 1</b> <b>Specific Outcomes</b>	<b>Column 2</b> <b>Probable Solutions for Assessable Development<sup>1</sup></b>
<p><b><u>Land Use</u></b></p> <p>To limit the nature and extent of non-agricultural uses particularly where the proposed defined use or use class does not have specific locational requirements.</p> <p>To minimise any likely impacts of the use on areas for agriculture and horticulture purposes, where the defined use or use class is on lands adjacent to the identified areas.</p> <p>The integrity of Good Quality Agricultural Land areas is maintained through the avoidance of the fragmentation of land parcels.</p>	<p>No Acceptable or Probable Solutions are prescribed.</p>

---

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).



## ***GOOD QUALITY AGRICULTURAL LAND OVERLAY MAP***

**This map is bound in with the Planning Strategy Map and the Zoning Maps, in the Planning Scheme Maps Volume.**

## ***Division 3 – Aerodromes and Aviation Facilities Overlay***

### **4.3 Aerodromes and Aviation Facilities Overlay**

#### **4.3.1 Categories of development and assessment for the Aerodromes and Aviation Facilities Overlay**

The categories of development and assessment are identified for defined uses or use classes affected by the Aerodromes and Aviation Facilities Overlay in Column 2 of Tables 4.4 and 4.5 as follows:-

- (a) Table 4.4 - making a material change of use<sup>1</sup> for assessable development or accepted development for a defined use, or another use in a defined use class, listed in Column 1; or
- (b) Table 4.5 - other development listed in Column 1, including:-
  - building work not associated with a material change of use involving assessable development or accepted development subject to requirements; and
  - operational work not associated with a material change of use involving assessable development or accepted development subject to requirements.

#### **4.3.2 Assessment Benchmarks for Assessable Development Affected by the Aerodromes and Aviation Facilities Overlay**

- (1) The assessment benchmarks for defined uses or use classes affected by a Aerodromes and Aviation Facilities Overlay are referred to in Column 3 of Tables 4.4 and 4.5; and

---

<sup>1</sup>.

**TABLE 4.4**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE AERODROMES AND AVIATION FACILITIES OVERLAY – MAKING A MATERIAL CHANGE OF USE**

Notes:-

- Zones also affect categories of development and assessment. See Zone Maps to determine the Zone of the land. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies 1 and 2 indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<p><b>Column 1</b></p> <p><b>Type Of Development</b></p>	<p><b>Column 2</b></p> <p><b>Categories of development and assessment</b></p>	<p><b>Column 3</b></p> <p><b>Assessment benchmarks for assessable development and requirements for accepted development<sup>1</sup></b></p>
<p>All defined or not defined, defined uses or use classes</p>	<p><b>Accepted development if:-</b></p> <p>(a) the site is not within the NDB 500m buffer identified on Map 1 - Aerodromes and Aviation Facilities Overlay Map or is not within 500m of a landing ground identified on Maps 2 to 5 - Aerodromes and Aviation Facilities Overlay Map; or</p> <p>(b) the defined use or use class is not identified as code assessable</p> <p>or</p> <p><b>Code Assessable if:-</b></p> <p>(a) the site is within the NDB 500m buffer identified on Map 1 - Aerodromes and Aviation Facilities Overlay Map or is within 500m of a landing ground identified on Maps 2 to 5 - Aerodromes and Aviation Facilities Overlay Map;</p>	<p>-</p> <p>Aerodromes and Aviation Facilities Overlay Code</p>

<sup>1</sup> For impact assessable development, 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Type Of Development</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Categories of development and assessment</b></p>	<p style="text-align: center;"><b>Column 3</b></p> <p style="text-align: center;"><b>Assessment benchmarks for assessable development and requirements for accepted development</b></p>
	<p>(b) the defined use or use class identified below is located within 3km of the Croydon Airstrip or Aerodrome Reserve:-</p> <ul style="list-style-type: none"> <li>(i) Agriculture;</li> <li>(ii) Animal Husbandry;</li> <li>(iii) Business;</li> <li>(iv) Community Facilities;</li> <li>(v) Extractive Industry;</li> <li>(vi) Industry;</li> <li>(vii) Intensive Agriculture;</li> <li>(viii) Minor Aquaculture;</li> <li>(ix) Residential Activities;</li> <li>(x) Shop;</li> <li>(xi) Special Industry;</li> <li>(xii) Sport and Recreation; or</li> </ul> <p>(c) refuse disposal or sewerage treatment plant located within 13km of runways</p>	

**TABLE 4.5**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE AERODROMES AND AVIATION FACILITIES OVERLAY – OTHER DEVELOPMENT**

Note:-

- Zones also affect categories of development and assessment. See Zone Maps to determine the Zone of the land. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies 1 and 2 indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<p><b>Column 1</b></p> <p><b>Type Of Development</b></p>	<p><b>Column 2</b></p> <p><b>Categories of development and assessment</b></p>	<p><b>Column 3</b></p> <p><b>Assessment benchmarks <sup>1</sup> for assessable development and requirements for accepted development</b></p>
<p>Carrying out building work not associated with a material change of use involving assessable development or accepted development</p>	<p><b>Accepted development</b> - if the site is not within the NDB 500m buffer identified on Map 1 - Aerodromes and Aviation Facilities Overlay Map or is not within 500m of a landing ground identified on Maps 2 to 5 - Aerodromes and Aviation Facilities Overlay Map</p> <p>or</p> <p><b>Code Assessable</b> - if the site is within the NDB 500m buffer identified on Map 1 - Aerodromes and Aviation Facilities Overlay Map or is within 500m of a landing ground identified on Maps 2 to 5 - Aerodromes and Aviation Facilities Overlay Map</p>	<p>-</p> <p>Aerodromes and Aviation Facilities Overlay Code</p>
<p>Placing an advertising device on premises not associated with a material change of use involving assessable development or accepted development</p>	<p><b>Accepted development</b> - if the site is not within the NDB 500m buffer identified on Map 1 - Aerodromes and Aviation Facilities Overlay Map or is not within 500m of a landing ground identified on Maps 2 to 5 - Aerodromes and Aviation Facilities Overlay Map</p> <p>or</p>	<p>-</p>

<sup>1</sup> For impact assessable development 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.



Column 1 Type Of Development	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks <sup>1</sup> for assessable development and requirements for accepted development
	<b>Code Assessable</b> - if the site is within the NDB 500m buffer identified on Map 1 - Aerodromes and Aviation Facilities Overlay Map or is within 500m of a landing ground identified on Maps 2 to 5 - Aerodromes and Aviation Facilities Overlay Map	Aerodromes and Aviation Facilities Overlay Code
Other	<b>Accepted development</b>	-

---

<sup>1</sup> For impact assessable development 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

## ***Division 4 – Aerodromes and Aviation Facilities Overlay Code***

### **4.4 Aerodromes and Aviation Facilities Overlay Code**

#### **4.4.1 Overall Outcomes for the Aerodromes and Aviation Facilities Overlay Code**

The Overall Outcomes are the purpose of the Aerodromes and Aviation Facilities Overlay Code is to ensure that significant Aviation Facilities within the Shire are protected from the adverse impacts of development, thereby contributing to safe and efficient air travel.



#### 4.4.2 Specific Outcomes, Probable Solutions and Acceptable Solutions for the Aerodromes and Aviation Facilities Overlay Code

TABLE 4.6

SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT FOR THE AERODROMES AND AVIATION FACILITIES OVERLAY CODE

<p style="text-align: center;">Column 1</p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b><i>Height of Buildings and Structures</i></b></p> <p>Buildings or other structures must not interfere with the movement of aircraft or the safe operation of the Georgetown Aviation Facility.</p>	<p>Buildings or other structures do not protrude into any Obstacle Limitation Surface.</p> <p>Facilities, such as masts, do not protrude into any Obstacle Limitation Surface.</p>
<p><b><i>Emissions</i></b></p> <p>Emissions do not significantly affect air turbulence, visibility or engine operation in operational airspace.</p>	<p>No Probable Solutions are prescribed.</p>
<p><b><i>Potential Interference for Wildlife</i></b></p> <p>Wildlife, particularly flying vertebrates, such as birds and bats, are not attracted into operational airspace in significant numbers.</p>	<p>Potential food and waste sources are covered and collected so that accessibility by wildlife is minimised.</p> <p>Wildlife deterrence measures are carried out e.g. bird scarers, netting.</p>
<p><b><i>Public Safety Area</i></b></p> <p>A significant increase in the number of people living, working or congregating in public safety areas is avoided, unless this is an existing 'development commitment'.</p>	<p>No Probable Solutions are prescribed.</p>
<p><b><i>Advertising Devices and Other Lighting</i></b></p> <p>Illuminated advertising devices and other lighting must not create a visual hazard to pilots flying in or out of the Georgetown Aviation Facility.</p>	<p>The illuminated advertising devices or other lighting does not exceed the background illumination level when viewed from the air.</p>
<p><b><i>Function of Aviation Facility</i></b></p> <p>A defined use or use class does not impair the function of the Georgetown Non-directional Beacon (Airservices Australia Ref No. 498) by creating physical obstructions, electrical or electro-magnetic interference or deflection of signals; and</p>	<p>Works or uses are not located within the sensitive areas of the beacon, as shown on Map 1 - Aerodrome and Aviation Facilities Overlay Map that involve any:-</p> <p style="padding-left: 40px;">(i) buildings, structures or other works within 60 metres of the site;</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p>A defined use or use class does not impair the function of the Georgetown Aviation Facility by creating physical obstructions.</p>	<ul style="list-style-type: none"> <li>(ii) metallic buildings or structures between 60 metres and 150 metres of the site;</li> <li>(iii) buildings or structures with a size greater than 2.5 metres in any dimension between 60 metres and 150 metres of the site;</li> <li>(iv) other works between 60 metres and 150 metres of the site which exceed 3 metres in height; or</li> <li>(v) buildings, structures or other works between 150 metres and 500 metres of the site which exceed 7.9 metres in height.</li> </ul> <p>Works or uses are not located within the glide path that involve any:-</p> <ul style="list-style-type: none"> <li>(i) buildings, structures or other works within 700 metres of the site;</li> <li>(ii) buildings, structures or other works between 700 metres and 1000 metres of the site which exceed 6 metres in height; or</li> <li>(iii) buildings, structures or other works between 1000 metres and 1500 metres of the site exceed 8.7 metres in height.</li> </ul>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

## ***AERODROMES AND AVIATION FACILITIES OVERLAY MAPS***

**These maps are bound in with the Planning Strategy Map and the Zoning Maps, in the Planning Scheme Maps Volume.**

## ***Division 5 – Bushfire Management Overlay***

### **4.5 Bushfire Management Overlay**

#### **4.5.1 Categories of Development and Assessment for the Bushfire Management Overlay**

The categories of development and assessment are identified for defined uses or use classes affected by the Bushfire Management Overlay in Column 2 of Tables 4.7 and 4.8 as follows:-

- (a) Table 4.7 - making a material change of use<sup>1</sup> for assessable development or accepted development for a defined use, or another use in a defined use class, listed in Column 1; or
- (b) Table 4.8 - other development listed in Column 1, including:-
  - building work not associated with a material change of use involving assessable development or accepted development subject to requirements; and
  - operational work not associated with a material change of use involving assessable development or accepted development subject to requirements.

#### **4.5.2 Assessment Benchmarks for Assessable Development and Requirements for Accepted Development Affected by the Bushfire Management Overlay**

- (1) The assessment benchmarks for defined uses or use classes affected by a Bushfire Management Overlay are referred to in Column 3 of Tables 4.7 and 4.8.

---

<sup>1</sup> WWorks associated with an application for an accepted development or assessable development material change of use may be assessed together with an accepted development or assessable development material change of use.

**TABLE 4.7**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE BUSHFIRE MANAGEMENT OVERLAY – MAKING A MATERIAL CHANGE OF USE**

Notes:-

- Zones also affect categories of development and assessment. See Zone Maps to determine the Zone of the land. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies 1 and 2 indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<b>Column 1</b> <b>Type Of Development</b>	<b>Column 2</b> <b>Categories of development and assessment</b>	<b>Column 3</b> <b>Assessment benchmarks<sup>1</sup> for assessable development and requirements for accepted development</b>
All defined or not defined, defined uses or use classes not associated with an accepted development subject to requirements Material Change of Use	<p><b>Accepted development:-</b></p> <p>(a) if the site is not included within an area, or shares a common boundary with an area identified as a High or Medium Bushfire Hazard on the Bushfire Management Overlay Map; or</p> <p>(b) if the site is included within an area, or shares a common boundary with an area identified as a Low Bushfire Hazard on the Bushfire Management Overlay Map</p> <p>or</p> <p><b>Code Assessable:-</b></p> <p>(a) if the site is included within an area, or shares a common boundary with an area identified as a High or Medium Bushfire Hazard on the Bushfire Management Overlay Map; or</p> <p>(b) if the site is not included within an area, or shares a common boundary with an area identified as a Low Bushfire Hazard on the Bushfire Management Overlay Map</p>	<p>-</p> <p>Bushfire Management Overlay Code</p>
Other	<b>Accepted development</b>	-

<sup>1</sup> For impact assessable development, 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

**TABLE 4.8**

**CATEGORIES OF DEVELOPMENT AND ASSESSMENT FOR THE AERODROMES AND AVIATION FACILITIES OVERLAY – OTHER DEVELOPMENT**

Note:-

- Zones also affect categories of development and assessment. See Zone Maps to determine the Zone of the land. Also see Section 1.1.6 explaining how the higher assessment category prevails.
- Planning scheme policies 1 and 2 indicate when the local government may undertake consultation or seek further information from the applicant about an application.

<p><b>Column 1</b></p> <p><b>Type Of Development</b></p>	<p><b>Column 2</b></p> <p><b>Categories of development and assessment</b></p>	<p><b>Column 3</b></p> <p><b>Assessment benchmarks<sup>1</sup> for assessable development and requirements for accepted development</b></p>
<p>Carrying out building work not associated with a material change of use involving assessable development or accepted development subject to requirements</p>	<p><b>Accepted development:-</b></p> <p>(a) if the site is not included within an area, or shares a common boundary with an area identified as a High or Medium Bushfire Hazard on the Bushfire Management Overlay Map; or</p> <p>(b) if the site is included within an area, or shares a common boundary with an area identified as a Low Bushfire Hazard on the Bushfire Management Overlay Map</p> <p>or</p> <p><b>Code Assessable:-</b></p> <p>(a) if the site is included within an area, or shares a common boundary with an area identified as a High or Medium Bushfire Hazard on the Bushfire Management Overlay Map; or</p> <p>(b) if the site is not included within an area, or shares a common boundary with an area identified as a Low Bushfire Hazard on the Bushfire Management Overlay Map</p>	<p>-</p> <p>Bushfire Management Overlay Code</p>

<sup>1</sup> For impact assessable development 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Type Of Development</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Categories of development and assessment</b></p>	<p style="text-align: center;"><b>Column 3</b></p> <p style="text-align: center;"><b>Assessment benchmarks <sup>1</sup> for assessable development and requirements for accepted development</b></p>
<p>Placing an advertising device on premises not associated with a material change of use involving assessable development or accepted development subject to requirements</p>	<p><b>Accepted development:-</b></p> <p>(a) if the site is not included within an area, or shares a common boundary with an area identified as a High or Medium Bushfire Hazard on the Bushfire Management Overlay Map; or</p> <p>(b) if the site is included within an area, or shares a common boundary with an area identified as a Low Bushfire Hazard on the Bushfire Management Overlay Map</p> <p>or</p> <p><b>Code Assessable:-</b></p> <p>(a) if the site is included within an area, or shares a common boundary with an area identified as a High or Medium Bushfire Hazard on the Bushfire Management Overlay Map; or</p> <p>(b) if the site is not included within an area, or shares a common boundary with an area identified as a Low Bushfire Hazard on the Bushfire Management Overlay Map</p>	<p style="text-align: center;">-</p> <p style="text-align: center;">Bushfire Management Overlay Code</p>
<p>Reconfiguring a Lot</p>	<p><b>Accepted development:-</b></p> <p>(a) if the site is not included within an area, or shares a common boundary with an area identified as a High or Medium Bushfire Hazard on the Bushfire Management Overlay Map; or</p>	<p style="text-align: center;">-</p>

<sup>1</sup> For impact assessable development 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Type Of Development</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Assessment Category</b></p>	<p style="text-align: center;"><b>Column 3</b></p> <p style="text-align: center;"><b>Assessment Benchmarks<sup>1</sup> – Applicable Code if Development is Accepted development subject to requirements or Requires Code Assessment</b></p>
	<p>(b) if the site is included within an area, or shares a common boundary with an area identified as a Low Bushfire Hazard on the Bushfire Management Overlay Map</p> <p>or</p> <p><b>Code Assessable:-</b></p> <p>(a) if the site is included within an area, or shares a common boundary with an area identified as a High or Medium Bushfire Hazard on the Bushfire Management Overlay Map; or</p> <p>(b) if the site is not included within an area, or shares a common boundary with an area identified as a Low Bushfire Hazard on the Bushfire Management Overlay Map</p>	<p style="text-align: center;">Bushfire Management Overlay Code</p>
<p>Carrying out operational work for Reconfiguring a Lot</p>	<p><b>Accepted development:-</b></p> <p>(a) if the site is not included within an area, or shares a common boundary with an area identified as a High or Medium Bushfire Hazard on the Bushfire Management Overlay Map; or</p> <p>(b) if the site is included within an area, or shares a common boundary with an area identified as a Low Bushfire Hazard on the Bushfire Management Overlay Map</p> <p>or</p>	<p style="text-align: center;">-</p>

<sup>1</sup> For impact assessable development 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.



Column 1 Type Of Development	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks <sup>1</sup> for assessable development and requirements for accepted development-
	<p><b>Code Assessable:-</b></p> <p>(a) if the site is included within an area, or shares a common boundary with an area identified as a High or Medium Bushfire Hazard on the Bushfire Management Overlay Map; or</p> <p>(b) if the site is not included within an area, or shares a common boundary with an area identified as a Low Bushfire Hazard on the Bushfire Management Overlay Map</p>	Bushfire Management Overlay Code
Other	<b>Accepted development</b>	-

---

<sup>1</sup> For impact assessable development 'relevant assessment benchmarks' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 45(5) of the Act.

## ***Division 6 – Bushfire Management Overlay Code***

### **4.6 Bushfire Management Overlay Code**

#### **4.6.1 Overall Outcomes for the Bushfire Management Overlay Code**

The Overall Outcomes are the purpose of the Bushfire Management Overlay Code and are as follows:-

- (a) to ensure that a defined use or use class on land subject to bushfire hazard is compatible with the nature of the hazard;
- (b) to ensure that the impacts for bushfire hazard on developed areas are minimised; and
- (c) to prevent a defined use or use class from materially increasing the extent or the severity of bushfire hazard.

## 4.6.2 Specific Outcomes and Probable Solutions for the Bushfire Management Overlay Code

TABLE 5.9

### SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT FOR THE BUSHFIRE MANAGEMENT OVERLAY CODE

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Specific Outcomes</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Probable Solutions for Assessable Development<sup>1</sup></p>
<p><b><i>Safety of People and Property</i></b></p> <p>A defined use or use class maintains the safety of people and property by:-</p> <ul style="list-style-type: none"> <li>(i) avoiding areas of high or medium bushfire hazard; or</li> <li>(ii) mitigating the risk through:- <ul style="list-style-type: none"> <li>• lot design and the siting of buildings;</li> <li>• including firebreaks that provide adequate:- <ul style="list-style-type: none"> <li>- setbacks between buildings/ structures and hazardous vegetation; and</li> <li>- access for fire-fighting/ other emergency vehicles;</li> </ul> </li> <li>• providing adequate road access for fire-fighting/ other emergency vehicles and safe evacuation; and</li> <li>• providing an adequate and accessible water supply for fire-fighting purposes.</li> </ul> </li> </ul>	<p>A defined use or use class is located on land that is not subject to high or medium bushfire hazard; or</p> <p><b><i>For all development</i></b></p> <p>Buildings and structures:-</p> <ul style="list-style-type: none"> <li>(i) on lots greater than 2,500m<sup>2</sup>:- <ul style="list-style-type: none"> <li>• are sited in locations of lowest hazard within the lot;</li> <li>• achieve setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater;</li> <li>• 10 metres from any retained vegetation strips or small areas of vegetation; and</li> <li>• are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard; or</li> </ul> </li> <li>(ii) on lots less than or equal to 2,500m<sup>2</sup>, maximise setbacks from hazardous vegetation.</li> </ul> <p>For uses involving new or existing buildings with a gross floor area greater than 50m<sup>2</sup> each lot has:-</p> <ul style="list-style-type: none"> <li>(i) a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200kPa); or</li> <li>(ii) an on-site water storage of not less than 5,000 litres (e.g. accessible dam or tank with fire brigade tank fittings, swimming pool).</li> </ul>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
	<p><b><i>For development that will result in multiple buildings or lots</i></b></p> <p>Residential lots are designed so that their size and shape allow for:-</p> <ul style="list-style-type: none"> <li>(i) efficient emergency access to buildings for fire-fighting appliances (e.g. by avoiding long narrow lots with long access drives to buildings); and</li> <li>(ii) setbacks and building siting in accordance with building and structures on lots greater than 2,500m<sup>2</sup>.</li> </ul> <p>Firebreaks are provided by:-</p> <ul style="list-style-type: none"> <li>(i) a perimeter road that separates lots from areas of bushfire hazard and that road has:- <ul style="list-style-type: none"> <li>• a minimum cleared width of 20 metres; and</li> <li>• a constructed road width and weather standard complying with local government standards; or</li> </ul> </li> <li>(ii) where it is not practicable to comply with (i), fire maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails:- <ul style="list-style-type: none"> <li>• have a minimum cleared width of 6 metres;</li> <li>• have a formed width and gradient, and erosion control devices to local government standards;</li> <li>• have vehicular access to each end;</li> <li>• provide passing bays and turning areas for fire-fighting appliances; and</li> <li>• are either located on public land, or within an access easement that is granted in favour of the local government and Queensland Fire and Rescue Service; and</li> </ul> </li> <li>(iii) sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (e.g. creek corridors and other retained vegetation) to allow burning of sections and access for bushfire response.</li> </ul>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
	<p>Roads are designed and constructed in accordance with applicable local government and State government standards and:-</p> <ul style="list-style-type: none"> <li>(i) have a maximum gradient of 12.5%; and</li> <li>(ii) exclude cul-de-sac, except where a perimeter road isolates the development from hazardous vegetation or the cul-de-sac are provided with an alternative access linking the cul-de-sac to other through roads.</li> </ul> <p><b><i>For Development in High Bushfire Hazard Areas (except single dwelling on existing lots)</i></b></p> <p>Development complies with a Bushfire Management Plan for the premises.</p>
<p><b><i>Storage of Hazardous Materials</i></b></p> <p>Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p>A defined use or use class complies with a Bushfire Management Plan for the premises.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

## ***BUSHFIRE MANAGEMENT OVERLAY MAP***

**This map is bound in with the Planning Strategy Map and the Zoning Maps, in the Planning Scheme Maps Volume.**

## **PART 5**

# **ASSESSMENT BENCHMARKS (CODES)**

## ***Division 1 – Preliminary***

### **5.1 Codes for a Defined Use or Use Class**

The provisions of this Part comprise the following Codes:-

- Dwelling House Code (Division 2);
- Home-based Industry Code (Division 3);
- Accommodation Building Code (Division 4);
- Tourism Code (Division 5);
- Advertising Devices Code (Division 6);
- Planning Scheme Building Matters Code (Division 7);
- Reconfiguring a Lot Code (Division 8); and
- General Development Code (Division 9).



## ***Division 2 – Dwelling House Code***

### **5.2 Dwelling House Code**

#### **5.2.1 Overall Outcomes for the Dwelling House Code**

The Overall Outcomes are the purpose of the Dwelling House Code and are as follows:-

- (a) ensure that Dwelling Houses, Station Homesteads and associated developments are compatible with surrounding development;
- (b) ensure that Dwelling Houses and Station Homesteads do not adversely impact on the amenity or natural features; and
- (c) ensure that Dwelling Houses and Station Homesteads are not subject to hazards or flooding or noise because of the location.

#### **5.2.2 Application**

This Code applies to an assessable development or accepted development subject to requirements material change of use and the reconfiguring of a lot.

## 5.2.3 Specific Outcomes, Probable Solutions and Acceptable Solutions for the Dwelling House Code

TABLE 5.1

### SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT AND ACCEPTABLE SOLUTIONS FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS FOR THE DWELLING HOUSE CODE

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions<sup>1</sup> for Accepted Development Subject to Requirements</b></p>
<p><b>Site Area</b></p> <p>Lots must be of sufficient area and dimension to meet the requirements of the users.</p>	<p>The lot has a minimum area of 800m<sup>2</sup>. If a Station Homestead, the lot has a minimum area of 10,000m<sup>2</sup>.</p>
<p><b>Residential Density</b></p> <p>Residential density must maintain the character and visual quality of the area.</p>	<p>Only one Dwelling House is to be established within a lot. If a Station Homestead, additional dwelling houses established within a lot are to accommodate employees or family members.</p>
<p><b>Built Form</b></p> <p>The built form must be compatible with the desired character and amenity of the surrounding area and must not adversely affect the visual amenity.</p>	<p>The maximum height of a building, structure or object, or height at which an activity is carried out, is 8.5m or in the Rural Zone, 11m.</p>
<p><b>Building Setbacks<sup>2</sup></b></p> <p>Buildings must be setback to:-</p> <ul style="list-style-type: none"> <li>(i) maintain the character of the area; and</li> <li>(ii) achieve separation from the neighbouring buildings and from road frontages.</li> </ul>	<p>Boundary clearances comply with Schedule 3. Station Homestead landing grounds are setback a minimum of 500m from any property boundary and a minimum of 500m from structures exceeding 8.5m height.</p>
<p><b>Site Coverage</b></p> <p>The site coverage of all buildings must not result in a built form that is bulky or visually obtrusive.</p>	<p>The area covered by buildings and roofed structures is no greater than 50% of the lot.</p>
<p><b>Infrastructure</b></p> <p>Provision must be made for basic infrastructure.</p>	<p>Site is connected to Council's reticulated water supply system (Schedule 1, Part 2 - Water Supply Service Area Maps),<sup>3</sup> or</p> <p>Where the site is not within the reticulated system a tank with a minimum of 60,000 litres capacity is connected to each Dwelling House.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<sup>2</sup> If adjacent to electricity works, the proposal should be referred to the relevant electricity entity.

<sup>3</sup> Water Reticulation Code of Australia (WSA03-1999).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted development subject to requirements Development<sup>1</sup></b></p>
	<p>Sewerage disposal system is provided.<sup>2</sup></p> <p>The defined use or use class is connected to an electricity source.</p> <p>The defined use or use class is connected to a telecommunication system.</p>
<p><b>Location</b></p> <p>Uses and works are located and designed to avoid significant adverse effects on safe aircraft operations due to physical intrusions.</p>	<p>Within 500m of an aircraft landing ground the maximum height of a building, structure or object, or height at which an activity is carried out, is 8.5m.</p>
<p><b>Dwelling House - Temporary Accommodation</b></p> <p>The short term nature of temporary accommodation is to maintain adequate standards for residential use of the land.</p>	<p>Minimum size of a lot is 500m<sup>2</sup>.</p> <p>Minimum floor area is 20m<sup>2</sup>.</p> <p>Minimum boundary clearances comply with Schedule 3.</p> <p>Maximum coverage of the lot by a building and roofed structures is 50%.</p> <p>Temporary accommodation must be removed from a lot within six months of establishment.</p>

Note:- The local government has declared by resolution under Section 53 of the Standard Building Regulation that the minimum floor level for habitable rooms is 292.5m AHD for Georgetown and 600mm above the natural ground level for Mt Surprise. Habitable rooms are defined by the Building Code of Australia<sup>3</sup>.

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<sup>2</sup> Sewerage Code of Australia (WSA02-1999); Sewage Pumping Station Code (WSA04-2001); and Plumbing and Drainage Act 2002.

<sup>3</sup> In the Building Code of Australia, **Habitable Room** means a room used for normal domestic activities, and - (a) includes a lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family and sunroom; but (b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialized nature occupied neither frequently nor for extended periods.

## ***Division 3 – Home-based Industry Code***

### **5.3 Home-based Industry Code**

#### **5.3.1 Overall Outcomes for the Home-based Industry Code**

The Overall Outcomes are the purpose of the Home-based Industry Code and are as follows:-

- (a) ensure that Home-based Industries are compatible with surrounding development;
- (b) ensure that the use does not adversely impact on the amenity; and
- (c) ensure that other adjacent uses are not subject to hazards or noise.

#### **5.3.2 Application**

This Code applies to an assessable development or accepted development subject to requirements material change of use.

### 5.3.3 Specific Outcomes, Probable Solutions and Acceptable Solutions for the Home-based Industry Code

TABLE 5.2

#### SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT AND ACCEPTABLE SOLUTIONS FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS FOR THE HOME-BASED INDUSTRY CODE

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Specific Outcomes</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Probable Solutions for Assessable Development and Acceptable Solutions for Accepted development subject to requirements Development<sup>1</sup></p>
<p><b>Scale of Use</b></p> <p>Home-based Industries must be compatible with adjacent Residential Activities.</p>	<p>Only the owner of the land and family, who reside on site, are engaged in the use.</p>
<p><b>Protection of Residential Amenity</b></p> <p>A Home-based Industry must not adversely affect the amenity of the surrounding Residential Activities.</p>	<p>If a Home-based Industry providing visitor accommodation for a maximum 4 visitors are accommodated:-</p> <ul style="list-style-type: none"> <li>(i) the floor area used either in a separate building or a separate part of the main building, is not greater than 50m<sup>2</sup>;</li> <li>(ii) display goods and stored goods or materials are not visible from outside the building;</li> <li>(iii) there is only one sign and the sign is:- <ul style="list-style-type: none"> <li>• not greater than 0.5m<sup>2</sup> in area;</li> <li>• not illuminated;</li> <li>• wholly within the premises or on a fence facing the road; and</li> </ul> </li> <li>(iv) there is no hiring out of materials, goods, appliances or vehicles.</li> </ul> <p>There is no repairing, servicing, cleaning, or loading of vehicles not normally associated with use of premises as a Dwelling House.</p> <p>Does not operate on a Sunday or public holiday nor outside the hours of 7.00am and 7.00pm on any other day.</p> <p>Does not involve the use of more than two heavy vehicles or refrigerated vehicles with a carrying capacity of more than 4 tonnes, or the use of an articulated vehicle.</p> <p>Home-based Industries do not require parking facilities.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted development subject to requirements Development<sup>1</sup></b></p>
<p><b>Built Form</b></p> <p>The built form must be compatible with the desired character and amenity of the surrounding area and must not adversely affect the visual amenity.</p>	<p>The maximum height of a new building, structure or object, or height at which an activity is carried out, is 8.5m or if in the Rural Zone, 11m.</p>
<p><b>Building Setbacks<sup>2</sup> (other than on land in the Rural Zone)</b></p> <p>Buildings must be setback to:-</p> <ul style="list-style-type: none"> <li>(i) maintain the character of the area; and</li> <li>(ii) achieve separation from the neighbouring buildings and from road frontages.</li> </ul>	<p>New buildings or structures comply with the boundary clearances stated in Schedule 3.</p>
<p><b>Site Coverage</b></p> <p>The site coverage of all building must not result in a built form that is bulky or visually obtrusive.</p>	<p>New buildings or roofed structures do not increase the area covered by buildings and structures no greater than 50% of the lot.</p>
<p><b>Infrastructure</b></p> <p>Provision must be made for basic infrastructure.</p>	<p>Site is connected to Council's reticulated water supply system (Schedule 1, Part 2 - Water Supply Service Area Maps);<sup>3</sup></p> <p>or</p> <p>Where the site is not within the reticulated system a tank with a minimum of 60,000 litres capacity is connected to the Home-based Industry.</p> <p>Sewerage disposal system is provided.<sup>4</sup></p> <p>The defined use or use class is connected to an electricity source.</p> <p>The Home-based Industry is connected to a telecommunication system.</p>

Note:- The local government has declared by resolution under Section 53 of the Standard Building Regulation that the minimum floor level for habitable rooms is 292.5m AHD for Georgetown and 600mm above the natural ground level for Mt Surprise. Habitable rooms are defined by the Building Code of Australia<sup>5</sup>.

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<sup>2</sup> If adjacent to electricity works, the proposal should be referred to the relevant electricity entity.

<sup>3</sup> Water Reticulation Code of Australia (WSA03-1999).

<sup>4</sup> Sewerage Code of Australia (WSA02-1999); Sewage Pumping Station Code (WSA04-2001); and Plumbing and Drainage Act 2002.

<sup>5</sup> In the Building Code of Australia, **Habitable Room** means a room used for normal domestic activities, and - (a) includes a lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family and sunroom; but

## ***Division 4 – Accommodation Building Code***

### **5.4 Accommodation Building Code**

#### **5.4.1 Overall Outcomes for the Accommodation Building Code**

The Overall Outcomes are the purpose of the Accommodation Building Code and are as follows:-

- (a) ensure that the Accommodation Buildings, Duplex Dwellings and Multiple Dwellings are compatible with the surrounding development;
- (b) ensure that the use does not impact on the amenity of the area; and
- (c) ensure that the use is not subject to adverse impacts because of the location.

#### **5.4.2 Application**

This Code applies to an assessable development or accepted development subject to requirements material change of use.

---

(b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialized nature occupied neither frequently nor for extended periods.

### 5.4.3 Specific Outcomes, Probable Solutions and Acceptable Solutions for the Accommodation Building Code

TABLE 5.3

#### SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT AND ACCEPTABLE SOLUTIONS FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS FOR THE ACCOMMODATION BUILDING CODE

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted development subject to requirements Development<sup>1</sup></b></p>
<p><b>Built Form</b></p> <p>The built form must be compatible with the desired character and amenity of the surrounding area and must not adversely affect the visual amenity.</p>	<p>Maximum of 2 stories and/or does not exceed 8.5m in height.</p>
<p><b>Site Area</b></p> <p>Lots must be of sufficient area and dimension to meet the requirements of the users.</p>	<p>The lot has a minimum area of 1000m<sup>2</sup> and road frontage of 18m.</p>
<p><b>Landscaping</b></p> <p>Landscaping must maintain the character and visual amenity of the surrounding area.</p>	<p>No Acceptable Solution provided.</p> <p>For assessable development the Probable Solution is, the landscaped garden area exceeds 10% of the site.</p>
<p><b>Building Setbacks<sup>2</sup></b></p> <p>Buildings must be setback to:-</p> <ul style="list-style-type: none"> <li>(i) maintain the character of the area; and</li> <li>(ii) achieve separation from the neighbouring buildings and from road frontages.</li> </ul>	<p>There is compliance with the boundary clearances of:-</p> <ul style="list-style-type: none"> <li>(i) 1.5m for structures up to 4.5m above ground level;</li> <li>(ii) 2.0m for structures up to 7.5m above ground level; and</li> <li>(iii) 2.0m plus 0.5m for every 3 metres (or part) that the structure is more than 7.5m above ground level.</li> </ul> <p>Setback 6m from any road frontage or frontages.</p>
<p><b>Site Coverage</b></p> <p>The site coverage of all buildings must not result in a built form that is bulky or visually obtrusive.</p>	<p>The area covered by buildings and roofed structures is no greater than:-</p> <ul style="list-style-type: none"> <li>(i) 50% of the lot for a one storey structure;</li> <li>(ii) 40% of the lot for a two storey structure; or</li> <li>(iii) 35% of the lot where more than two storeys</li> </ul>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<sup>2</sup> If adjacent to electricity works, the proposal should be referred to the relevant electricity entity.



<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted development subject to requirements Development<sup>1</sup></b></p>
<p><b>Infrastructure</b></p> <p>Provision must be made for basic infrastructure.</p>	<p>Site is connected to Council's reticulated water supply system (Schedule 1, Part 2 - Water Supply Service Area Maps);<sup>2</sup></p> <p>or</p> <p>Where the site is not within the reticulated system a tank with a minimum of 60,000 litres capacity is connected to each Dwelling Unit.</p> <p>Sewerage disposal system is provided.<sup>3</sup></p> <p>The defined use or use class is connected to an electricity source.</p> <p>The defined use or use class is connected to a telecommunication system.</p>

Note:- The local government has declared by resolution under Section 53 of the Standard Building Regulation that the minimum floor level for habitable rooms is 292.5m AHD for Georgetown and 600mm above the natural ground level for Mt Surprise. Habitable rooms are defined by the Building Code of Australia<sup>4</sup>.

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<sup>2</sup> Water Reticulation Code of Australia (WSA03-1999).

<sup>3</sup> Sewerage Code of Australia (WSA02-1999);  
Sewage Pumping Station Code (WSA04-2001); and  
Plumbing and Drainage Act 2002.

<sup>4</sup> In the Building Code of Australia, **Habitable Room** means a room used for normal domestic activities, and - (a) includes a lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family and sunroom; but (b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialized nature occupied neither frequently nor for extended periods.

## ***Division 5 – Tourism Code***

### **5.5 Tourism Code**

#### **5.5.1 Overall Outcomes for the Tourism Code**

The Overall Outcomes are the purpose of the Tourism Code and are as follows:-

- (a) Tourism facilities are consistent with the scale of existing buildings and structures in the vicinity, and designed to complement the physical character of the local area; and
- (b) Tourism facilities are provided having regard to the safety of and amenity enjoyed by people using the facility and the adjoining premises.

#### **5.5.2 Application**

This Code applies to an assessable development or accepted development subject to requirements material change of use.

### 5.5.3 Specific Outcomes and Probable Solutions for the Tourism Code

TABLE 5.4

#### SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT FOR THE TOURISM CODE

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b>Site Area</b></p> <p>The site area<sup>2</sup> is of sufficient size to provide for adequate on-site and local area amenity, with respect to boundary setbacks, open space, car parking and landscaping around the facilities.</p>	<p>For a Caravan Park or Camping Area:-</p> <ul style="list-style-type: none"> <li>(i) minimum site area is 4000m<sup>2</sup>; and</li> <li>(ii) minimum 1.5m landscaped areas are provided along all boundaries of the site area.</li> </ul> <p>For Tourism Accommodation Units:-</p> <ul style="list-style-type: none"> <li>(i) buildings and roofed structures do not occupy more than 40% of the site area;</li> <li>(ii) if adjacent to land used, or identified, for residential purposes, all buildings have a minimum setback of 6m from a road, and 3m from any other boundary; and</li> <li>(iii) if not adjacent to land used, or identified, for residential purposes, all buildings have a minimum setback of 3m from each boundary of the site area.</li> </ul>
<p><b>Amenity</b></p> <p>Adequate amenity, particularly privacy, is available for individual Caravan Park or Camping Area or Tourism Accommodation Units.</p>	<p>There is not more than 1 Caravan or Camping Area or Tourism Accommodation Unit for each 120m<sup>2</sup> of site area.</p> <p>For a Caravan Park or Camping Area 10% of the site area, exclusive of landscaped setback areas, is provided for open space.</p> <p>For Tourist Accommodation Units all parts of the site area not occupied by buildings or service areas are landscaped.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<sup>2</sup> See definition of "site area".

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b><i>Health, Safety and Convenience</i></b></p> <p>The health, safety and convenience of people using the facility are maintained with respect to:-</p> <ul style="list-style-type: none"> <li>(i) pedestrian and vehicle access within, and to and from, the site;</li> <li>(ii) access for emergency services vehicles;</li> <li>(iii) availability of on-site car parking.</li> </ul> <p>Note:- The local government has declared by resolution under Section 53 of the Standard Building Regulation that the minimum floor level for habitable rooms is 292.5m AHD for Georgetown and 600mm above the natural ground level for Mt Surprise. Habitable rooms are defined by the Building Code of Australia.<sup>2</sup></p>	<p>For a Caravan Park or Camping Area internal roads have the following widths:-</p> <ul style="list-style-type: none"> <li>(i) two way - 6m; and</li> <li>(ii) one-way or cul de sac - 4m.</li> </ul> <p>For a Caravan Park or Camping Area vehicle entries to and exits from the site meet the following:-</p> <ul style="list-style-type: none"> <li>(i) for combined entry and exit - 7m minimum width;</li> <li>(ii) for one-way entry - 7m minimum width;</li> <li>(iii) for one-way exit - 5m minimum width; and</li> <li>(iv) vehicle holding area, provided either as a separate bay or as part of a one-way entrance road - minimum dimensions of 4m by 20m.</li> </ul> <p>No Caravan Site, Camping Site or Tourism Accommodation Unit has direct vehicular access to a public road.</p> <p>Emergency service vehicles have unrestricted access to every site and building.</p> <p>One hard stand car parking space is provided for Tourism Accommodation Units.</p> <p>If there is a Manager's Residence, 1 car parking space is provided for the residence.</p>
<p><b><i>Tourism - minor</i></b></p> <p>The provision of an adequate sewerage treatment works.</p>	<p>A design capacity to treat sewerage of 21 or more equivalent persons.<sup>3</sup></p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<sup>2</sup> In the Building Code of Australia, **Habitable room** means a room used for normal domestic activities, and - (a) includes a lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family and sunroom; but (b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

<sup>3</sup> Requires referral co-ordination, refer to Schedule 6 of the Integrated Planning Regulation.

## ***Division 6 – Advertising Devices Code***

### **5.6 Advertising Devices Code**

#### **5.6.1 Overall Outcomes for the Advertising Devices Code**

The Overall Outcomes are the purpose of the Advertising Devices Code and are as follows:-

- (a) advertising devices are safely constructed <sup>1</sup> and secured and do not create a hazard; and
- (b) advertising devices are compatible with the physical characteristics of the site where they are located and the character of the local area.

#### **5.6.2 Application**

This Code applies to an assessable development or accepted development subject to requirements material change of use.

---

<sup>1</sup> If adjacent to electricity works, the proposal should be referred to the relevant electricity entity.

### 5.6.3 Specific Outcomes, Probable Solutions and Acceptable Solutions for the Advertising Devices Code

TABLE 5.5

#### SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT AND ACCEPTABLE SOLUTIONS FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS FOR THE ADVERTISING DEVICES CODE

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted development subject to requirements Development<sup>1</sup></b></p>
<p><b><i>Scale and Design</i></b></p> <p>Are consistent with the scale and design of existing buildings and other works on the site and in the locality where they are located, and do not intrude into aircraft operational areas.</p>	<p>Advertising devices are consistent devices as identified in Schedule 2.</p>
<p><b><i>Siting and Provision</i></b></p> <p>Sited and provided on premises having regard to:-</p> <ul style="list-style-type: none"> <li>(i) maintaining or enhancing the amenity enjoyed by people on the site and in the locality where the devices are located;</li> <li>(ii) avoiding confusion with traffic signs, or reduction in their visibility or conspicuous nature; and</li> <li>(iii) avoiding hazards to vehicular or pedestrian traffic due to their location or illumination.</li> </ul>	<p>An advertising device complies with the criteria stated in Columns 1 and 2 of Table 5.6 and applicable to the differing types of advertising.</p>

### 5.6.4 Meaning of Different Types of Advertising Devices

In this Division:-

"**Awning Sign**" means a sign attached to the fascia of an awning or attached to and supported above or below an awning.

"**Building Sign**" means a sign attached to or on the fascia or wall of a building, erected on a roof or parapet, or projecting horizontally or vertically from the façade, suspended from a bracket attached to a building or on a window for the display of advertisements.

"**Ground Mounted Sign**" means a free-standing sign or a sign on a pole or pylon independent of any building. The term includes any billboard over 4.5m<sup>2</sup> not associated with the use of the premises on which it is located.

"**Portable Sign**" means a sign not fixed in the ground or attached to a building.

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

**TABLE 5.6**  
**ADVERTISING DEVICES CRITERIA**

Column 1 Criteria	Column 2 Dimension
<b>Awning Sign</b>	
(i) Height about or depth <sup>1</sup> below awning	0.5m maximum
(ii) Ground clearance	2.4m minimum
(iii) Width of sign	2.4m maximum but no wider than the awning
(iv) Clearance behind the vertical projection of the kerb for a sign on or below the awning	0.45m minimum
(v) Setback from either awning fascia for a sign above the awning	0.3m minimum
(vi) Distance to any other similar awning sign	4.0m minimum for above the awning and 2.5m for below the awning
<b>Building Sign</b>	
(i) Ground clearance	2.4m minimum
(ii) Clearance out from wall	0.3m maximum or 0.5m if the ground clearance is more than 2.7m
(iii) Projection beyond wall or above parapet	Nil
(iv) Maximum area of a sign or signs fixed to a wall or fascia	25m <sup>2</sup>
(v) A wall sign projecting over a footpath to be behind the vertical projection of the kerb	0.45m minimum
(vi) A hanging sign mounted on the building fascia to have an area and dimension	0.6m <sup>2</sup> maximum and 0.8m maximum
(vii) Area of a fascia mounted all sign	1.25m <sup>2</sup> maximum if mounted between 2.4m and 3.0m above ground level and 3.0m <sup>2</sup> maximum if above awning
(viii) Number of signs per wall	2 maximum
<b>Ground Mounted Sign</b>	
(i) Ground clearance	0.5m minimum for a ground base sign and 2.7m minimum for a pylon sign
(ii) Height above ground	1.5m maximum for a ground base sign and 5.0m maximum for a pylon sign
(iii) Area of each face of sign	3m <sup>2</sup> maximum for a ground base sign and 6.0m <sup>2</sup> maximum for a pylon sign
(iv) Movement or rotation	Nil

<sup>1</sup> Nothing is to be suspended from below an Awning Sign.

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Criteria</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Dimension</b></p>
<p><b>Portable Sign<sup>1</sup></b></p> <p>(i) Area per side</p> <p>(ii) Height</p>	<p>1.2m<sup>2</sup> maximum</p> <p>1.5m maximum</p>

---

<sup>1</sup> Securely fixed to the ground, only visible when the premises are in use and not located on any road or footpath.



## ***Division 7 – Planning Scheme Building Matters Code***

### **5.7 Planning Scheme Building Matters Code**

#### **5.7.1 Overall Outcomes for the Planning Scheme Building Matters Code**

The Overall Outcomes are the purpose of the Planning Scheme Building Matters Code, to ensure that buildings or structures are compatible with the surrounding development.

#### **5.7.2 Application**

This Code applies to an assessable development or accepted development subject to requirements material change of use.

### 5.7.3 Specific Outcomes, Probable Solutions and Acceptable Solutions for the Planning Scheme Building Matters Code

TABLE 5.7

#### SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT AND ACCEPTABLE SOLUTIONS FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS FOR THE PLANNING SCHEME BUILDING MATTERS CODE

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development and Acceptable Solutions for Accepted development subject to requirements Development<sup>1</sup></b></p>
<p><b><i>Built Form</i></b></p> <p>The built form must be compatible with the desired character and amenity of the surrounding area and must not adversely affect the visual amenity.</p>	<p>The maximum height of a building or structure other than electricity works and telecommunications facilities, is 8.5m.</p>
<p><b><i>Building Setbacks<sup>2</sup></i></b></p> <p>Buildings must be setback to:-</p> <ul style="list-style-type: none"> <li>(i) maintain the character of the area; and</li> <li>(ii) achieve separation from the neighbouring buildings and from road frontages.</li> </ul>	<p><b>If new building work associated with Residential or Home-based Industries</b> - boundary clearances comply with Schedule 3.</p> <p><b>If other new building work</b> - for each boundary, the clearance is the same or greater than the least existing clearance from the boundary.</p>
<p><b><i>Landscaping</i></b></p> <p>Landscaping must maintain the character and visual amenity of the surrounding area.</p> <p>If reconfiguring a lot:-</p> <ul style="list-style-type: none"> <li>(i) where possible, vegetated areas and vegetation linkages are retained; and</li> <li>(ii) changes to the natural topography are minimised.</li> </ul>	<p>No Acceptable or Probable Solutions are prescribed.</p>

Note:- The local government has declared by resolution under Section 53 of the Standard Building Regulation that the minimum floor level for habitable rooms is 292.5m AHD for Georgetown and 600mm above the natural ground level for Mt Surprise. Habitable rooms are defined by the Building Code of Australia<sup>3</sup>.

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions) and Section 1.1.9 (Acceptable Solutions).

<sup>2</sup> If adjacent to electricity works, the proposal should be referred to the relevant electricity entity.

<sup>3</sup> In the Building Code of Australia, **Habitable Room** means a room used for normal domestic activities, and - (a) includes a lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family and sunroom; but (b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialized nature occupied neither frequently nor for extended periods.

## **Division 8 – Reconfiguring a Lot Code**

### **5.8 Reconfiguring a Lot Code**

#### **5.8.1 Overall Outcomes for the Reconfiguring a Lot Code**

The Overall Outcomes are the purpose of the Reconfiguring a Lot Code and are as follows:-

- (a) to ensure that an application for a defined use or use class achieves the Specific Outcomes in Table 5.8;
- (b) **if rearranging the boundaries of a lot** - the useability of and access to all lots affected is improved, or maintained to an adequate extent;
- (c) **if creating an access easement from a constructed road** - the useability of and pedestrian and vehicular (which includes emergency vehicles) access to all lots affected is improved, or maintained to an adequate extent;
- (d) **if a new lot or separate part of a lot<sup>1</sup> is created, the lot or part of the lot:-**
  - (i) is, or is capable of being adequately serviced having regard to how the land is proposed to be used and the circumstances of its location; and
  - (ii) has an area, dimensions and suitable areas within the lot consistent with:-
    - the outcomes sought for the Zone in which it occurs and the intended use, or the use approved for the subject land;
    - any significant physical constraints of the land;
    - the provision of appropriate boundary clearances; and
- (e) **if reconfiguring a lot opens a new road, the subdivision design is consistent with:-**
  - (i) the outcomes sought for the Zone in which it occurs and the intended use, or the use approved for the land;
  - (ii) the efficient connection to available services;
  - (iii) any significant physical characteristics of the land, both landscape features and hazards;
  - (iv) the design of adjoining lots; and
  - (v) the provision of pedestrian and vehicular (which includes emergency vehicles) access.

#### **5.8.2 Application**

This Code applies to an assessable development or accepted development subject to requirements material change of use.

---

<sup>1</sup> See definition of “separate part of a lot”.

### 5.8.3 Specific Outcomes and Probable Solutions for the Reconfiguring a Lot Code

TABLE 5.8

#### SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT FOR THE RECONFIGURING A LOT CODE

Column 1 Specific Outcomes	Column 2 Probable Solutions for Assessable Development <sup>1</sup>
<b>RURAL ZONE</b>	
<p><b><i>Area and Dimensions of Lots</i></b></p> <p>Lots must be of sufficient area and dimension to meet the requirements of the users.</p>	<p>Having regard to its intended use, each new lot or separate part of a lot has the following:-</p> <ul style="list-style-type: none"> <li>(i) sufficient area (a minimum area of 1000ha) and suitable proportions; and</li> <li>(ii) adequate frontage to a road (a minimum frontage of 100m).</li> </ul>
<p><b><i>Vehicular Access</i></b></p> <p>Lot reconfigurations must allow for good access to the proposed defined use or use class and assist in the implementation of the road hierarchy.</p>	<p>Appropriate and practical vehicular access to a road such that the access does not significantly detract from the function of the road.</p> <p>Suitable areas within the lot for the location of relevant activities or works.</p> <p>Any new road has a carriageway width of a minimum of 6m within a road reserve width of 20m.</p>
<p><b><i>On-site Services and Facilities</i></b></p> <p>A range of adequate, safe and reliable on-site services and facilities must be provided.</p>	<p>Each new lot or separate part of a lot intended for non-agricultural or non-animal husbandry use is capable of being connected to, or providing for within the lot, an appropriate level of the following:-</p> <ul style="list-style-type: none"> <li>(i) water supply;</li> <li>(ii) sewage treatment;</li> <li>(iii) drainage;</li> <li>(iv) power supply; and</li> <li>(v) telecommunications.</li> </ul>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b>Land Use</b></p> <p>The proposed defined use or use class must be consistent with the intent of the Rural Zone.</p>	<p>New lots are only created to accommodate uses that are consistent with the outcomes sought for the Rural Zone.</p>
<p style="text-align: center;"><b>RESIDENTIAL ZONE</b></p>	
<p><b>Vehicular Access</b></p> <p>Lot reconfigurations must allow for good access to the proposed defined use or use class and assist in the implementation of the road hierarchy.</p>	<p>Each new lot or separate part of a lot has appropriate and practical vehicular access to a road such that the access does not significantly detract from the function of the road.</p> <p>Any new road has a carriageway width of 8m within a road reserve of 20m.</p>
<p><b>On-site Services and Facilities</b></p> <p>A range of adequate, safe and reliable on-site services and facilities must be provided.</p>	<p>Each new lot or separate part of a lot is capable of being connected to, or providing for within the lot, an appropriate level of the following:-</p> <ul style="list-style-type: none"> <li>(i) water supply;</li> <li>(ii) sewage treatment;</li> <li>(iii) drainage;</li> <li>(iv) power supply; and</li> <li>(v) telecommunications.</li> </ul>
<p><b>Residential Use</b></p> <p>Each new lot or separate part of a lot has adequate useable area to allow for:-</p> <ul style="list-style-type: none"> <li>(i) a dwelling unit and ancillary buildings to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding and other hazard;</li> <li>(ii) adequate useable open space for the occupants;</li> <li>(iii) parking for at least one car; and</li> <li>(iv) reasonable vehicular access for a car from the road to a site for the dwelling unit.</li> </ul>	<p>Each new lot or separate part of a lot has the following:-</p> <ul style="list-style-type: none"> <li>(i) a minimum area of 800m<sup>2</sup>;</li> <li>(ii) minimum dimensions within the lot or separate part of a lot of 14m by 20m;</li> <li>(iii) <b>if not a rear lot</b>, a minimum road frontage of 20m; and</li> <li>(iv) <b>if a rear lot</b>, an access strip with the following:- <ul style="list-style-type: none"> <li>• a minimum width of 3.5m and a 1m chord flare at the road reserve; and</li> <li>• a maximum length of 35m.</li> </ul> </li> </ul>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b><i>Non-residential Use</i></b></p> <p>Having regard to its intended use, each new lot or separate part of a lot has the following:-</p> <ul style="list-style-type: none"> <li>(i) sufficient area and suitable proportion;</li> <li>(ii) adequate frontage to a road; and</li> <li>(iii) suitable areas within the lot for the location of relevant activities or works.</li> </ul>	<p>An area and dimensions as set out for the use or appropriate Zone.</p>
<p style="text-align: center;"><b>COMMERCIAL ZONE</b></p>	
<p><b><i>Vehicular Access</i></b></p> <p>Lot reconfigurations must allow for good access to the proposed defined use or use class and assist in the implementation of the road hierarchy.</p>	<p>Each new lot or separate part of a lot has appropriate and practical vehicular access to a road such that the access does not significantly detract from the function of the road.</p> <p>Any new road has a carriageway width of 8m within a road reserve of 20m.</p>
<p><b><i>On-site Services and Facilities</i></b></p> <p>A range of adequate, safe and reliable on-site services and facilities must be provided.</p>	<p>Each new lot or separate part of a lot is capable of being connected to, or providing for within the lot, an appropriate level of the following:-</p> <ul style="list-style-type: none"> <li>(i) water supply;</li> <li>(ii) sewage treatment;</li> <li>(iii) drainage;</li> <li>(iv) power supply; and</li> <li>(v) telecommunications.</li> </ul>
<p><b><i>Commercial Uses</i></b></p> <p>Each new lot or separate part of a lot has adequate useable area to allow for:-</p> <ul style="list-style-type: none"> <li>(i) buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard;</li> <li>(ii) parking for one car for each 30m<sup>2</sup> of gross floor area; and</li> <li>(iii) reasonable vehicular access from the road.</li> </ul>	<p>Each new lot or separate part of a lot has the following:-</p> <ul style="list-style-type: none"> <li>(i) minimum area of 450m<sup>2</sup> if in the serviced area otherwise 1000m<sup>2</sup>; and</li> <li>(ii) a minimum road frontage of 10m.</li> </ul>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b><i>Non-commercial Uses</i></b></p> <p>Having regard to its intended use, each new lot or separate part of a lot has the following:-</p> <ul style="list-style-type: none"> <li>(i) sufficient area and suitable proportions;</li> <li>(ii) adequate frontage to a road;</li> <li>(iii) suitable areas within the lot for the location of relevant activities or works; and</li> <li>(iv) parking spaces as required by the Code.</li> </ul>	<p>An area and dimension as set out for the use or appropriate Zone.</p> <p>Parking requirements as set out for the defined use or use class.</p>
<p style="text-align: center;"><b>INDUSTRIAL ZONE</b></p>	
<p><b><i>Vehicular Access</i></b></p> <p>Lot reconfigurations must allow for good access to the proposed defined use or use class and assist in the implementation of the road hierarchy.</p>	<p>Each new lot or separate part of a lot has appropriate and practical vehicular access to a road such that the access does not significantly detract from the function of the road.</p> <p>Any new road has a carriageway width of 8m, with a road reserve of 20m or such greater width required for the traffic using the road.</p>
<p><b><i>On-site Services and Facilities</i></b></p> <p>A range of adequate, safe and reliable on-site services and facilities must be provided.</p>	<p>Each new lot or separate part of a lot is capable of being connected to, or providing for within the lot, an appropriate level of the following:-</p> <ul style="list-style-type: none"> <li>(i) water supply;</li> <li>(ii) sewage treatment;</li> <li>(iii) drainage;</li> <li>(iv) power supply; and</li> <li>(v) telecommunications.</li> </ul>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b><i>Industrial Uses</i></b></p> <p>Each new lot or separate part of a lot has adequate useable area to allow for:-</p> <ul style="list-style-type: none"> <li>(i) buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard;</li> <li>(ii) parking for one car for each 50m<sup>2</sup> of gross floor area or one car for each 100m<sup>2</sup> of gross floor area for a Special Industry on a large site; and</li> <li>(iii) reasonable vehicular access from the road.</li> </ul>	<p>Each new lot or separate part of a lot has the following:-</p> <ul style="list-style-type: none"> <li>(i) a minimum area of 1000m<sup>2</sup> if in the serviced area otherwise 2000m<sup>2</sup>; and</li> <li>(ii) a minimum road frontage of 20m.</li> </ul>
<p><b><i>Non-industrial Uses</i></b></p> <p>Having regard to its intended use, each new lot or separate part of a lot has the following:-</p> <ul style="list-style-type: none"> <li>(i) sufficient area and suitable proportions;</li> <li>(ii) adequate frontage to a road;</li> <li>(iii) suitable areas within the lot for the location of relevant activities or works; and</li> <li>(iv) parking spaces as required by the Code.</li> </ul>	<p>An area and dimension as set out for the use or appropriate Zone.</p> <p>Parking requirements as set out for the use.</p>
<p><b>COMMUNITY INFRASTRUCTURE ZONE</b></p>	
<p><b><i>Vehicular Access</i></b></p> <p>Lot reconfigurations must allow for good access to the proposed defined use or use class and assist in the implementation of the road hierarchy.</p>	<p>Each new lot or separate part of a lot has appropriate and practical vehicular access to a road that does not significantly detract from the function of the road.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).



<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b><i>On-site Services and Facilities</i></b></p> <p>A range of adequate, safe and reliable on-site services and facilities must be provided.</p>	<p>Each new lot or separate part of a lot is capable of being connected to, or providing for within the lot, an appropriate level of the following:-</p> <ul style="list-style-type: none"> <li>(i) water supply;</li> <li>(ii) sewage treatment;</li> <li>(iii) drainage;</li> <li>(iv) power supply; and</li> <li>(v) telecommunications.</li> </ul>
<p><b><i>Community Infrastructure Uses</i></b></p> <p>Each new lot or separate part of a lot has adequate useable area to allow for:-</p> <ul style="list-style-type: none"> <li>(i) buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazards;</li> <li>(ii) adequate useable open space for the occupants;</li> <li>(iii) parking spaces required by the Code; and</li> <li>(iv) reasonable vehicular access for a car from the road to a site for the Dwelling House.</li> </ul>	<p>Each new lot or separate part of a lot has the following:-</p> <ul style="list-style-type: none"> <li>(i) a minimum area of 800m<sup>2</sup>; and</li> <li>(ii) a minimum road frontage of 20m.</li> </ul>
<p><b><i>Non-residential Use</i></b></p> <p>Having regard to its intended use, each new lot or separate part of a lot has the following:-</p> <ul style="list-style-type: none"> <li>(i) sufficient area and suitable proportions;</li> <li>(ii) adequate frontage to a road; and</li> <li>(iii) suitable areas within the lot for the location of relevant activities or works.</li> </ul>	<p>An area and dimension as set out for the use or appropriate Zone.</p> <p>Parking requirements as set out for the use.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

## ***Division 9 – General Development Code***

### **5.9 General Development Code**

#### **5.9.1 Overall Outcomes for the General Development Code**

The Overall Outcomes are the purpose of the General Development Code and are as follows:-

- (a) ensure that defined uses or use classes provides a level of amenity commensurate with that of existing localities; and
- (b) provide for the safety and health requirements for Residential and Commercial Activities.

#### **5.9.2 Application**

This Code applies to an assessable development or accepted development subject to requirements material change of use and reconfiguration of a lot.

### 5.9.3 Specific Outcomes and Probable Solutions for the General Development Code

TABLE 5.9

**SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR ASSESSABLE DEVELOPMENT FOR THE GENERAL DEVELOPMENT CODE**

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b><i>Boundary Roads</i></b></p> <p>Proposals aid in the orderly and proper acquisition of land.</p>	<p>A new road having one half the width of any other road in that locality is provided where a proposal for such a road occurs at the boundary of the land and the land is in two or more ownerships. Concrete kerb and channel is required along the frontage or frontages in urban areas.</p>
<p><b><i>Electricity</i></b></p> <p>Residential, Commercial and Industrial uses are supplied with electricity where supply is practical.</p>	<p>The proposal demonstrates that a supply of electricity is approved, where a supply is practical, prior to Council's endorsement on the plan of survey.</p>
<p><b><i>External Works</i></b></p> <p>Any defined uses or use classes are to provide for external works relative to its size and scale and location in an urban or rural area.</p>	<p>Proposals include:-</p> <ul style="list-style-type: none"> <li>(i) construction of concrete kerb and channel for the full length of the frontage or frontages of the site if such standard of kerb and channel exists within 100m of the development;</li> <li>(ii) grading of the footpath for the full length of the frontage or frontages of the site;</li> <li>(iii) crossings over channel and footpath;</li> <li>(iv) a constructed footpath for the full length of the frontage or frontages of the site if such standard of constructed footpath exists within 100m of the development;</li> <li>(v) where the road is not fully paved, the paving of the road with bitumen between the existing pavement and the channel if such standard of paved road exists within 100m of the development; and</li> </ul>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
	<p>(vi) where the road is not paved, the construction of the carriageway and the paving with bitumen from the lip of the channel to the centre-line for half the width of the carriageway or for a width of 6 metres, whichever is greater. Where concrete kerb and channel is not required, for a width of 6 metres if such standard of road exists within 100m of the development.</p>
<p><b>Landscaping</b></p> <p>The visual amenity in any locality is enhanced by proposals that incorporate landscaping appropriate to the area in the density and height of the vegetation proposed.</p> <p>Visual screening by mounds, screen walls, or the planting of trees and shrubs.</p>	<p>Existing vegetation to be retained.</p>
<p><b>Lighting</b></p> <p>Any proposed lighting has no adverse impacts on the surrounding residential areas.</p>	<p>The level of illumination at the boundary of the site does not exceed 8 lux measured at any level upwards from the ground level.</p> <p>Lighting is shielded or screened in a manner that causes minimal impact on adjoining properties.</p>
<p><b>Parking, Loading and Unloading</b></p> <p>Car parking does not hinder or obstruct the use of any area by pedestrians or other vehicles.</p> <p>Parking areas are laid out in such a manner as to provide adequate access to each parking space and to permit free circulation of vehicles entering, leaving and parking.</p> <p>Provision is made for on-site car parking to meet the demand likely to be generated by the use or appropriate zone.</p>	<p>Parking spaces comply with Table 5.10 - Areas and Dimensions.</p> <p>Access to parking spaces is provided from an aisle with an unobstructed width of at least 6.2 metres.</p> <p>For a parallel parking space the minimum dimensions are 6.2 metres by 2.6 metres.</p> <p>Car parking spaces for particular uses are in accordance with Table 5.11 - Number of Car Parking Spaces Required.</p> <p>The gradient of a parking space does not exceed 10 per cent.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p>Parking of heavy vehicles has no detrimental effect on the amenity of residential areas.</p>	<p>Parking areas are:-</p> <ul style="list-style-type: none"> <li>(i) drained, sealed, marked and signed;</li> <li>(ii) readily accessible for vehicular use and designed so that vehicles can enter and leave the premises in forward gear;</li> <li>(iii) not closer than 3 metres from the alignment of any structure;</li> <li>(iv) not closer than 3 metres to any boundary of the site;</li> <li>(v) landscaped;</li> <li>(vi) provided with trolley bay areas, pedestrian walkways and devices to facilitate safe pedestrian circulation; and</li> <li>(vii) provided with motorbike and cycle parking spaces.</li> </ul> <p>Parking areas are located within the site on which the use is to be conducted.</p> <p>Adequate space is provided for the loading, unloading and fuelling of vehicles, for the parking of trailers and for the picking up and setting down of passengers.</p> <p>Heavy vehicles used for the cartage of livestock are not parked in a Residential Zone except for the prime mover exclusive of any trailers.</p> <p>Where parking a heavy vehicle on land used for residential purposes occurs, provision is made to house the vehicle in a Class 1 or Class 10 building;</p> <p>or</p> <p>The vehicle is parked behind the front building alignment.</p>
<p><b><i>Provision of Water</i></b></p> <p>Every Residential, Commercial or Industrial building outside the Council service area is provided with an adequate potable water supply.</p>	<p>Rainwater storage tanks have a minimum capacity of 4,500 litres.</p> <p>Where rainwater storage tanks are not supplied, a dam, dams or bore supply is available.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Specific Outcomes</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Probable Solutions for Assessable Development<sup>1</sup></b></p>
<p><b>Sewerage</b></p> <p>Outside the Council service area acceptable methods of sewage and sullage waste disposal protect the environment and the health of residents.</p>	<p>Methods of sewage disposal comply with the Department of Natural Resources and Mines On-site Sewerage Code and AS/NZS 1547:2000.</p>
<p><b>Storage</b></p> <p>Storage of equipment, materials, machinery or tools has no detrimental effect on the visual amenity of a residential area.</p>	<p>All equipment, materials, machinery or tools of trade in any business, profession, trade or hobby are housed in a Class 1 or Class 10 building or screened.</p>
<p><b>Vegetation</b></p> <p>The visual amenity of the surrounding uses and of the Shire is protected.</p> <p>A defined use or use class does not adversely impact on the ecological or landscape values of vegetation.</p>	<p>Trees and shrubs whether natural growth or planted are retained on the site except where on the site of a proposed building construction or posing a fire hazard to the development.</p> <p>Vegetation is retained within:-</p> <ul style="list-style-type: none"> <li>(i) 50 metres of the high bank of a river; and/or</li> <li>(ii) 25 metres of the bank of any other watercourse.</li> </ul>
<p><b>Drainage and Filling</b></p> <p>The drainage or filling of land to enable its use.</p>	<p>Council requirements, which will be a condition of development, are met.</p> <p>The movement of material shall not cause a dust nuisance.</p> <p>There is no adverse impact on adjacent premises.</p>
<p><b>Site Access</b></p> <p>The movement of vehicles, including emergency vehicles, into and out of the site is facilitated.</p>	<p>The site layout facilitates the movement of traffic without impacting on the flow of traffic on the adjoining road or roads.</p>
<p><b>Awnings Over Footpaths</b></p> <p>In the Commercial Zone protection for pedestrians from severe climatic conditions is to be provided.</p>	<p>Proposals to provide covered walkways or awnings over pedestrian walkways.</p>

<sup>1</sup> Refer to Section 1.1.8 (Probable Solutions).

**TABLE 5.10 – AREAS AND DIMENSIONS**

Type of Car Parking Space	Clear Minimum Width (metres)	Clear Minimum Length (metres)
Unobstructed, i.e. not contiguous to a wall or obstruction	2.75	6.2
Contiguous to wall or obstruction on one side	2.8	6.2
Contiguous to wall or obstruction on both sides	3.2	6.2

**TABLE 5.11 – NUMBER OF CAR PARKING SPACES REQUIRED**

Purpose	Minimum Number of Parking Spaces
Accommodation Building, Duplex Dwelling and Multiple Dwelling	1 covered space per unit plus 1 space per 10 units or part thereof for visitor parking.
Bulk storage and landscape services	2 spaces for every 5 employees or 1 space for each 100m <sup>2</sup> of gross floor area whichever is the greater provided that a minimum of 4 spaces shall be provided.
Community Facilities being a Child Care Centre	1 space per employee plus an on-site passenger set down and pickup area determined on the basis of 2 spaces for each space provided for employees.
Business and Showroom	1 space for each 30m <sup>2</sup> gross floor area.
Community Facilities being Educational Facilities	For primary schools, 1 space per staff member. For secondary schools and tertiary education, 1.5 spaces per staff member, plus in both cases, a paved pickup and set down area for buses, and a visitor car park.
Hospital	1 space per 4 beds plus 1 space per 2 employees plus 1 space per staff doctor plus a separate area for emergency vehicles.
Community Facilities being a Place of Worship	1 space per 10 seats or places.
Hotel	1 space per guest suite plus 1 space per 5m <sup>2</sup> of lounge, bar and beer garden area, plus 1 space per 3 employees, plus 1 space per 15m <sup>2</sup> of gross floor area of liquor barn or bulk liquor sales plus space for 12 cars in any drive-in bottle shop.
Industry	1 space per 100m <sup>2</sup> of gross floor area; and 2 spaces for every 5 employees or 1 space for each 100m <sup>2</sup> of gross floor area whichever is the greater provided that a minimum of 4 spaces shall be provided.
Medical Centre, dental or para-medical practitioner	2 spaces per consulting room.
Motel	1 space per unit plus 1 space per 20m <sup>2</sup> of gross floor area of any restaurant.

Purpose	Minimum Number of Parking Spaces
Service Station	4 spaces per service bay with a minimum of 4 spaces plus 1 space per 15m <sup>2</sup> of gross floor area or part thereof of any restaurant or takeaway food area plus 1 space per 30m <sup>2</sup> of gross floor area of any other area.
Shop	1 space per 20m <sup>2</sup> of retail floor space plus 1 space per 50m <sup>2</sup> of storage floor space.
Squash or tennis courts	4 spaces per court.
Veterinary services	1 space per 100m <sup>2</sup> of gross floor area or 4 spaces per consulting room, whichever is the greater.
Any other purpose not stated in this Table, or not specified elsewhere in this planning scheme.	Sufficient spaces to accommodate the amount of vehicular traffic likely to be generated by the particular development.

Note:- Where the number of parking spaces required is not a whole number, the number required is the next highest whole number.



# **SCHEDULES**

# SCHEDULE 1 – INFRASTRUCTURE

## PART 1 – PLANNED INFRASTRUCTURE

Table 1.1 identifies the planned standards of service for infrastructure in the local government area.

**TABLE 1.1**  
**INFRASTRUCTURE STANDARDS**

<b>Column 1</b> <b>Location</b>	<b>Column 2</b> <b>Infrastructure Standards of Service</b>
Urban Areas	Water supply - 3600l/tenement/day Sewerage/septic - 750l/tenement/day Other infrastructure - No standards of service stated
Rural Areas	No existing or planned infrastructure systems

## **PART 2 – SERVICED AREAS**

The Maps identify the serviced areas.

## **PART 3 – CONSTRUCTION STANDARDS FOR INFRASTRUCTURE WORKS**

The construction standards for infrastructure works, including works for reconfiguring of a lot, in the local government area, are the following<sup>1</sup>:-

- (i) **for roads and drainage** - Institute of Public Works Engineers of Australia (IPWEA) Standard Drawings;
- (ii) **for water supply**:-
  - Water Reticulation Code of Australia (WSA03-1999); or
  - if the matter is not dealt with by WSA03-1999, the IPWEA Standard Drawings; and
- (iii) **for sewerage**:-
  - Sewerage Code of Australia (WSA02-1999);
  - Sewage Pumping Station Code (WSA04-2001);
  - Plumbing and Drainage Act 2002; or
  - if the matter is not dealt with by WSA02-1999 or WSA04-2001, the IPWEA Standard Drawings.

---

<sup>1</sup> In accordance with Section 23 of the Statutory Instruments Act 1992, the documents referred to are those current at the time.

## SCHEDULE 2 – CONSISTENT ADVERTISING DEVICES

The following Advertising Devices<sup>1</sup> are consistent with the Specific Outcomes sought:-

**TABLE 2.1**  
**ADVERTISING DEVICES**

Location of Sign	Sign Type
Awning Sign	above awning below awning on awning fascia
Building Sign	building fascia building wall building roof mounted on building projecting wall sign window sign
Ground Mounted Sign	pylon pole billboard
Portable Sign	portable sign

---

<sup>1</sup> The types of advertising devices are defined in the Advertising Devices Code, Section 6.6.

## SCHEDULE 3 – BOUNDARY CLEARANCES FOR DWELLING HOUSES, DWELLING UNITS, DUPLEX DWELLINGS OR MULTIPLE DWELLINGS AND ASSOCIATED BUILDINGS AND STRUCTURES

The boundary clearances in the Table 3.1 apply to:-

- (a) each Dwelling House on a lot; and
- (b) non-habitable room buildings or structures located on the same lot as a Dwelling House.

However, the above subsection does not apply to:-

- (a) a screen or fence not more than 2m in height if not on a corner lot; or
- (b) a structure that is not part of a building and that is not more than 1m in height.

**TABLE 3.1**  
**BOUNDARY CLEARANCES**

Column 1 Boundary	Column 2 Dimension of Clearance
<b><i>Road Boundary if not a Corner Lot</i></b>	
Within townships	6m
Exception for open carport	up to the boundary
Outside townships	50 metres adjacent to a sealed road or 100 metres adjacent to an unsealed road, with both measured from the centre line of the road formation
<b><i>Road Boundary if a Corner Lot</i></b>	
Within townships	6m on both road frontages
Exception for fences, screens, ornamental structures and the like if:-	
(i) the structure is 1m or less;	up to the boundary
(ii) the structure is between 1m and 2m; and	up to a 6m by 6m, three equal chord truncation of the corner
(iii) the structure is more than 2m	up to a 12m by 12m chord truncation of the corner
Outside townships	50 metres adjacent to a sealed road or 100 metres adjacent to an unsealed road, with both measured from the centre line of the road formation

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Boundary</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Dimension of Clearance</b></p>
<p><b><i>Side and Rear Boundaries</i></b></p>	
<p>Usual standard if the maximum height of the building or structure is:-</p> <p>(i) 4.5m or less;</p> <p>(ii) between 4.5m and 7.5m;</p> <p>(iii) greater than 7.5m; and</p> <p>(iv) stepped</p>	<p>not less than 1.5m</p> <p>not less than 2.0m</p> <p>not less than 2.0m plus 0.5m for every 3m or part of 3m by which the height is greater than 7.5m</p> <p>the boundary clearance corresponding to the height of each step</p>
<p>Exception for narrow rectangular or near rectangular lots if the maximum height of the building or structure is 4.5m or less and the road frontage is:-</p> <p>(i) 15.001--15.500m</p> <p>(ii) 14.501--15.000m</p> <p>(iii) 14.001--14.500m</p> <p>(iv) 13.501--14.000m</p> <p>(v) 13.001--13.500m</p> <p>(vi) 12.501--13.000m</p> <p>(vii) 12.001--12.500m</p> <p>(viii) 11.501--12.000m</p> <p>(ix) 11.001--11.500m</p> <p>(x) 10.501--11.000m</p> <p>(xi) 10.500m or less</p>	<p>1.5m</p> <p>1.425m</p> <p>1.35m</p> <p>1.275m</p> <p>1.2m</p> <p>1.125m</p> <p>1.05m</p> <p>0.975m</p> <p>0.9m</p> <p>0.825m</p> <p>0.75m</p>

<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Boundary</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Dimension of Clearance</b></p>																																																																		
<p>Exception for narrow rectangular or near rectangular lots if the maximum height of the building or structure is between 4.5m and 7.5m and the road frontage is:-</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 5%;">(i)</td><td style="width: 85%;">15.001--15.500m</td><td style="width: 10%;"></td></tr> <tr><td>(ii)</td><td>14.501--15.000m</td><td></td></tr> <tr><td>(iii)</td><td>14.001 --14.500m</td><td></td></tr> <tr><td>(iv)</td><td>13.501--14.000m</td><td></td></tr> <tr><td>(v)</td><td>13.001--13.500m</td><td></td></tr> <tr><td>(vi)</td><td>12.501--13.000m</td><td></td></tr> <tr><td>(vii)</td><td>12.001--12.500m</td><td></td></tr> <tr><td>(viii)</td><td>11.501--12.000m</td><td></td></tr> <tr><td>(ix)</td><td>11.001--11.500m</td><td></td></tr> <tr><td>(x)</td><td>10.501 --11.000m</td><td></td></tr> <tr><td>(xi)</td><td>10.500m or less</td><td></td></tr> </table>	(i)	15.001--15.500m		(ii)	14.501--15.000m		(iii)	14.001 --14.500m		(iv)	13.501--14.000m		(v)	13.001--13.500m		(vi)	12.501--13.000m		(vii)	12.001--12.500m		(viii)	11.501--12.000m		(ix)	11.001--11.500m		(x)	10.501 --11.000m		(xi)	10.500m or less		<table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 5%;"></td><td style="width: 85%;"></td><td style="width: 10%; text-align: center;">2.0m</td></tr> <tr><td></td><td></td><td style="text-align: center;">1.9m</td></tr> <tr><td></td><td></td><td style="text-align: center;">1.8m</td></tr> <tr><td></td><td></td><td style="text-align: center;">1.7m</td></tr> <tr><td></td><td></td><td style="text-align: center;">1.6m</td></tr> <tr><td></td><td></td><td style="text-align: center;">1.5m</td></tr> <tr><td></td><td></td><td style="text-align: center;">1.4m</td></tr> <tr><td></td><td></td><td style="text-align: center;">1.3m</td></tr> <tr><td></td><td></td><td style="text-align: center;">1.2m</td></tr> <tr><td></td><td></td><td style="text-align: center;">1.1m</td></tr> <tr><td></td><td></td><td style="text-align: center;">1.0m</td></tr> </table>			2.0m			1.9m			1.8m			1.7m			1.6m			1.5m			1.4m			1.3m			1.2m			1.1m			1.0m
(i)	15.001--15.500m																																																																		
(ii)	14.501--15.000m																																																																		
(iii)	14.001 --14.500m																																																																		
(iv)	13.501--14.000m																																																																		
(v)	13.001--13.500m																																																																		
(vi)	12.501--13.000m																																																																		
(vii)	12.001--12.500m																																																																		
(viii)	11.501--12.000m																																																																		
(ix)	11.001--11.500m																																																																		
(x)	10.501 --11.000m																																																																		
(xi)	10.500m or less																																																																		
		2.0m																																																																	
		1.9m																																																																	
		1.8m																																																																	
		1.7m																																																																	
		1.6m																																																																	
		1.5m																																																																	
		1.4m																																																																	
		1.3m																																																																	
		1.2m																																																																	
		1.1m																																																																	
		1.0m																																																																	
<p>Exception for narrow rectangular or near rectangular lots if the maximum height of the building or structure is greater than 7.5m and the road frontage is 15.5m or less</p>	<p>not less than 2.0m plus 0.5m for every 3m by which the height is greater than 7.5m</p>																																																																		
<p>Exception for private garages, carports, sheds or the like if:-</p> <p>(i) the maximum height of the building is not more than 4.5m and the mean height is not more than 3.5m;</p> <p>Note:- Mean height is the total elevational area of the building divided by the horizontal length of the building facing the boundary.</p>	<p>up to the boundary</p>																																																																		



<p style="text-align: center;"><b>Column 1</b></p> <p style="text-align: center;"><b>Boundary</b></p>	<p style="text-align: center;"><b>Column 2</b></p> <p style="text-align: center;"><b>Dimension of Clearance</b></p>
<p>(ii) the total length of all buildings facing and within the usual clearance of the relevant boundary is not greater than 9m; and</p> <p>(iii) the building is at least 1.5 m from the window of each habitable room in an existing building on an adjoining lot</p>	
<p>Exception for a pergola or other structure if:-</p> <p>(i) not enclosed or roofed;</p> <p>(ii) not more than 2.4m in height at the boundary; and</p> <p>(iii) primarily ornamental or for horticultural purposes</p>	<p>up to the boundary</p>

## SCHEDULE 4 – DICTIONARY

### 4.1 Definitions

#### *Division 1 – Defined Uses and Use Classes*

The defined uses are listed in classes of activities and are:-

#### **COMMERCIAL ACTIVITIES**

- Business
- Hotel
- Medical Centre
- Service Station
- Shop
- Showroom

#### **COMMUNITY ACTIVITIES**

- Aerodrome
- Community Facilities
- Community Infrastructure

#### **INDUSTRIAL ACTIVITIES**

- Industry
- Extractive Industry
- Special Industry

#### **RECREATIONAL ACTIVITIES**

- Sport and Recreation
- Tourism
- Tourism - minor
- Tourism - major

#### **RESIDENTIAL ACTIVITIES**

- Accommodation Building
- Caretaker's Residence
- Duplex Dwelling
- Dwelling House
- Home-based Industry
- Motel
- Multiple Dwelling

#### **RURAL ACTIVITIES**

- Agriculture
- Animal Husbandry
- Intensive Agriculture
- Minor Aquaculture
- Station Homestead

The following terms have the meanings assigned to them:-

#### **COMMERCIAL ACTIVITIES**

**“Business”** means the use of premises whether or not licensed, for the provision of business and professional advice, administrative functions, goods or services, and places for the consumption of food.

The use includes the hiring out of small domestic items such as appliances, entertainment, sporting and health equipment, the exchange of domestic items and clothing, the provision and supply of personal services such as betting, hair and beauty care, laundering, dry cleaning and other customer services, and facilities commonly described as bank, building society, credit union, cafes, fast food outlets, professional offices, and restaurants.

**“Hotel”** means the use of premises for the sale of liquor for consumption on the premises subject to a General Licence issued under the Liquor Act 1992.

The use includes facilities for the sale of liquor for consumption off the premises, dining activities, entertainment activities and short term residential accommodation.

**“Medical Centre”** means the use of premises for the medical or para-medical care or treatment of persons, and which does not involve accommodation on the site.

The use includes care or treatment by practitioners such as an acupuncturist, chiropodist, naturopath, chiropractor, dentist, general or specialist medical practitioner, optometrist, pathologist, physiotherapist or radiologist, and where ancillary, a pharmacy.

**“Service Station”** means the use of premises for the retail sale of motoring requirements such as fuels, lubricants, oils and greases, batteries, tyres, spare parts and auto accessories, to the travelling public. The following activities are also included when conducted as ancillary activities:-

- the maintenance, service and repair of motor vehicles;
- the hire of a limited range of vehicles or trailers;
- the washing of motor vehicles for a fee, including facilities provided for the public to wash their own vehicles; and/or
- the sale of convenience items to the travelling public.

**“Shop”** means the use of premises for the display and retail sale of goods.

The use includes facilities commonly described as a shop, supermarket, stall or market.

The term does not include activities defined under the term “Showroom”.

**“Showroom”** means the use of premises for the display and sale, by retail or by auction, goods such as:-

- building and construction materials, with or without hardware;
- camping goods;
- carpets and floor coverings;
- furniture;
- large electrical goods and appliances;
- garden supplies including plants, tools, garden furniture and equipment and other products for use in gardening and landscaping;
- motor vehicle accessories and spare parts;
- vehicles including cars, trucks, motor cycles, boats, caravans, trailers and relocatable homes; and
- produce, animal fodder, farming goods and equipment.

The use includes facilities commonly described as garden centre, produce market, produce store, car and truck sales yard, vehicle showrooms and auction yard.

## COMMUNITY ACTIVITIES

**“Aerodrome”** means the use of premises for the landing and take-off of commercial aircraft and includes the storage, servicing and repair of aircraft and the provision of staff facilities, passenger facilities and freight storage, and handling.

**“Community Facilities”** means the use of premises for the purposes of the following types:-

- community and cultural facilities, including child care facilities, community centres, meeting halls, galleries, libraries, club houses, and places of worship;
- educational facilities; and
- hospitals.

**“Community Infrastructure”** means the use of premises for any undertaking for the supply of water, hydraulic power, electricity, gas, telephone, sewerage, sewerage treatment plant, drainage, refuse collection, refuse disposal, transport services and emergency services.

## INDUSTRIAL ACTIVITIES

**“Industry”** means the use of premises for making, assembling, breaking up, servicing, storing or repairing goods or treating of wastes including the use of premises for:-

- mechanical repair garage, including panel beating where not ancillary to a Service Station;
- boat building and repairing;
- bulk store;
- seafood processing and storage;
- slipway, wharf and marine engineering;
- storage yard;
- transport depot; and
- warehouse.

**“Extractive Industry”** means the use of premises for extracting sand, gravel, clay, soil, rock, stone or similar material from land. The use includes the screening, crushing, grinding, milling and storage of material.

**“Special Industry”** means the use of premises for any Industry where in order to operate, a license issued by the Environmental Protection Agency or its successor is required.

## RECREATIONAL ACTIVITIES

**“Sport and Recreation”** means the use of premises for sport, physical exercise, recreation or public entertainment whether indoors or outdoors.

The use includes facilities commonly described as amusement and leisure centres, cinemas, commercial sports grounds, dance clubs, drive-in cinemas, function centres, gymnasiums, music clubs, nightclubs, pony clubs, racecourses, reception rooms, showgrounds, sports centres, theatres, and theme parks, and also includes a clubhouse and ancillary buildings associated with the activities.

**“Tourism”** means the use of premises for the provision of accommodation, homestays, small eco-tourism, recreation, entertainment, shopping or similar facilities used by the general tourist public, the term includes self-contained tourist facilities. The term also includes a Caravan Park and Camping Areas.

The components of the use are:-

**“Tourism - minor”** being tourism not involving a facility with accommodation for less than 21 people, including staff; and

**“Tourism - major”** being tourism involving a facility with accommodation for more than 20 people, including staff and being a prescribed application requiring referral co-ordination.

## **RESIDENTIAL ACTIVITIES**

**“Accommodation Building”** means the use of premises for residential purposes where there is common use of some areas, such as cooking, eating or dining facilities such as a boarding house, guesthouse, hostel and home for the aged.

**“Caretaker’s Residence”** means the use of premises for the purposes of self-contained accommodation for the use by a caretaker, including their household, who is employed for care taking or management purposes in connection with a commercial, industrial, recreational or other non-residential use conducted on the premises.

**“Duplex Dwelling”** means the Residential use of premises for two dwelling units on the same lot, sharing a common wall.

**“Dwelling House”** means the self-contained Residential use of premises where there is one dwelling unit located on its own lot and may include a bed and breakfast facility or temporary accommodation. A bed and breakfast may provide accommodation for up to 3 visitors using one bedroom, with a floor area no greater than 25m<sup>2</sup>. Temporary accommodation may provide accommodation while building a housing for a period of six months until a permanent dwelling is constructed.

**“Home-Based Industry”** means any premises used by persons, resident upon a lot, for the conduct of a business, commercial or professional enterprise within a Dwelling House or the curtilage of a Dwelling House. A Home-based Industry may also include bed and breakfast facilities, refer to Home-based Industry Code.

**“Motel”** means the Residential use of premises for the temporary accommodation of persons travelling by motor vehicle and may include a public restaurant.

**“Multiple Dwelling”** means the Residential use of premises if there are three or more dwellings on the same lot.

## **RURAL ACTIVITIES**

**“Agriculture”** means the use of premises for the raising of crops and the growing of flowers, fruit, plants, trees and vegetables for commercial purposes.

**“Animal Husbandry”** means the use of premises for the keeping, boarding, breeding, fattening, or training of animals, reptiles and the like for commercial purposes.

**“Intensive Agriculture”** means the use of premises for the commercial or non-domestic operations involving aquaculture facilities or the raising, keeping or farming of animals at a density which requires supplementary feeding and contained in feedlots, sheds or pens. Aquaculture as defined under the *Fisheries Act* (except Minor Aquaculture as separately defined)<sup>1</sup>.

**“Minor Aquaculture”** means the cultivation of live fisheries resources where the premises involve freshwater tanks with a total production area of less than 2000m<sup>2</sup> (or less than 75m<sup>2</sup> where oxygen injection is used), or freshwater ponds with a total surface area of less than 5ha, and no off site discharge of waste from the tanks or ponds to natural waters.

**“Station Homestead”** means the use of premises for residential and associated community and recreational purposes by one or more households in rural locations and includes the erection and use of more than one dwelling house, outstations and any associated landing ground.

---

<sup>1</sup> The Fisheries Act 1994 defines aquaculture as “the cultivation of live fisheries resource for sale other than in circumstances prescribed under a regulation.

## **Division 2 – Administrative Terms**

The following terms are defined in the *Planning Act 2016* or the *Planning Regulation 2017*:-

assessable development  
building  
building work  
code assessment  
development  
ecological sustainability  
accepted development  
impact assessment  
lot  
material change of use  
operational work  
owner  
person  
planning scheme  
premises  
road  
urban area  
use

The defined administrative terms are:-

Acceptable Solutions  
accommodation unit  
advertising devices  
ancillary  
Caravan Park  
Council  
dwelling unit  
floor area  
frontage  
gross floor area  
minor extension  
non-habitable room building  
non-habitable room structure  
Overlay  
park  
Probable Solutions  
separate part of a lot  
site area  
site coverage  
storey  
watercourse  
works  
Zone

The following administrative terms have the meanings assigned to them:-

**“Acceptable Solutions”** see Section 1.1.9.

**“accommodation unit”** means a building or part of a building used for providing accommodation for visitors.

**“advertising devices”** see the meaning of different types of advertising devices in Section 6.6.4.

**“ancillary”** means ancillary and subordinate to the primary use.

**“Caravan Park”** means the use of premises for the placement of caravans, tents or relocatable homes for residential accommodation. The term includes camping areas and cabins for overnight and holiday

accommodation, as well as amenity buildings, recreational and entertainment facilities, manager's office and residence, kiosk and storage facilities which cater for occupants of the Caravan Park.

**"Council"** means the Etheridge Shire Council.

**"dwelling unit"** means any premises used or intended for use as self-contained residential accommodation for the exclusive unit of one (1) family or household.

**"floor area"** means the use of the ground storey area (inclusive of all walls, columns, and balconies) of every building located on a site, excluding areas used for building services, ground floor public lobby or reception area and areas associated with the parking, loading and manoeuvring of motor vehicles.

**"frontage"** means the boundary between a lot and a principal road as agreed by Council.

**"gross floor area"** means the use of the floor area (inclusive of all walls, columns, and balconies) of all storeys of every building located on a site, excluding areas used for building services, ground floor public lobby or reception area and areas associated with the parking, loading and manoeuvring of motor vehicles.

**"minor extension"** means in relation to any existing building any additions or extensions whereby the proposed gross floor area does not exceed the existing floor area by more than 10%.

**"non-habitable room building"** for Schedule 3, means a private garage, carport, shed or the like.

**"non-habitable room structure"** for Schedule 3, means a fence, mast, antenna, retaining wall, swimming pool, or the like.

**"Overlay"** means the secondary layer in the planning scheme for organising the provisions of the planning scheme based on areas, places or sites having special attributes that may:-

- make those areas, places or sites particularly sensitive to effects of development; or
- may constrain development due to an environmental hazard or the value of a resource.

**"park"** means the use of premises for the purposes of passive and active recreation, aesthetic appreciation, conservation or environmental protection.

The use includes facilities for the enjoyment and convenience of users of the park such as kiosks, picnic places, scenic lookouts, shelters, children's play areas, car parking areas and public toilets.

**"Probable Solutions"** see Section 1.1.8.

**"separate part of a lot"** has the meaning of paragraph (d) in "reconfiguring a lot" in the IPA, Section 1.3.5.

**"site area"** means the part of a lot where development is proposed to occur or where a use is conducted or works are located.

**"site coverage"** means the proportion of a site covered by a building, fixed structure, or outdoor storage area, but does not include unroofed parking areas.

**"storey"** means the space within a building measured in metres between one floor level and the level above, or if there is no floor above, the ceiling or roof above.



**“watercourse”** means a river, creek, or stream in which water flows permanently or intermittently. It includes the bed and banks any other element of a river, creek or stream confining or containing water.

**“works”** means building work or operational work.

**“Zone”** means the primary layer for organising the provisions of the planning scheme based on broad land use allocations such that all parts of the planning scheme area are included in a Zone.

# **PLANNING SCHEME POLICIES**

# PLANNING SCHEME POLICY 1 – CONSULTATION

## 1.1 When Local Government May Consult on an Application

The local government may seek advice or comment about an application in any circumstances the local government determines, including, in the local government's opinion, if:-

- (a) the development may conflict with a Code;
- (b) specialised technical advice is required to assess the development; and
- (c) the development may affect premises being of special interest to a person.

## 1.2 Who May Be Consulted

1. The local government may seek advice or comment about an application for development from any person, including any considered by the local government to have specialist knowledge or a special interest in an application.
2. Without limiting subsection (1), Etheridge Shire may seek advice or comment about an application for development if:-

### ***Mineral Resources***

- (a) within 1km of identified mineral resources - from the Department of Natural Resources and Mines;

### ***Native Title***

- (b) on land adjacent to land over which Native Title has been established or a claim has been made - from the Native Title claimant or Native Title holder;

### ***Good Quality Agricultural Land***

- (c) on land identified as Good Quality Agricultural Land - from the Department of Natural Resources and Mines;

### ***Biodiversity and Cultural Heritage***

- (d) on land thought to be important in biodiversity and cultural heritage - from the Environmental Protection Agency;

### ***Electricity Works***

- (e) on land contiguous to electricity works - from Ergon Energy;

### ***Aboriginal Cultural Heritage***

- (f) on land identified as containing Aboriginal cultural heritage values - from the appropriate Aboriginal traditional owners, Environmental Protection Agency and the Department of Natural Resources and Mines.

## 1.3 How Consultation May Be Undertaken

The local government may seek advice or comment in any way considered appropriate for the circumstances, including:-

- (a) public notification in a newspaper;
- (b) placing a notice on the premises;
- (c) placing a notice at a public place;
- (d) personal notification or contact;
- (e) public meeting; and
- (f) meeting with a person having a special interest.

# PLANNING SCHEME POLICY 2 – INFORMATION LOCAL GOVERNMENT MAY REQUEST

## 2.1 Information Local Government May Request

The local government may request the following information from the applicant to assist the assessment of a development application:-

### **Mineral Resources**

- (a) if an application for use or works located within 1km of an identified mineral resource - information identifying the nature and location of resources in the vicinity and assessment of how the proposed use and associated works may affect extraction of the resources;

### **Good Quality Agricultural Land**

- (b) if an application involving land identified as Good Quality Agricultural Land - information in accordance with State Planning Policy 1/92: Development and the Conservation of Agricultural Land, Planning Guidelines: The Identification of Good Quality Agricultural Land, and Planning Guidelines: Separating Agricultural and Residential Land Uses;

### **Other Overlay Assessment**

- (c) if an application requiring assessment against an Overlay Code, then:-
  - (i) an assessment of how the development or effects of the development may affect the values of the relevant feature or resource;
  - (ii) an assessment of how the development may create or increase a risk of significant adverse effects on the natural or built environment or human health or safety; or
  - (iii) if applicable, an assessment of measures proposed to adequately manage the potential significant adverse effects arising from the development;

### **Infrastructure Works**

- (d) if an application involving infrastructure works, including works for reconfiguring a lot:-
  - (i) an assessment of the capacity of existing infrastructure and the effect of the proposed use connecting; and
  - (ii) an assessment of any proposed variation of the standards stated in Schedule 1, Part 3, including a description of the existing situation, the reason for the variation and an outline of other possible variations that have been considered but not proposed;

### **Zone Assessment**

- (e) if an application requiring assessment against a Zone Code, then:-
  - (i) an assessment of how the development may contribute to or detract from achievement of the outcomes sought for the Zone; and
  - (ii) if applicable, an assessment of measures proposed to adequately manage the potential detraction from achievement of the outcomes;

### **Areas Prone to Natural Hazards**

- (f) if an application involves land subject to a flood, bushfire or landslide hazard - information in accordance with State Planning Policy 1/03: Mitigating the Adverse Impact of Flood, Bushfire and Landslide and, State Planning Policy 1/03 Guideline: Mitigating the Adverse Impact of Flood, Bushfire and Landslide - relating to the degree of severity of the hazard and an assessment of the development proposal in relation to the nature of the hazard(s); and

### **Biodiversity**

- (g) if the application involves land which may have significant natural and biodiversity values:-
  - (i) an assessment of how the development may impact on these values; and
  - (ii) mitigation of any adverse effects.