



Version: July 2008

**Planning Scheme for
Belyando Shire**

Integrated Planning Act 1997

PLANNING SCHEME FOR BELYANDO SHIRE

Adoption

The local government for Belyando Shire adopted this planning scheme on 20th January 2009.

“Commencement”

This planning scheme took effect on 31st January 2009.

Incorporated State Planning Policies

Pursuant to schedule 1, part 2, section 18, subsection (5A) of *Integrated Planning Act 1997*, the Minister for Infrastructure and Planning has identified the following State Planning Policies as having been appropriately reflected in the planning scheme:

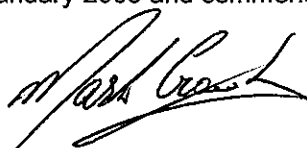
- State Planning Policy 1/92 – Development and Conservation of Agricultural Land, and
- State Planning Policy 1/02 - Development in the Vicinity of Certain Airports and Aviation Facilities.

The Minister for Infrastructure and Planning has advised that approval to adopt this planning scheme is conditional upon the continued operation and effect of:

- the Integrated Development Assessment System triggers for Department of Main Roads matters, and
- State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide – flood component only.

This is to certify that this is a true and correct copy of the Belyando Shire Planning Scheme adopted on 20th January 2009 and commenced on 31st January 2009.

Signed



Chief Executive Officer

Dated

21-1-09

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PART 1 INTRODUCTION

1.1 Purpose of the Planning Scheme

- (1) In accordance with the *Integrated Planning Act 1997* (IPA) the local government for Belyando Shire has prepared this planning scheme as a framework for managing “development” in a way that advances the purpose of the *Integrated Planning Act* by:
- identifying outcomes sought to be achieved in the local government area as the context for assessing “development”;
 - identifying exempt, self-assessable and assessable development; and
 - identifying specific measures to guide and regulate “development” within the local government area.

1.2 Planning Scheme Functions as Part of IDAS

- (1) The planning scheme functions as part of IDAS¹ and must be read together with the IPA.

1.3 Structure of the Planning Scheme

- (1) The planning scheme has the following components:

STRATEGIC DIRECTION (PART 3)

Desired Environmental Outcomes (DEOs)
DEO statements express what is sought to be achieved through the planning scheme. They are expressions of endstates.

Strategies
Strategies enunciate how the planning scheme seeks to achieve DEOs.

ZONES (PART 4)

“Zones” organise the local government area into broad land use allocations.

TABLES OF ASSESSMENT (PART 4)

Tables of assessment identify “development”, the relevant level of assessment and the applicable code provisions.

CODES (PARTS 4 & 5)

Zone Codes
Reconfiguring a Lot Code
Codes identify the matters that will form the basis of requirements for self-assessable and assessable development.

¹ IDAS (Integrated Development Assessment System) is the system detailed in Chapter 3 of the IPA for integrating State and local government assessment processes for development.

SCHEDULES

Schedules contain details that support the assessment criteria such as design and construction standards, separation distance requirements, and listings of specific sites for e.g. cultural heritage sites.

POLICIES

Policies identify additional requirements, procedural matters and information needs for assessable development.

MAPPING

Zone Mapping

“Zone” mapping spatially identifies the distinct land use allocation groupings for the local government.

Land Characteristic Areas Mapping

Land characteristic areas mapping spatially identifies particular areas of environmental, economic, or cultural importance where specific outcomes are sought to protect or promote the identified qualities, resources or constraints.

1.4 General Assessment Provisions

- (1) Area Covered by the Planning Scheme:
 - (a) This planning scheme covers the whole of the local government area including roads and “watercourses”.
 - (b) The provisions of the planning scheme apply to all roads and “watercourses”.
- (2) Exempt Development
 - (a) The following “development” is exempt development within the local government area:
 - (i) “development” that is made exempt pursuant to Schedule 9 of IPA, Sections 5.6.2 and 5.6.3 of IPA²;
 - (ii) land designated for community infrastructure - exempt development pursuant to IPA³;
 - (iii) “development” involving the supply of road transport infrastructure in existing⁴ roads;
 - (iv) “development” involving “railway activities” in existing rail corridors;
 - (v) “development” involving water cycle management infrastructure, including infrastructure for water supply, sewerage, collecting water, treating water, stream

² Schedule 9, part 3 of IPA lists exempt development that may not be made assessable or self-assessable development under a planning scheme. For further clarification, the following is exempt for the purposes of the planning scheme and is in accordance with Table 4, Items 2 and 6 of Schedule 9 of the Act:

- Operational works that is ancillary works and encroachments that are carried out in accordance with requirements specified by gazette notice by the chief executive under the *Transport Infrastructure Act 1994* (including the excavating and borrowing of material necessary for road making, maintenance or repair) or done as required by a contract entered into with the chief executive under the *Transport Infrastructure Act 1994*, section 47; and
- Operational work (including maintenance or repair work) carried out by or on behalf of a public sector entity authorised under State Law, (e.g. the Council or the Department of Main Roads) to carry out the work.

³ Section 2.6.5 of IPA.

⁴ For the purpose of section 1.4(2) existing means – lawfully existing at “commencement” or lawfully established after “commencement”.

managing, disposing of waters and flood mitigation, but excluding water supply or sewage treatment plants;

- (vi) “development” involving the reticulation and distribution of electricity in existing electricity easements or existing electricity corridors or roads;
- (vii) “development” involving the reticulation and distribution of gas in existing gas easements or existing gas corridors or roads;
- (viii) “development” involving the reticulation and distribution of telecommunications, where collocated with existing telecommunications facilities;
- (ix) “development” involving the reticulation and distribution of mobile telecommunications, other than by way of cables, where co-located with existing mobile telecommunications facilities;
- (x) “development” for the purpose of a “park”;
- (xi) “building work” being demolition; and
- (xii) “operational work” other than excavation or filling.

(3) Self-Assessable Development

- (a) The following “development” is self-assessable development within the local government area:
 - (i) “development” identified as self-assessable in Schedule 8 of IPA; and
 - (ii) “development” identified as self-assessable in the table of assessment for each “zone”.
- (b) Where “development” is identified as self-assessable it:
 - (i) requires no development application; and
 - (ii) must comply with applicable code provisions whilst the “development”, including the “use” component thereof, continues.
- (c) For self-assessable development⁵:
 - (i) the relevant assessment criteria are the applicable code; and
 - (ii) compliance with the code is achieved only where all applicable acceptable solutions have been met; and
 - (iii) non-compliance with any applicable acceptable solution will result in the need for a code assessment development application.

(4) Assessable Development

- (a) The following “development” is assessable “development” within the local government area:
 - (i) “development” identified as assessable in Schedule 8 of IPA; and
 - (ii) “development” identified as requiring either code or impact assessment in the table of assessment for each “zone”.
- (b) Code assessment:
The following “development” is assessable “development” requiring code assessment within the local government area:
 - (i) “development” identified as code assessment in the table of assessment for each “zone”; and
 - (ii) self-assessable “development” that does not comply with any applicable acceptable solution/s.

Where “development” is identified as assessable development - code assessment it:

- (i) requires a development application and development permit before “development” can start; and
- (ii) is assessed against applicable codes.

For assessable development - code assessment:

- (i) the code is the purpose, performance criteria and the acceptable solutions; and

⁵ Compliance with the applicable acceptable solutions for self-assessable development does not remove the need to obtain other development approvals such as a development permit authorising “Building work” assessed against the Building Act 1975 and other statutory, licensing or “local law” requirements.

- (ii) acceptable solutions are probable solutions and are one way of achieving compliance with the performance criteria; and
 - (iii) an acceptable solution for a performance criterion provides a guide for achieving that criterion in whole or in part and does not limit the assessment manager's discretion under the IPA to impose conditions on a development approval.
- (c) Impact assessment:
The following "development" is assessable "development" requiring impact assessment within the local government area:
- (i) "development" identified as impact assessment in the table of assessment for each "zone".

Where "development" is identified as assessable development - impact assessment it:

- (i) requires a development application and development permit before "development" can start; and
- (ii) is assessed against the whole "scheme" including any relevant codes⁶.

For assessable development - impact assessment:

- (i) the code is a relevant code; and
- (ii) the code is the purpose, performance criteria and the acceptable solutions; and
- (iii) acceptable solutions are probable solutions and are one way of achieving compliance with the performance criteria; and
- (iv) an acceptable solution for a performance criterion provides a guide for achieving that criterion in whole or in part and does not limit the assessment manager's discretion under the IPA to impose conditions on a development approval.

⁶ For impact assessable development, applicable codes 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 3.5.5 of the IPA.

PART 2 DEFINITIONS⁷

“Accommodation building” – means “premises” comprising primarily of “accommodation units” such as motels, boarding-houses, guest-houses, accommodation centres or villages, hostels, unlicensed hotels, nursing homes, serviced rooms, or residential clubs. The term includes dining, laundry and recreation facilities which cater exclusively for the residents of the accommodation building and a manager’s office and residence. The term does not include a “shop” or “hotel” as herein defined.

“Accommodation unit” – means any separate residential use area that is not “self contained”.

“Act” – means the *Integrated Planning Act 1997*.

“Agriculture” – means the use of “premises” for commercial or other non-domestic activities involving the cultivation or harvesting of plants and includes forestry.

“Airport” – means all site facilities and any building, installation and equipment used for the control of aircraft operations and any facility provided at such premises for the housing, servicing, maintenance and repair of aircraft, and for the assembly of passengers or goods.

“Bed and breakfast premises” – means “premises” used for small scale accommodation purposes contained within the curtilage of a “detached house”.

“Building” – has the meaning given in the Building Act 1975.

“Building work” – has the meaning given in the *Integrated Planning Act 1997*.

“Caravan or relocatable home park” – means premises used for temporary or longer term accommodation in caravans, relocatable homes, tents or campervans and the like. The term includes amenities and recreation facilities which cater exclusively for the residents of the caravan park and camping grounds and a manager’s office and residence. The term does not include a “shop” as herein defined.

“Caretaker’s residence” – means “premises” used for a “dwelling unit” for accommodation for a person/s having the care of “premises” lawfully used for rural, commercial, charitable or sporting purposes where those “premises” are on the same allotment as the “dwelling unit”.

“Catering premises” – means “premises” used for the sale of food and refreshments to the general public. The term includes restaurants, take-away food shops, cafes, kiosks and reception lounges but does not include “hotel” or “indoor recreation”.

“Cattery or kennel” – means “premises” used for boarding, breeding, keeping, or training of cats or dogs for business purposes or for their impoundment.

“Child care centre” – means “premises” used for the care, protection or supervision of children and includes a crèche, kindergarten and pre-school.

“Child oriented uses” includes the following uses:

- (1) **“Child care centre”**;
- (2) **“Home business”** providing home-based child care service;
- (3) **“Educational establishment”** providing for preschool, primary and high school students.

“Commencement” – the day the “scheme” took effect.

“Commercial activities” – means “premises” used for activities involving the provision of goods, food, services or entertainment, including:

- (1) **“Catering premises”**;

⁷ Part 2 Definitions contains, Use definitions and Administrative definitions. Uses are further clustered into activity definitions.

- (2) **“Commercial premises”**;
- (3) **“Hotel”**; and
- (4) **“Shop”**.

“Commercial premises” – means “premises” used for business offices or for other commercial purposes, such as a surgery, real estate office, betting agency, salon, laundromat and the like.

“Community oriented activities” – means “premises” used for activities involving the provision of social, cultural, educational, community, infrastructure, hospital, cemeteries, crematorium, and government services, including:

- (1) **“Child care centre”**;
- (2) **“Educational establishment”**;
- (3) **“Place of worship”**; and
- (4) **“Public utility”**.

“Council” – means the Council of the Shire of Belyando.

“Detached house” – means “premises” used for residential accommodation which comprises one “dwelling unit” on one lot.

“Defining bank” – the terrace or bank or, if no bank is present, the point on the active zone, which confines the average 2 year ARI flows, as illustrated in Schedule 3.

“Development” – has the meaning given in the *Integrated Planning Act 1997*.

“Dwelling unit” – means any “building” or part thereof comprising a self-contained unit principally for residential use and includes the curtilage thereof.

“Educational establishment” – means “premises” used for a school, college, university, technical institute, academy, educational centre, public library, lecture hall, art gallery or museum.

“Electricity transmission line easement” – means an existing easement over land in favour of an entity responsible for the carriage or supply of electricity, which is intended to be used or used for the transmission of electricity.

“Extractive industry” – means “premises” used for mining or an industrial activity involving:

- (1) the extraction of sand, gravel, clay, soil, rock, stone or any similar substance from land, whether or not any overburden is also extracted;
- (2) the rehabilitation of the land; and
- (3) the treatment including crushing or screening of that substance on, or on land abutting, the land from which that substance is extracted.

“Grazing” – means the use of “premises” for commercial or other non-domestic activities involving the breeding, keeping or depasturing of animals, but does not include “intensive animal industries”.

“Habitable buildings” – means any “building”, part of “building” or “structure” able to be lawfully used for “residential activities”.

“Home business” – means “premises” used for a commercial activity undertaken within the curtilage of a “detached house” or “dwelling unit”, excluding the use of “premises” as a shop selling goods not produced on the “premises” or for any “industrial activities”. The term includes home-based child care service, caring for up to 6 children.

“Hotel” – means “premises” used for the sale of liquor for consumption on the “premises”, or on and off the “premises”, and may include the provision of meals and accommodation.

“Indoor recreation” - means “premises” used for any sporting or recreational activities where such “use” is primarily indoors and includes the sale of food or refreshment.

“Industrial activities” – means “premises” used for activities involving the manufacture, production,

servicing, storage and distribution of goods, articles, equipment or vehicles, including:

- (1) **“Extractive industry”**;
- (2) **“Industry”**;
- (3) **“Noxious industry”**;
- (4) **“Service station”**;
- (5) **“Storage facility”**; and
- (6) **“Transport terminal”**.

“Industry” – means “premises” used for:

- (1) an industrial activity such as:
 - (a) a manufacturing process whether or not such process results in the production of a finished article;
 - (b) the breaking up or dismantling of any goods or article for trade, sale, or gain, or ancillary to any business;
 - (c) repairing, servicing and cleaning of articles, including vehicles, machinery; or
 - (d) an operation connected with the installation of equipment and services but not including on-site work on “premises”; and
- (2) the following activities when carried out in connection with an industrial activity:
 - (a) the storage of goods used in connection with or resulting from an industrial activity;
 - (b) the provision of amenities for persons engaged in an industrial activity;
 - (c) the sale of goods resulting from but ancillary to an industrial activity; and
 - (d) any work of administration or accounting.

“Intensive animal industry” – means the use of “premises”, including buildings, structures, pens, storage areas and effluent treatment areas, for commercial or other non-domestic activities involving the breeding, keeping, or depasturing of animals where the animals:

- (1) are reliant on prepared or manufactured feed for production purposes;⁸ and/or
- (2) are temporarily held pending transportation or marketing.

The term includes the use of premises for purposes such as:

- (1) Aquaculture;
- (2) Dairy;
- (3) Commercial livestock dip;
- (4) Lot feeding;
- (5) Piggery;
- (6) Poultry farm;
- (7) “Stable”;
- (8) “Cattery”;
- (9) “Kennel”;
- (10) Commercial stockyard.

“Lake” – has the meaning given in the Water Act 2000.

“Local law” – means a “local law” of the “Council” made under the authority of the *Local Government Act 1993*.

“Material change of use” – has the meaning given in the *Integrated Planning Act 1997*.

“Minor building work” – means “building work” that increases the gross floor area of an existing building by less than 10% of the gross floor area or by 25m² whichever is the lesser.

“Multiple dwelling” – means “premises” used for longer term residential accommodation for several discrete households, domestic groups or individuals which involves more than one “dwelling unit”. It includes, but is not limited to:

- (a) two or more dwelling units on a single lot, whether or not attached;
- (b) duplex;
- (c) flats;
- (d) townhouses; and

⁸ Excluding supplemental feeding for weaning purposes or for emergency purposes.

- (e) retirement villages.

“Natural ground level” - means:

- (1) the ground level of the lot on the day the first plan of survey showing the lot was registered; or
- (2) if the ground level on the day mentioned above is not known, the natural ground level as determined by the local government.

“Noxious industry” – means an industry where:

- (1) the use of “premises” causes detriment to the amenity of the area by reason of the emission of noise or vibration; and
- (2) the process involved, or the method of manufacture, or the nature of the materials or goods which are used, produced or stored:
 - (a) causes fumes, vapours or gases, or discharges dust, foul liquid, blood or other impurities; or
 - (b) constitutes a danger to persons or “premises”.

“Operational work” – has the meaning given in the *Integrated Planning Act 1997*.

“Open space and recreation activities” – means “premises” used for activities involving sport, active or passive recreation, including:

- (1) **“Indoor recreation”**; and
- (2) **“Outdoor recreation”**.

“Outdoor activity area” – includes storage areas, car parking, vehicle manoeuvring and loading/unloading areas and recreation areas associated with the “use”. The term does not include passive areas, such as landscaping areas, cropping areas associated with “agriculture” or pasture areas associated with “grazing”.

“Outdoor recreation” – means “premises” used for any sporting or recreational activities where such “use” is primarily outdoors and includes the sale of food or refreshment, but does not include a “park”.

“Park” – means an area of land and associated “buildings” or “structures” used solely for passive recreation, picnic areas or gardens, which are open without charge to the public.

“Place of worship” – means “premises” used for the public religious and associated social and recreational activities of a religious organisation whether or not those “premises” are also used for religious instruction but does not include a “child care centre” or “educational establishment”.

“Plan area” – has the meaning given to the planning scheme area in the *Integrated Planning Act 1997*.

“Plan of survey” – means an accurate plan prepared by an authorised or qualified surveyor which divides or subdivides any land into allotments or otherwise, whether or not such division or subdivision includes any new road, pathway, lane or reserve.

“Plumbing or drainage work” – has the meaning given in the *Integrated Planning Act 1997*.

“Premises”⁹ – has the meaning given in the *Integrated Planning Act 1997*.

“Prescribed fee” – means the fee determined by “Council” from time to time as payable to “Council” in respect of a development application under the “Act”.

“Public utility” – means “premises” used for a waste landfill or transfer site, the supply of water, hydraulic power, electricity or gas, or provision of telephone, sewerage, postal or drainage services or the provision or maintenance of roads or traffic controls or railways or railway controls.

⁹ Existing premises – means “Premises”: used for an existing use; or lawfully established after the “Commencement”.

“Railway activities” – means “premises” used for the purposes of planning, construction, maintaining and operating rail infrastructure, facilities and rolling stock, including:

- (1) rail maintenance depots;
- (2) rail workshops; and
- (3) rail freight centres.

“Reconfiguring a lot” – has the meaning given in the *Integrated Planning Act 1997*.

“Relocatable home” – means any “dwelling unit” that is designed and constructed to be moved in one or more prefabricated sections from one position to another and is not permanently attached to a site other than for the provision of services. The term does not include a caravan.

“Residential activities” – means “premises” used for activities involving the accommodation of persons, including:

- (1) **“Accommodation building”**;
- (2) **“Bed and breakfast premises”**;
- (3) **“Caravan or relocatable home park”**;
- (4) **“Caretaker’s residence”**;
- (5) **“Detached house”**;
- (6) **“Home business”**; and
- (7) **“Multiple dwelling”**.

“Rural activities” – means “premises” used for activities involving: horticulture or the growing of crops; and/or the keeping of livestock, including:

- (1) **“Agriculture”**;
- (2) **“Grazing”**; and
- (3) **“Intensive animal industry”**.

“Scheme” – means the Planning Scheme for the Shire of Belyando.

“Sensitive land use” – means “premises” used for:

- (1) “accommodation building”;
- (2) “bed and breakfast premises”;
- (3) “caravan or relocatable home park”;
- (4) “child care centre”;
- (5) “detached house”;
- (6) “educational establishment”;
- (7) “home business” providing home-based child care service;
- (8) “multiple dwelling”; and
- (9) “tourist facility”; and

includes any land in the Urban “zone”.

“Service station” – means “premises” used for:

- (1) the fuelling of motor vehicles involving the sale by retail of motor fuel; and
- (2) the following activities when carried out in connection with the fuelling of motor vehicles:
 - (a) the sale by retail of petroleum products, automotive parts and accessories and convenience goods and fast food;
 - (b) the servicing and minor repairs of motor vehicles;
 - (c) hire of a limited range of motor vehicles and trailers; and
 - (d) clearing of motor vehicles.

The term does not include “shop” or “industry”.

“Shop” – means “premises” (not elsewhere defined in this section) used for the displaying or offering of goods for sale by retail or hire. The term includes an integrated “premises” commonly referred to as shopping centre involving “shops” and other “uses” such as “catering premises” and “commercial premises”, as well as a showroom, retail warehouse, liquor store or market.

“Stable” – means “premises” used for boarding, breeding, keeping, or training of horses for business purposes or for their impoundment, other than where associated with “grazing”.

“State controlled road” – has the meaning given in the *Transport Infrastructure Act 1994*.

“Storage facility” – means “premises” used for the storage of goods, and may include the selling of those goods by wholesale. The term includes storage activities such as a builder’s yard or construction contractor’s yard, a truck, vehicle or plant parking depot. The term also includes the following activities when carried out in connection with a storage activity:

- (1) the work of administration or accounting; and
- (2) the garaging and routine servicing of vehicles associated with the conduct of the storage activity.

“Structure” – has the meaning given in the *Building Act 1975*.

“Structure plan” – a plan showing generally the form, type and density of future development.

“Total use area” – means the sum of all parts of the lot used for that particular “use”, including any ancillary use, but does not include areas used for:

- (1) car parking;
- (2) landscaping; and
- (3) vehicle manoeuvring.

For the purpose of calculating car parking requirements the term includes the total floor area of all “buildings”.

“Tourist facility” – means “premises” providing entertainment, recreation or similar facilities for use mainly by the general tourist or holidaying public.

“Transport terminal” – means “premises” used for the transport of goods and people, including the loading, unloading and temporary storage of goods. The term also includes the garaging and routine servicing of vehicles engaged in the transport of such goods and people.

“Use”^{10, 11} – has the meaning given in the *Integrated Planning Act 1997*.

“Watercourse” – has the meaning given in the *Water Act 2000*.

“Zone” – means the divisions into which the “plan area” is divided by the “scheme”.

¹⁰ Ancillary use – means a “Use” associated with and directly related to, but incidental and subordinate to the predominant “Use”.

¹¹ Existing use – means “Development” which lawfully existed at “Commencement”.

PART 3 STRATEGIC DIRECTION

Desired environmental outcomes are based on ecological sustainability established by the *Integrated Planning Act 1997* and are the basis for the measures of the 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 Belyando Shire, and strategies by which the desired environmental outcomes will be sought to be achieved are as follows:

3.1 The Natural Environment and Cultural Heritage

(1) Desired Environmental Outcome

In Belyando Shire, ecological systems, the natural environment (including natural features and unique habitats such as Peak Range National Park, Mazeppa National Park, Narrien Range National Park, Epping Forest National Park, Wilandspey Conservation Park, Doongmabulla Springs Important Wetland and the declared catchment), and items and places of cultural and heritage significance are protected such that biodiversity, cultural heritage values and existing or intended landscape character are maintained.

(2) Strategies

- (a) Development is regulated to minimise any adverse impacts on air and water quality, to prevent land degradation, loss of unique habitat and biodiversity and to maintain the integrity of riparian areas, ridgelines and escarpments.
- (b) Development is regulated to be compatible with the environmental, habitat, biodiversity and landscape values and historic significance of protected areas (including Peak Range National Park, Mazeppa National Park, Narrien Range National Park, Epping Forest National Park, Wilandspey Conservation Park, Doongmabulla Springs Important Wetland and the declared catchment) and areas, local items and places of cultural significance (including areas along water courses).

3.2 Economic Development

(1) Desired Environmental Outcome

The viability of the mining industry is protected, while the economy of Belyando Shire is diversified in a manner that supports the intended land use structure and character of the urban centres of Clermont and Moranbah and the rural parts of the Shire.

Activities that do not require a rural location are consolidated within the towns of Clermont and Moranbah, so that investment in the towns is maximised.

Moranbah's role as the primary service centre for the northern Bowen Basin mining industry is enhanced.

Town centres in each of the Shire's urban communities form vibrant and compact commercial and community cores. Industrial nodes in Clermont and Moranbah are consolidated.

Natural resources (including land, water and mineral resources) are used sustainably.

(2) Strategies

- (a) The planning scheme reinforces the roles of Clermont and Moranbah as the principal places for administrative services, business, industry, retail, education and community services and transport services within the Shire.
- (b) Sufficient and suitable areas are identified for urban development, and key transport infrastructure are identified and protected.
- (c) Residential activities (with minor exceptions) are required to be located within the towns of Moranbah and Clermont.

- (d) Commercial activities are limited (with minor exceptions) to identified centres in the towns of Clermont and Moranbah.
- (e) Confidence in investment in the Shire's towns and in its major industries is maintained by identifying clear development intentions.
- (f) Urban and other sensitive forms of development are regulated to avoid or minimise potential conflicts with existing or future mining operations.
- (g) Productive rural land, rural industries and unique natural features (including mineral and extractive resources and tourist resources such as national parks, conservation parks and wetlands) are protected to preserve their continued economic potential and viability.
- (h) Industrial activities are directed to identifiable industrial nodes in the towns of Moranbah and Clermont.

3.3 Community Wellbeing

(1) Desired Environmental Outcome

Moranbah and Clermont provide a wide range of government and community services and employment opportunities. Moranbah continues to have a significant role as the primary service centre for the northern Bowen Basin mining industry.

The towns of Moranbah and Clermont accommodate strong, connected and vibrant communities, well supported by recreational and other community facilities, highly accessible by walking and cycling. Town centres provide a clear community focal point.

Moranbah and Clermont are characterised by a strong and growing permanent resident population. A wide range of affordable housing types is available and all housing is designed to contribute to the quality of the urban environment. Dwelling units providing for permanent accommodation are predominant, with a significantly smaller proportion of other forms of accommodation intended for temporary residents.

The rural amenity and productive capacity of other parts of the Shire is maintained.

(2) Strategies

- (a) The planning scheme seeks to ensure that people are connected to public spaces (including recreational areas) and community services through an appropriate land use structure and the provision of infrastructure within the towns of Clermont and Moranbah.
- (b) Increased opportunities are created for a larger proportion of the mining (and related) workforce and their families to permanently reside in the Shire's towns through:
 - the designation of sufficient urban land to accommodate expected population growth;
 - the encouragement of medium density, small lot and other forms of permanent housing to increase housing choices available within the Shire's towns; and
 - limitations on the size of accommodation facilities for non resident workers.
- (c) The planning scheme seeks to ensure all residential activities (with minor exceptions) are located within the towns of Clermont and Moranbah.
- (d) All forms of "residential activities" (including accommodation intended for visitors and temporary residents) are required to be designed to integrate with the surrounding urban environment and be of a high quality urban design.
- (e) Development is regulated to protect the health and safety of people.
- (f) Infrastructure reflects community expectations and needs, meets appropriate engineering and environmental standards and is provided in an orderly and logical sequence to ensure cost effectiveness.
- (g) Rural communities are protected from incompatible forms of development, and rural residential development is not supported by the planning scheme.

PART 4 ZONES

4.1 Rural “Zone”

4.1.1 Rural “Zone” Table of Assessment^{12 13}

(1) “Material change of use”

“Use”	Assessment Category	Applicable Code
“Agriculture”	Self Assessment where complying with the applicable acceptable solutions in the Rural “Zone” Code Code assessable if any applicable acceptable solution is not met	Rural “Zone” Code Rural “Zone” Code
“Bed and breakfast premises”	Self Assessment where complying with the applicable acceptable solutions in the Rural “Zone” Code Code assessment if any applicable acceptable solution is not met	Rural “Zone” Code Rural “Zone” Code
“Caretaker’s residence”	Self Assessment where complying with the applicable acceptable solutions in the Rural “Zone” Code Code assessment if any applicable acceptable solution is not met	Rural “Zone” Code Rural “Zone” Code
“Commercial premises” where involving a change of use from an existing “commercial premises” or “shop”	Self Assessment where: (a) complying with the applicable acceptable solutions in the Rural “Zone” Code; and (b) not involving “building work” other than “minor building work”. Code assessment if: (a) any applicable acceptable solution is not met; and (b) not involving “building work” other than “minor building work”. Impact assessment otherwise	Rural “Zone” Code Rural “Zone” Code
“Detached house”	Self Assessment where complying with the applicable acceptable solutions in the Rural “Zone” Code Code assessment if any applicable acceptable solution is not met	Rural “Zone” Code Rural “Zone” Code
“Grazing”	Self Assessment where complying with the applicable acceptable solutions in the Rural “Zone” Code Code assessment if any applicable acceptable solution is not met	Rural “Zone” Code Rural “Zone” Code
“Home business”	Self assessment where complying with the applicable acceptable solutions in the Rural “Zone” Code Code assessment if any applicable acceptable solution is not met	Rural “Zone” Code Rural “Zone” Code
“Industrial activities”	Code assessment where having a “total use area” less than 150m ² Impact assessment otherwise	Rural “Zone” Code
“Shop” where involving a change of use from an existing “commercial premises” or “shop”	Self Assessment where: (c) complying with the applicable acceptable solutions in the Rural “Zone” Code; and (d) not involving “building work” other than “minor building work”. Code assessment if: (c) any applicable acceptable solution is not met; and (d) not involving “building work” other than “minor building work”. Impact assessment otherwise	Rural “Zone” Code Rural “Zone” Code
All other “uses”	Impact assessment	

¹² Refer to section 1.4(2) of this planning scheme for development that is exempt.

¹³ The code provisions applicable to self-assessable development are listed in table 4.1.2.1 below.

(2) “Reconfiguring a lot”

Type	Assessment Category	Applicable Code
“Reconfiguring a lot”	Code Assessment	Reconfiguring a lot Code

(3) “Building work” where not associated with a “material change of use”

Type	Assessment Category	Applicable Code
“Building work”	Self-assessment where complying with the applicable acceptable solutions in the Rural “Zone” Code Code assessment if any applicable acceptable solution is not met	Rural “Zone” Code * Rural “Zone” Code

(4) “Operational work” where not associated with a “material change of use”

Type	Assessment Category	Applicable Code
Excavation or filling	Self-assessment where complying with the applicable acceptable solutions in the Rural “Zone” Code, and: (a) less than 1 metre above or below “natural ground level” and involving less than 100m ³ of material; or (b) 1 metre or more above or below “natural ground level” and involving less than 50m ³ of material. Code assessment otherwise	Rural “Zone” Code * Rural “Zone” Code

4.1.2 Rural “Zone” Code

4.1.2.1 Self-assessable Development - Applicable Provisions

Applicable acceptable solutions for self-assessable development are as set out in Table 4.1.2.1:

Table 4.1.2.1

Acceptable solutions applicable to all self assessable material changes of use	
Development	Applicable acceptable solutions in section 4.1.2.3 of the code
All self assessable uses	AS6, AS7.1, AS7.2, AS12, AS13.5, AS13.6, AS15.2, AS17, AS18.1, AS19.1, AS21.1, AS21.2, AS22, AS23, AS26.2, AS30.1-AS30.8, AS32, AS35, AS36, AS37, AS38.1, AS38.2
Additional acceptable solutions applicable only to certain self assessable material changes of use	
Development	Applicable acceptable solutions in section 4.1.2.3 of the code
Residential activities (all)	AS13.1 and AS13.2 (other than to a home business providing home based child care and caretakers’ residence), AS14.1-AS14.3 (other than to a detached house and caretaker’s residence), AS16, AS31
Bed and breakfast	AS40.1, AS40.2
Caretakers’ residence	AS5, AS14.3
Detached house	AS14.3
Home business (providing home based child care)	AS4.1, AS4.2, AS42.1, AS42.4, AS42.5
Home business (other)	AS4.1, AS4.2, AS42.1-AS42.5
Agriculture	AS13.1,
Grazing	AS13.1, AS13.3
Commercial activities	AS3, AS4.1, AS4.2, AS14.1, AS14.2, AS16, AS31
Acceptable solutions applicable to self assessable building work	
Development	Applicable acceptable solutions in section 4.1.2.4 of the code
Building work	All acceptable solutions except AS3, AS6, AS7.1
Acceptable solutions applicable to self assessable operational work	
Development	Applicable acceptable solutions in section 4.1.2.5 of the code
Excavation and filling	AS2.1-AS2.7, AS3, AS6.2 AS8-AS10

4.1.2.2 Code Purpose

The following outcomes are the purpose of the code:

- (1) The Rural “Zone” retains its viability as an area of primary production and natural resource use, including mining.
- (2) “Rural activities” and mining are appropriately located within the Rural “Zone” and are not prejudiced by inappropriate development.
- (3) Within the Rural “Zone”, “development”:
 - (a) maintains the environment, including soil, air and water, compatible with healthy natural systems and ensures public health and safety;
 - (b) protects good quality agricultural land (GQAL) from fragmentation, alienation or encroachment of incompatible land “uses” in accordance with State Planning Policy 1/92 – Development and Conservation of Agricultural Land;
 - (c) is located, designed and operated in a manner that protects and enhances the predominant rural scale, intensity, form and character;
 - (d) maintains the rural amenity;
 - (e) does not prejudice or impact adversely on other “uses”, particularly “sensitive land uses”, including those within other “zones”;
 - (f) does not prejudice or unduly impact on mineral resources or their extraction;
 - (g) has an appropriately designed access to the road network, and traffic generated by the development does not impact adversely on the local road network;
 - (h) does not adversely impact on areas and sites of conservation importance, including cultural and high landscape values;
 - (i) is located and designed in ways that minimise the need for flood and landslide mitigation, and to protect people and premises from such natural events;
 - (j) has water supply, stormwater disposal, sustainable effluent and waste disposal and power, to appropriate standards, adequate for the “use”; and
 - (k) does not impact adversely on infrastructure.
- (4) Within the Rural “Zone”, the following are appropriate “uses”:
 - (a) “agriculture” and “grazing”;
 - (b) “intensive animal industries” and “extractive industries”, where they are located and operated so as to ensure no unacceptable detrimental impact on surrounding “uses” or on the environment;
 - (c) limited industrial “uses”, where it can be demonstrated those “uses” are associated with rural production or natural resource use and cannot reasonably be established in the Industrial “Zone”;
 - (d) “bed and breakfast premises” and “home business” where they are of a small scale and are compatible with surrounding “uses”;
 - (e) “caravan or relocatable home park” for the purposes of tourist accommodation where it is: of a small scale; compatible with the amenity and character of surrounding uses; and directly and primarily associated with rural production, the natural environment or cultural resources in the surrounding area; and
 - (f) “caravan or relocatable home park” or “accommodation building” for the purposes of accommodating workers, where the use is: directly and primarily associated with rural production or a natural resource related industry on the same site or on an immediately adjoining site; compatible with the amenity and character of the surrounding uses; intended to be established only for a defined period; and cannot reasonably be located in the Urban “Zone”.

4.1.2.3 Performance Criteria and Acceptable Solutions – “Material change of Use”

“Material change of use”	
Performance Criteria	Acceptable Solution
Location	
<p>PC1 Non-“Rural Activities” - Locational Criteria Non-“rural activities” are located in the Rural “Zone” only where those activities:</p> <ul style="list-style-type: none"> (a) do not unduly impact on the character and amenity of the locality; (b) are directly and primarily associated with rural activities, a natural resource related industry or natural or cultural resources; (c) cannot reasonably be located in another more appropriate zone; (d) do not prejudice the existing or future productive capacity of rural land or other natural resources; and (e) do not adversely affect the landscape values and scenic qualities of the locality. 	No acceptable solution is prescribed.
Amenity	
<p>PC2 Non-“Rural Activities” - Scale Non-“rural activities” are of a scale that is consistent with the amenity and character of the locality and do not prejudice the operation and viability of other “uses” or activities in the Rural “Zone” or other “zones”.</p>	<p>AS2 The “total use area” is less than 150m².</p>
<p>PC3 Non-“Rural Activities” - Operating Hours Non-“rural activities” are operated so as to ensure that the activities and the operation of equipment occur at appropriate times to protect the amenity of the locality.</p>	<p>AS3 Non-“rural activities” are operated only between the hours of 7:00am and 6:00pm.</p>
<p>PC4 Non-“Rural Activities” - Delivery of Goods The loading and unloading of goods in connection with non- “rural activities” occurs at appropriate times to protect the amenity of the locality.</p>	<p>AS4.1 Loading and unloading occurs only between the hours of: (a) 7:00am and 6:00pm, Monday to Friday; and (b) 7:00am and 12:00 (noon) on Saturdays.</p> <p>AS4.2 No loading and unloading occurs on Sundays and public holidays.</p>
<p>PC5 “Residential Activities” Land within the Rural “Zone” is maintained for rural activities.</p>	<p>For “caretaker’s residences”: AS5 No more than 1 (one) “caretaker’s residence” per lot.</p> <p>For all other “residential activities”: No acceptable solution is prescribed.¹⁴</p>
<p>PC6 Height The height of “buildings” and “structures” does not impact adversely on the amenity of the locality and is consistent with the predominant rural form.</p>	<p>AS6 “Buildings” and “structures” other than those within 100 metres of the boundary of an “airport”¹⁵ are not more than: (a) 8.5 metres; and (b) 2 (two) storeys, at any point above natural ground level. (Except where establishing in an existing “building” and no “building works” are being undertaken for that existing “building”, and excluding windmills, silos and other rural operational equipment).</p>
<p>PC7 Setbacks and Boundary Clearances “Buildings” and “structures” are located to ensure the rural amenity is maintained.</p>	<p>AS7.1 “Buildings” and “structures” have a setback of not less than 20 metres from any road frontage other than a State Controlled Road as identified on Land</p>

¹⁴ Note that where more than one detached house on a lot is proposed, this falls into the definition of multiple dwelling in part 2 of the planning scheme.

¹⁵ Refer to PC32/A32 with regard to buildings and structures within 100 metres of an airport.

“Material change of use”	
Performance Criteria	Acceptable Solution
	Characteristics Map – Features Map. AS7.2 “Buildings” and “structures” have side and rear boundary clearances of not less than 15 metres from property boundaries (except where establishing in an existing “building” and no “building works” are being undertaken for that existing “building”).
PC8 Transport Movements Transport movements associated with the use protect the amenity of the locality.	For “rural activities” and “industrial activities”: AS8 Transport movements do not occur through residential areas. For all other “uses”: No acceptable solution is prescribed.
PC9 “Building” and “Structure” Design “Buildings” and “structures” are designed such that the amenity of the locality is protected and maintained.	No acceptable solution is prescribed.
PC10 Ridgelines and Escarpments Ridgelines and escarpments are maintained in a natural state to protect rural character, landscape values, and visual amenity.	No acceptable solution is prescribed.
PC11 Landscaping and External Activity Areas Landscaping and external activity areas are provided on-site to: (a) contribute to a pleasant and functional rural built form; (b) provide positive sun and breeze control; (c) make provision for recreation areas; and (d) contribute to the positive visual qualities of the locality.	No acceptable solution is prescribed.
PC12 Lighting The design of lighting does not prejudice the amenity of the locality through poorly directed lighting, lighting overspill or lighting glare.	AS12 Direct lighting or lighting does not exceed 8.0 lux at 1.5 metres beyond the boundary of the site.
PC13 Separation of Incompatible Land Uses Separation distances are provided to ensure: (a) the future viability of surrounding “uses”; (b) infrastructure items are protected from incompatible “development”; (c) an appropriate standard of amenity and public safety; and (d) conflict arising from incompatible “uses” is minimised.	For “sensitive land uses” and “rural activities” other than “intensive animal industries”: AS13.1 Minimum separation between “sensitive land uses” and “rural activities” are as stated in Schedule 2, Division 1: Separation Distances – Agricultural and Residential Uses For “sensitive land uses” and “intensive animal industries”: AS13.2 Minimum separation distances between “sensitive land uses” and “intensive animal industries” are as stated in Schedule 2, Division 2: Separation Distances – Intensive Animal Industries, Section 2.1. For “grazing”: AS13.3 Pens and yards maintain a minimum separation distance of 300 metres to “sensitive land uses” not associated with the “grazing”. For “uses” other than “sensitive land uses” ¹⁶ and “extractive industries”: AS13.4 “Buildings”, “structures” and “outdoor activity areas”

¹⁶ A greater separation distance than that indicated in Schedule 2, Division 3 is likely to be required for “sensitive land uses”.

“Material change of use”	
Performance Criteria	Acceptable Solution
	<p>maintain a minimum separation distance to “extractive industries” as stated in Schedule 2, Division 3: Separation Distances – Extractive Industries, Section 3.1.</p> <p>For all “uses”: AS13.5 “Buildings”, “structures” and “outdoor activity areas” maintain a minimum separation distance to petroleum and gas pipelines and refuse tips as stated in Schedule 2, Division 5: Separation Distances – Infrastructure Items, Section 5.1.</p>
Infrastructure	
<p>PC14 Water Supply All “premises” have an adequate volume and supply of water for the “use”.</p>	<p>AS14.1 “Premises” are connected to Council’s reticulated water supply system.</p> <p style="text-align: center;">or</p> <p>AS14.2 “Premises” are connected to an approved water allocation as provided by the relevant agency.</p> <p style="text-align: center;">or</p> <p>For “detached houses” or “caretakers residences”: AS14.3 “Premises” are connected to a rain water tank with a minimum capacity of: (a) 45, 000 litres where not in a reticulated water supply area; (b) 22, 000 litres where in a reticulated water supply area.</p>
<p>PC15 Effluent Disposal All “premises” provide for the treatment and disposal of effluent and other waste water to ensure the protection of public health and environmental values.</p>	<p>AS15.1 “Premises” are connected to Council’s reticulated sewerage system.</p> <p style="text-align: center;">or</p> <p>AS15.2 “Premises” not in a sewerred area have an on-site effluent disposal system in accordance with Schedule 1, Division 4: Standards for Sewerage Supply, Section 4.2.</p>
<p>PC16 Stormwater Stormwater is collected and discharged so as to: (a) protect the stability of buildings or the use of adjacent land; and (b) protect and maintain environmental values.</p>	<p>AS16 Stormwater is collected and discharged in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1.</p>
<p>PC17 Electricity “Premises” are provided with an adequate supply of electricity for the “use”.</p>	<p>AS17 All “premises” have a supply of electricity.</p>
<p>PC18 Vehicle Access Vehicle access is provided to ensure the safe and functional operation for motorists and pedestrians.</p>	<p>For all self assessable uses: AS18.1 All “premises” have vehicle access to a formed road. Access is designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.3(2).</p> <p>For all other “uses”: AS18.2 All “premises” have vehicle access to a formed road.</p>

“Material change of use”	
Performance Criteria	Acceptable Solution
	Access is designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.3(1).
<p>PC19 Vehicle Parking and Service Vehicle Provision Vehicle parking and service vehicle provision is adequate for the “use” and ensures safe and functional operation for motorists and pedestrians.</p>	<p>AS19.1 All “uses” provide vehicle parking in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(a).</p> <p>AS19.2 Car parking, service vehicle parking and manoeuvring areas are designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(b).</p>
<p>PC20 Roads Adequate all-weather road access is provided between the “premises” and the existing road network.</p>	<p>AS20 Roads are designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.1(1).</p>
<p>PC21 “Electricity transmission line easement” - Vegetation Transmission lines within an “electricity transmission line easement” are protected from vegetation.</p>	<p>AS21.1 Planted vegetation within an “electricity transmission line easement” has a mature height not exceeding 2.5 metres as shown in Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.2 Diagram 3.</p> <p>AS21.2 No part of planted vegetation, at its mature size, is located closer than 2.5 metres to an electricity transmission line as shown in Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.2 Diagram 3.</p>
<p>PC22 “Electricity transmission line easement” – Vegetated Buffers Vegetated buffers adjoining an “electricity transmission line easement” are maintained to provide: (a) a visual buffer to the easement; and (b) a separation distance from the easement.</p>	<p>AS22 Existing vegetation, comprising trees and/or shrubs, shall be retained within 20 metres of an “electricity transmission line easement” as shown in Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.2 Diagram 4.</p>
<p>PC23 “Electricity transmission line easement” - Separation Distance “Habitable buildings” and “child oriented uses” are located to ensure community safety.</p>	<p>AS23 “Habitable buildings” and “child oriented uses” maintain a minimum separation distance from the most proximate boundary of an “electricity transmission line easement” in accordance with Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.1 (1) and Section 3.1 Diagram 1.</p>
Environmental	
<p>PC24 “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AS24 A minimum 50 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p>
<p>PC25 Vegetation Retention “Development” retains vegetation for the: (a) protection of scenic quality; (b) protection of general habitat; (c) protection of soil quality; and (d) establishment of open space corridors and networks.</p>	<p>AS25 Vegetation comprising 20% of each regional ecosystem type is retained within each lot with retained vegetation made up of woody remnant, regrowth or replanted natural species, excluding deep-rooted crops and clear fell plantation forestry. The shade lines are a minimum of 10 metres in width; clumps have an area greater than 2 hectares.</p>

“Material change of use”	
Performance Criteria	Acceptable Solution
<p>PC26 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS26.1 A minimum separation distance of 50 metres is provided to the “defining bank” of “watercourses” and “lakes”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS26.2 A minimum separation distance of 50 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>
<p>PC27 Air Emissions Air emissions from “premises” do not cause environmental harm or nuisance to adjoining properties or “sensitive land uses”.¹⁷</p>	No acceptable solution is prescribed.
<p>PC28 Noise Emissions Noise emissions from “premises” do not cause environmental harm or nuisance to adjoining properties or “sensitive land uses”.¹⁸</p>	No acceptable solution is prescribed.
<p>PC29 Water Quality The standard of effluent and / or stormwater run-off from “premises” ensures the quality of surface and underground water is suitable for: (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use; or (e) industrial use.¹⁹</p>	No acceptable solution is prescribed.
<p>PC30 Excavation or Filling Excavating or filling of land: (a) ensures safety and amenity for the users of the “premises” and nearby land; (b) minimises soil erosion and instability of surrounding areas; and (c) does not degrade the environmental values of receiving waters.</p>	<p>AS30.1 Batters have a maximum slope of 25%, are terraced at every rise of 1.5 metres and each terrace has a minimum depth of 750mm.</p> <p>AS30.2 Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p> <p>AS30.3 The extent of filling or excavation does not exceed 40% of the site area or 500m² whichever is lesser.</p> <p>AS30.4 Filling and excavation is not greater than 1 metre in height or depth.</p> <p>AS30.5 Only clean uncontaminated fill is used (i.e. no building waste, concrete, green waste or contaminated material etc. is used as fill).</p> <p>AS30.6 The site is not on the contaminated land register</p> <p>AS30.7</p>

¹⁷ One way an applicant may demonstrate how the development achieves the outcomes stated in PC27 is to prepare a study that identifies how the development is in accordance with Environmental Protection (Air) Policy 1997.

¹⁸ One way an applicant may demonstrate how the development achieves the outcomes stated in PC28 is to prepare a study that identifies how the development is in accordance with Environmental Protection (Noise) Policy 1997.

¹⁹ One way an applicant may demonstrate how the development achieves the outcomes stated in PC29 is to prepare a study that identifies how the development is in accordance with Environmental Protection (Water) Policy 1997.

“Material change of use”	
Performance Criteria	Acceptable Solution
	<p>Any excavation or filling occurs more than 25 metres from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS30.8 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC31 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS31 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
Constraint	
<p>PC32 “Development” in the vicinity of “Airports” “Development” in the vicinity of “airports”: (a) protects the operation of the “airport”; (b) is designed and located to achieve a suitable standard of amenity for the proposed activity; and (c) does not restrict the future operational requirements of the “airport”.²⁰</p>	<p>AS32 “Buildings” and “structures” within 100 metres of the boundary of an “airport” are less than 7.5 metres in height at any point above natural ground level. (Except where establishing in an existing “building” and no “building works” are being undertaken for that existing “building”.)</p>
<p>PC33 Good Quality Agricultural Land Areas Good quality agricultural land areas as identified on the Land Characteristics Map – Good Quality Agricultural Land are conserved and managed for the longer term and protected from development that may lead to its alienation or diminished productivity.²¹</p>	No acceptable solution is prescribed.
<p>PC34 Flooding “Premises” are designed and located so as: (a) not to be adversely impacted upon by flooding; (b) to protect life and property; and (c) not to have an undesirable impact on the extent or magnitude of flooding.²²</p>	No acceptable solution is prescribed.
<p>PC35 Protected Areas “Development” is undertaken to ensure areas of significant biodiversity and habitat value and high scenic quality are protected.</p>	<p>AS35 A minimum separation distance of 100 metres is provided to protected areas as identified on Land Characteristics Map – Features Map.</p>
<p>PC36 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.</p>	<p>AS36 “Development” is not undertaken on slopes greater than 15%.</p>
<p>PC37 Transport Infrastructure Separation distances are provided to ensure: (a) transport infrastructure items are protected from incompatible “development”; and (b) an appropriate standard of amenity and public safety is provided to adjoining “uses”.</p>	<p>AS37 “Buildings” and “structures” maintain a minimum separation distance to rail lines and State controlled roads (as identified on Land Characteristics Map – Features Map) as stated in Schedule 2, Division 5: Separation Distances – Infrastructure Items, Section 5.1).</p>

²⁰ One way an applicant may demonstrate compliance with PC32 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities and the Planning Guidelines: Development in the Vicinity of Certain Airports and Aviation Facilities as may be applicable to the proposed development having regard to the nature of the airport facility and its operational characteristics.

²¹ In order to demonstrate compliance with PC33 the applicant shall prepare a study that identifies how the development is in accordance with the requirements of State Planning Policy 1/92 – The Development and Conservation of Agricultural Land and the Planning Guidelines: The Identification of Good Quality Agricultural Land and Separating Agricultural and Residential Land Uses 1997.

²² To assist an applicant to demonstrate compliance with PC34, the maximum recorded flood may be adopted as an indication of flood level.

“Material change of use”	
Performance Criteria	Acceptable Solution
<p>PC38 Aviation Facilities Aviation facilities are protected from physical obstructions and electromagnetic emissions that may adversely affect their function.</p>	<p>AS38.1 “Development” is not undertaken within 150 metres of the NDB as identified on Land Characteristics Map – Aviation Facilities and in accordance with Schedule 2, Division 8: Sensitive Areas for Aviation Facilities, Diagram 1.</p> <p>For “development” between 150 metres and 500 metres of the NDB:</p> <p>AS38.2 “Buildings” and “structures” do not intersect the 3° plane extending from the NDB as identified on Land Characteristics Map – Aviation Facilities and in accordance with Schedule 2, Division 8: Sensitive Areas for Aviation Facilities, Diagram 1.</p>
“Use”	
<p>PC39 “Airport” “Airport” activities:</p> <p>(a) do not adversely impact on the amenity of surrounding residents;</p> <p>(b) ensure the safe operation of aeronautical and support activities; and</p> <p>(c) ensure the safety of surrounding “Premises”.²³</p>	<p>No acceptable solution is prescribed.</p>
<p>PC40 “Bed and Breakfast Premises” “Premises” used for a “bed and breakfast premises” are of a scale and are operated in a manner so as not to impact adversely on the amenity of the locality.</p>	<p>AS40.1 Provision is made for no more than 6 (six) paying guests to be accommodated at any one time.</p> <p>AS40.2 “Premises” contains not more than 3 (three) “accommodation units” for guest accommodation purposes.</p>
<p>PC41 “Extractive Industry” “Premises” used for “extractive industries”:</p> <p>(a) do not impact adversely on the amenity of other “uses” in the Rural “Zone” or other “zones”;</p> <p>(b) are designed and operated to ensure the protection and maintenance of environmental values;</p> <p>(c) are rehabilitated to provide for future re-use of the land and to prevent ongoing risk of adverse impacts on the local environment and amenity; and</p> <p>(d) are designed and operated so that the safety of persons and property is not compromised.</p>	<p>No acceptable solution is prescribed.</p>
<p>PC42 “Home Business” “Premises” used for a “home business” are of a scale and are operated in a manner so as not to impact adversely on the amenity of the locality.</p>	<p>AS42.1 No more than 1 (one) person other than the residents of the “premises” is employed in the “home business”.</p> <p>AS42.2 No more than 150m² of “total use area” is used for the purposes of a “home business”.</p> <p>AS42.3 No more than 2 (two) clients normally attend the “premises” at any one time.</p> <p>AS42.4 No goods or products produced by other businesses</p>

²³ One way an applicant may demonstrate compliance with PC39 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 Development in the Vicinity of Certain Airports and Aviation Facilities and the Planning Guidelines: Development in the Vicinity of Certain Airports and Aviation Facilities as may be applicable to the proposed airport facility and its operational characteristics.

“Material change of use”	
Performance Criteria	Acceptable Solution
	are displayed for sale in any window or outdoor area. AS42.5 Operate only between the hours of 7:00am and 6:00pm.
PC43 “Intensive Animal Industries” “Intensive animal industries”: (a) do not impact adversely on the amenity of the Rural “Zone”, and surrounding areas; (b) are designed and operated to ensure the protection and maintenance of environmental values; and (c) are rehabilitated to provide for future re-use of the land and to prevent ongoing risk of adverse impacts on the local environment and amenity.	No acceptable solutions prescribed.
PC44 “Caravan and Relocatable Home Park” or “Accommodation Building” (a) Development for the purposes of accommodating workers is: on the same site as, or is immediately adjoining, the rural production or natural resource related industry with which it is associated; and is established only for a defined period; and (b) Development for the purposes of accommodating tourists is of a small scale.	No acceptable solution is prescribed.

4.1.2.4 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Building work” where not associated with a “material change of use”

“Building work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
Amenity	
PC1 Height The height of “buildings” and “structures” does not impact adversely on the amenity of the locality and is consistent with the predominant rural form.	AS1 “Buildings” and “structures” other than those within 100 metres of the boundary of an “airport” are less than 8.5 metres in height and are not more than 2 (two) storeys at any point above natural ground level (Excluding windmills, silos and other rural operational equipment). ²⁴
PC2 Setbacks and Boundary Clearances “Buildings” and “structures” are located to ensure that rural amenity is protected and enhanced.	AS2.1 “Buildings” and “structures” have a setback of not less than 20 metres from any road frontage other than a State Controlled Road as identified on Land Characteristics Map – Features Map. AS2.2 “Buildings” and “structures” have side and rear boundary clearances not less than 15 metres from property boundaries.
PC3 Ridgelines and Escarpments Ridgelines and escarpments are maintained in a natural state to protect rural character, landscape values, and visual amenity.	AS3 No acceptable solution prescribed.
Infrastructure	
PC4 “Electricity Transmission Line Easement” – Separation Distance “Habitable buildings” and “child oriented uses” are located so as to promote community safety.	AS4 “Habitable buildings” and “buildings” and “structures” associated with “child oriented uses” maintain a minimum separation distance from the most proximate boundary of an “electricity transmission line easement”

²⁴ Refer to PC8/AS8 with regard to buildings and structures within 100 metres of an airport.

“Building work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
	in accordance with Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.1(1) and Section 3.1 Diagram 1.
Environmental	
PC5 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.	AS5 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.
PC6 “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.	AS6 A minimum 50 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”. <i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i>
PC7 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.	AS7.1 A minimum separation distance of 50 metres is provided to the “defining bank” of “watercourses” and “lakes”. <i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i> AS7.2 A minimum separation distance of 50 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.
Constraint	
PC8 “Development” in the Vicinity of “Airports” “Development” in the vicinity of “airports”: (a) protects the operation of the “airport”; (b) is designed and located to achieve a suitable standard of amenity for the proposed activity; and (c) does not restrict the future operational requirements of the “airport”. ²⁵	AS8 “Buildings” and “structures” within 100 metres of the boundary of an “airport” are less than 7.5 metres in height at any point above natural ground level.
PC9 Protected Areas “Development” is undertaken to ensure areas of significant biodiversity and habitat value and high scenic quality are protected.	AS9 A minimum separation distance of 100 metres is provided to protected areas as identified on Land Characteristics Map – Features Map.
PC10 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.	AS10 “Development” is not undertaken on slopes greater than 15%.
PC11 Transport Infrastructure Separation distances are provided to ensure: (a) transport infrastructure items are protected from incompatible “development”; and (b) an appropriate standard of amenity and public safety is provided to adjoining “uses”.	AS11 “Buildings” and “structures” maintain a minimum separation distance to rail lines and State controlled roads (as identified on Land Characteristics Map – Features Map) as stated in Schedule 2, Division 5: Separation Distances – Infrastructure Items, Section 5.1.
PC12 Aviation Facilities Aviation facilities are protected from physical obstructions and electromagnetic emissions that	AS12.1 “Development” is not undertaken within 150 metres of the NDB as identified on Land Characteristics Map –

²⁵ One way an applicant may demonstrate compliance with PC8 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities and the Planning Guidelines: Development in the Vicinity of Certain Airports and Aviation Facilities as may be applicable to the proposed development having regard to the nature of the airport facility and its operational characteristics.

“Building work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
may adversely affect their function.	<p>Aviation Facilities and in accordance with Schedule 2, Division 8: Sensitive Areas for Aviation Facilities, Diagram 1.s</p> <p>For “development” between 150 metres and 500 metres of the NDB: AS12.2 “Buildings” and “structures” do not intersect the 30 plane extending from the NDB as identified on Land Characteristics Map – Aviation Facilities and in accordance with Schedule 2, Division 8: Sensitive Areas for Aviation Facilities, Diagram 1.</p>

4.1.2.5 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Operational work” where not associated with a “material change of use”

“Operational work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
Amenity	
<p>PC1 General Design “Operational works” are designed and constructed so that the visual amenity of the locality is protected.</p>	No acceptable solution is prescribed.
Environmental	
<p>PC2 Excavation or Filling Excavating or filling of land: (a) ensures safety and amenity for the users of the “premises” and nearby land; (b) minimises soil erosion and instability of surrounding areas; and (c) does not degrade the environmental values of receiving waters.</p>	<p>AS2.1 Batters have a maximum slope of 25%, are terraced at every rise of 1.5 metres and each terrace has a minimum depth of 750mm.</p> <p>AS2.2 Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p> <p>AS2.3 The extent of filling or excavation does not exceed 40% of the site area or 500m² whichever is lesser.</p> <p>AS2.4 Only clean uncontaminated fill is used (i.e. no building waste, concrete, green waste or contaminated material etc. is used as fill).</p> <p>AS2.5 The site is not on the contaminated land register</p> <p>AS2.6 Any excavation or filling occurs more than 25 metres from the “defining bank” of any “watercourse” or “lake”. <i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS2.7 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC3 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS3 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>

“Operational work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
<p>PC4 “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AS4 A minimum 50 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p>
<p>PC5 Vegetation Retention “Development” retains vegetation for the: (a) protection of scenic quality; (b) protection of general habitat; (c) protection of soil quality; and (d) establishment of open space corridors and networks.</p>	<p>AS5 Vegetation comprising 20% of each regional ecosystem type is retained within each lot with retained vegetation made up of woody remnant, regrowth or replanted natural species, excluding deep-rooted crops and clear fell plantation forestry. The shade lines are a minimum of 10 metres in width; clumps have an area greater than 2 hectares.</p>
<p>PC6 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS6.1 A separation distance of not less than 50 metres is provided to the “defining bank” of “watercourses” and “lakes”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS6.2 A minimum separation distance of 50 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 6.1.</p>
<p>PC7 Water Quality The standard of effluent and / or stormwater run-off from “premises” ensures the quality of surface and underground water is suitable for: (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use; or (e) industrial use.²⁶</p>	<p>No acceptable solution is prescribed.</p>
Constraint	
<p>PC8 Protected Areas “Development” is undertaken to ensure areas of significant biodiversity and habitat value and high scenic quality are protected.</p>	<p>AS8 A minimum separation distance of 100 metres is provided to Protected Areas as identified on Land Characteristics Map – Features Map.</p>
<p>PC9 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.</p>	<p>AS9 “Development” is not undertaken on slopes greater than 15%.</p>
<p>PC10 Aviation Facilities Aviation facilities are protected from physical obstructions that may adversely affect their function.</p>	<p>AS10 “Development” is not undertaken within 150 metres of the NDB as identified on Land Characteristics Map – Aviation Facilities in accordance with Schedule 2, Division 8: Sensitive Areas for Aviation Facilities, Diagram 1.</p>

²⁶ One way an applicant may demonstrate how the development achieves the outcomes stated in PC7 is to prepare a study that identifies how the development is in accordance with *Environmental Protection (Water) Policy 1997*.

4.2 Urban “Zone”

4.2.1 Urban “Zone” Table of Assessment^{27 28}

(1) “Material change of use”

“Use”	Assessment Category	Applicable Code
“Bed and breakfast premises” other than where located within the “Emerging Community Area” as shown on Zoning Map 3	Self-assessment where complying with the applicable acceptable solutions in the Urban “Zone” Code Code Assessment if any applicable acceptable solution is not met	Urban “Zone” Code Urban “Zone” Code
“Caretaker’s residence”	Self-assessment where complying with the applicable acceptable solutions in the Urban “Zone” Code Code assessment if any applicable acceptable solution is not met	Urban “Zone” Code Urban “Zone” Code
“Commercial premises” where involving a change of use from an existing “commercial premises” or “shop”	Self assessment where: (a) complying with the applicable acceptable solutions in the Urban “Zone” Code; and (b) not involving “building work” other than “minor building work”. Code assessment if : (a) any applicable acceptable solution is not met; and (b) not involving “building work” other than “minor building work”. Impact assessment otherwise	Urban “Zone” Code Urban “Zone” Code
“Detached house”	Self-assessment where complying with the applicable acceptable solutions in the Urban “Zone” Code Code assessment if any applicable acceptable solution is not met	Urban “Zone” Code Urban “Zone” Code
“Home business”	Self-assessment where complying with the applicable acceptable solutions in the Urban “Zone” Code Code assessment if any applicable acceptable solution is not met	Urban “Zone” Code Urban “Zone” Code
“Multiple dwelling” other than where located within the “Emerging Community Area” as shown on Zoning Map 3	Code assessment	Urban “Zone” Code
“Shop” where involving a change of use from an existing “commercial premises” or “shop”	Self Assessment where: (e) complying with the applicable acceptable solutions in the Urban “Zone” Code; and (f) not involving “building work” other than “minor building work” Code assessment if: (e) any applicable acceptable solution is not met; and (f) not involving “building work” other than “minor building work” Impact assessment otherwise	Urban “Zone” Code Urban “Zone” Code
All other “uses” ²⁹	Impact assessment	

(2) “Reconfiguring a lot”

Type	Assessment Category	Applicable Code
“Reconfiguring a lot” other than where located within the “Emerging Community Area” as shown on Zoning Map 3	Code assessment if all proposed lots are equivalent to or larger than the minimum area set out in AS2 of the Reconfiguring a Lot Code Impact Assessment otherwise	Reconfiguring a lot Code Reconfiguring a lot Code
“Reconfiguration of a lot”	Impact assessment	

²⁷ Refer to section 1.4(2) of this planning scheme for development that is exempt.

²⁸ The code provisions applicable to self-assessable development are listed in table 4.1.2.1 below.

²⁹ To remove any doubt, “accommodation buildings”, “bed and breakfast premises: and “multiple dwellings” are impact assessable where located within the Emerging Community Area shown on Zoning Map 3.

where located within the “Emerging Community Area” as shown on Zoning Map 3		
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(3) “Building work” where not associated with a “material change of use”

Type	Assessment Category	Applicable Code
“Building work”	Self-assessment where complying with the applicable acceptable solutions in the Urban “Zone” Code Code assessment if any applicable acceptable solution is not met.	Urban “Zone” Code Urban “Zone” Code

(4) “Operational work” where not associated with a “material change of use”

Type	Assessment Category	Applicable Code
Excavation or filling	Self-assessment where complying with the applicable acceptable solutions in the Urban “Zone” Code and: (a) less than 1 metre above or below “natural ground level” and involving less than 100m ³ of material; or (b) 1 metre or more above or below “natural ground level” and involving less than 50m ³ of material. Code assessment otherwise	Urban “Zone” Code Urban “Zone” Code

4.2.2 Urban “Zone” Code

4.2.2.1 Self-assessable Development - Applicable Provisions

Applicable acceptable solutions for self-assessable development are set out in Table 4.2.2.1:

Table 4.2.2.1

Acceptable solutions applicable to all self assessable material changes of use	
Development	Applicable acceptable solutions in section 4.2.2.3 of the code
All self assessable uses	AS7, AS9, AS12, AS13.1, AS13.2, AS22-AS25, AS26.1, AS27.1, AS27.2, AS28, AS29.1, AS29.2, AS30
Additional acceptable solutions applicable only to certain self assessable material changes of use	
Development	Applicable acceptable solutions in section 4.2.2.3 of the code
All self assessable “residential activities” involving building work other than minor building work	AS10, AS11.1.1 (other than for a detached house), AS11.2 (other than for a detached house), AS17, AS31, AS33.2, AS37.1-37.8, AS38, AS39, AS 42
“Bed and breakfast premises”	AS44.1, AS44.2
“Commercial activities” where involving a change from one to another of “commercial premises” or “shop”	AS3, AS4.1, AS4.2
“Detached House”	AS15.1, AS15.2, AS19.1-19.4
Home business (providing home based child care)	AS45.1, AS45.4, AS45.5, AS45.6
Any other “home business”	AS45.1-AS45.6
Acceptable solutions applicable to self assessable building work	
Development	Applicable acceptable solutions in section 4.2.2.4 of the code
Building work	All acceptable solutions except AS 5, AS6.1
Acceptable solutions applicable to self assessable operational work	
Development	Applicable acceptable solutions in section 4.2.2.5 of the code
Excavation and filling	AS2.1-AS2.37 AS3, AS5.2, AS7

4.2.2.2 Code Purpose

The following outcomes are the purpose of the code:

- (1) The Urban “Zone” accommodates a range of “residential activities” and “community oriented activities” that meet local community needs. A mix of “dwelling units” which provide for permanent accommodation is predominant, with a significantly smaller proportion of other forms of accommodation intended for temporary residents.
- (2) In Moranbah, the Urban “Zone” also includes a convenience level centre at Clements Road providing for the daily convenience shopping needs of the local community in the eastern parts of Moranbah. Any expansion of existing commercial floor space in the Clements Road centre in accordance with this role will:
 - (a) be accommodated on land adjoining the existing centre and representing a logical expansion of the centre;
 - (b) integrate with the existing commercial building; and
 - (c) create a pedestrian oriented and active street frontage.

This centre does not grow to a size that exceeds a convenience function or detracts from the functions or viability of the town centre in Moranbah.

- (3) Within the Urban “Zone”, “development”:
 - (a) maintains the environment, including soil, air and water compatible with healthy natural systems and public health and safety;
 - (b) is located, designed and operated in a manner that is consistent with the surrounding residential scale, form, character and amenity;
 - (e) is of a scale that does not detract from the visual primacy of the town centre;
 - (f) does not unduly prejudice or impact adversely on other intended “uses”, including those within other “zones”;
 - (g) has an appropriately designed access to the road network and traffic generated by the development does not impact adversely on the local road network;
 - (h) protects areas and sites of conservation importance, and cultural and high landscape values;
 - (i) is undertaken in an orderly and logical sequence to achieve an efficient provision of infrastructure, including social infrastructure;
 - (j) is located and designed in ways that minimise the need for flood and landslide mitigation, and to protect people and premises from such natural events;
 - (k) has water supply, stormwater disposal, sustainable effluent and waste disposal and power, to appropriate standards, adequate for the “use”; and
 - (l) does not impact adversely on infrastructure.
- (4) Within the Urban “Zone”, the following are appropriate “uses”:
 - (a) “detached house” on a lot of 600m² or more;
 - (b) “detached house” on a lot less than 600m² where a high standard of residential amenity can be achieved both within and external to the site;
 - (c) “accommodation building”, “bed and breakfast premises”, “caravan or relocatable home park” or “multiple dwelling” where they:
 - are of a scale, form and character that is consistent with surrounding development;
 - are suitably integrated with the surrounding locality and designed to promote connectivity to the wider community;
 - promote a high level of residential amenity and safety within and external to the site;
 - (d) “home business” where a high standard of residential amenity can be achieved both within and external to the site;
 - (e) “community oriented activities” where they are:
 - located on the site of an existing “community oriented activity” and do not unduly impact on the character and amenity of surrounding “uses” or
 - where they are of a small scale and are compatible with the character and amenity of surrounding “uses”;

- (f) “commercial activities” other than a “hotel” where located within the Clements Road centre in Moranbah, as expanded in accordance with outcome 2 in this purpose statement, and:
- of a convenience nature; and
 - where adverse impacts on the amenity of surrounding residential uses are appropriately mitigated;
- (g) “service station”, car based “catering premises” (such as a fast foods store) or “hotel” where on a site fronting Goonyella Road where no more than one of each use would result on any part of that road that lies within the Urban “Zone”, and where the residential amenity of the immediate locality are not adversely affected.
- (5) The area identified on zoning map 3 as an Emerging Community Area:
- (a) is protected from interim uses that might prejudice its longer term suitability for urban development;
- (b) is not developed for urban purposes until such time as an appropriate “structure plan” has been approved;³⁰
- (c) is planned in an integrated manner, such that:
- a mix of residential forms are accommodated to provide housing choice and diversity, with a predominance of self contained housing suitable for permanent residence;
 - opportunities for non-self contained accommodation for non-resident workers are provided in the form of small scale facilities which are integrated with the surrounding residential community;
 - “community oriented activities” and “open space and recreation activities” are provided to meet community needs;
 - a neighbourhood level commercial centre is provided for, which develops commensurate with community needs within the Emerging Community Area, and such that it does not detract from the intended function or viability of the town centre;
 - roads, pedestrian parks and bikeways form an interconnected network that provides for a high level of accessibility, convenience and amenity. In particular, networks provide direct connections to the remainder of the town as well as direct connections to the neighbourhood centre and community oriented activities within the Emerging Community Area;
 - high quality urban design is achieved, promoting community identity, sense of place and safety; and
 - the potential impacts of any existing or future rural, mining or rail activities are adequately mitigated through the design, orientation, location and buffering of new development.

4.2.2.3 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Material change of Use”

“Material change of use”	
Performance Criteria	Acceptable Solution
Location	
<p>PC1 Non-“Residential activities” – General Only the following non-“residential activities” are located in the Urban “Zone”:</p> <p>(a) “community oriented activities” where they are located on the site of an existing “community or oriented activities” or of a small scale and are compatible with the character and amenity of surrounding “uses”;</p> <p>(b) “commercial activities” up to a total floor space of 1000m² where located at the Clements Road convenience centre;</p> <p>(c) “service station” or car based “catering premises” (such as a fast foods store) or “hotel” where on a</p>	No acceptable solution is prescribed.

³⁰ Planning scheme policy 3 deals with the expected scope and form of a structure plan.

“Material change of use”	
Performance Criteria	Acceptable Solution
<p>site fronting Goonyella Road where no more than one of each use would result on any part of that road that lies within the Urban “Zone”, and where the residential amenity of the immediate locality will not be adversely affected; and</p> <p>(d) activities that meet local community needs within the Emerging Community Area and do not adversely impact on the function or viability of the town centre.</p>	
Amenity	
<p>PC2 Non-“Residential Activities” – Clements Road Convenience Centre</p> <p>New floor space in the convenience centre at Clements Road will be accommodated by way of a expansion of the existing centre onto adjoining land, where such an expansion:</p> <p>(a) integrates with the existing commercial building;</p> <p>(b) creates a pedestrian oriented and active street frontage; and</p> <p>(c) appropriately mitigates adverse impacts on the amenity of surrounding residential uses.</p>	No acceptable solution is prescribed.
<p>PC3 Non-“Residential Activities” – Operating Hours</p> <p>Non-“residential activities” are operated so as to ensure that the activities and the operation of equipment occur at appropriate times to protect the residential amenity of the locality.</p>	<p>AS3</p> <p>Non-“residential activities” are operated only between the hours of 7:00am and 6:00pm.</p>
<p>PC4 Non-“Residential Activities” – Delivery of Goods</p> <p>The loading and unloading of goods in connection with non-“residential activities” occurs at appropriate times to protect the residential amenity of the locality.</p>	<p>AS4.1</p> <p>Loading and unloading occurs only between the hours of:</p> <p>(a) 7:00am and 6:00pm, Monday to Friday and</p> <p>(b) 7:00am and 12:00 (noon) on Saturdays.</p> <p>AS4.2</p> <p>No loading and unloading occurs on Sundays and public holidays.</p>
<p>PC5 Transport Movements</p> <p>Transport movements associated with the “use” protect the residential amenity of the locality and do not exceed those normally associated with “residential activities” in this locality.</p>	<p>For non-“residential activities”:</p> <p>AS5</p> <p>Transport movements do not occur on streets which have a local residential access function only.</p> <p>For “residential activities”:</p> <p>No acceptable solution is prescribed.</p>
<p>PC6 Landscaping and External Activity Areas</p> <p>Landscaping and external activity areas are provided on-site to:</p> <p>(a) contribute to a pleasant and functional built form;</p> <p>(b) provide positive sun and breeze control;</p> <p>(c) make provision for recreation areas; and</p> <p>(d) contribute to the positive visual qualities of the locality.</p>	No acceptable solution is prescribed.
<p>PC7 Lighting</p> <p>The design of lighting does not prejudice the amenity of the locality through poorly directed lighting, lighting overspill or lighting glare.</p>	<p>AS7</p> <p>Direct lighting or lighting does not exceed 8.0 lux at 1.5 metres beyond the boundary of the site.</p>
<p>PC8 Separation of Incompatible Land Uses</p> <p>Separation distances are provided to ensure:</p> <p>(a) the future viability of surrounding “uses”;</p> <p>(b) infrastructure items are protected from incompatible “development”;</p> <p>(c) an appropriate standard of amenity and public safety; and</p> <p>(d) conflict arising from incompatible “uses” is</p>	<p>For “uses” in proximity to petroleum and gas pipelines and refuse tips:</p> <p>AS8</p> <p>“Buildings”, “structures” and “outdoor activity areas” maintain a minimum separation distance to petroleum and gas pipelines and refuse tips as stated in Schedule 2, Division 5: Separation Distances – Infrastructure Items, Section 5.1.</p>

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Performance Criteria	Acceptable Solution
minimised.	Otherwise, no acceptable solution is prescribed.
PC9 “Residential Activities” – Site Cover “Development” does not impact adversely on the residential amenity of the Urban “Zone” through over intensification.	AS9 Site cover is no more than 50%.
PC10 Height The height of “buildings” and “structures” does not impact adversely on the amenity of the locality, is consistent with the predominant residential form, and does not detract from the visual prominence of the town centre.	AS10 “Buildings” and “structures” other than those within 100 metres of the boundary of an “airport” are not more than: (a) 8.5 metres; and (b) 2 (two) storeys, at any point above natural ground level (except where establishing in an existing “building” and no “building works” are being undertaken).
PC11 Setbacks and Boundary Clearances “Buildings” and “structures” are located to ensure residential amenity and streetscape are protected and enhanced.	For all “uses” other than a “detached house”: ³¹ AS11.1.1 “Buildings” and “structures” have a setback of not less than 3 metres from the primary road frontage. or AS11.1.2 “Buildings” and “structures” have a setback within 20% of the existing setbacks of adjoining “buildings” and “structures”. AS11.2 The side and rear boundary clearance for a building or structure is: (a) where that part is 4.5m or less above natural ground level – 1.5m; (b) where that part is greater than 4.5m but not more than 7.5m above natural ground level – 2m; (c) where is greater than 7.5m above natural ground level – 2m plus 0.5m for every 3m or part exceeding 7.5m.
PC12 Locations of Structures – Corner Lots The size and location of structures on corner sites provide for adequate sight lines.	AS12 Fences, screens, and retaining walls and other structures are not more than 1m high within a truncation made by 3 equal chords of a 6m radius curve at the corner of the 2 road frontages.
PC13 Fences and Walls Front fences and walls improve the amenity for residents and contribute positive to the streetscape and adjacent buildings by: (a) allowing outlook from a dwelling to the street to achieve safety and surveillance; (b) enabling use of private open space abutting the street and/or provide an acoustic barrier if traffic noise is excessive; (c) highlighting entrances; and (d) using materials and design compatible with the associated development.	AS13.1 Front fences and walls are not more than 1.2m high if solid (forward of the building line). This height may be increased to 1.8m if the fence has openings which make it not less than 50% transparent; or AS13.2 Solid front fences are limited to where main private open space is in front of the dwelling or there is significant traffic volumes and is limited in length to 75% of the frontage.
PC14 “Residential Activities” other than detached houses – Open Space Sufficient communal open space is provided to accommodate the recreational needs of residents, create an acceptable level of residential amenity on	AS14 A minimum of 30% of the site is provided as open space exclusive of parking, accessways, clothes drying and garbage receptacles and having: (a) no dimension of less than 2m; and

³¹ Setbacks and boundary clearances for a “detached house” are to be in accordance with the Queensland Development Code, parts 11 and 12.

“Material change of use”	
Performance Criteria	Acceptable Solution
the site and complement the landscape character of the neighbourhood.	(b) a slope of not more than 1 in 10. Where there is private open space for ground floor units provided in accordance with AS15.1, this area may be included in the calculation of 30% of the site area.
PC15 “Detached Houses” and Ground Floor “Dwelling Units” – Private Open Space Outdoor living space having suitable size and slope is available to allow residents to extend their living activities outdoors from the main living area of the dwelling.	For a “detached house” with a site area <450m ² or a ground floor dwelling unit in a multiple dwelling: AS15.1 A dwelling has a clearly defined outdoor living space having – (a) an area of at least 16m ² ; (b) no dimension less than 4m; (c) a screen where necessary to ensure privacy; (d) access from a living area; and (e) a slope of not more than 1 in 10. For a “detached house” with a site area >450m ² : AS15.2 A dwelling has a clearly defined outdoor living space having – (a) an area of at least 25m ² ; (b) no dimension less than 4m; (c) a screen where necessary to ensure privacy; (d) access from a living area; (e) a slope of not more than 1 in 10.
PC16 Streetscape and Landscape The street, building and landscape design achieves: (a) Scale, form and materials which are consistent with the character of surrounding development, and add visual interest and allow differentiation between dwelling or accommodation units when viewed from the street; (b) the creation of residential environments with clear character and identity; (c) optimisation of such features of the site as views, vistas, existing vegetation and landmarks; (d) environments which discourage anti social behaviour and promote safety; and (e) sufficient open space to complement the landscape character of the neighbourhood.	No acceptable solution prescribed.
P17 Street Orientation Buildings are oriented to the street frontage and the primary entry is readily apparent from the street.	AS17 A dwelling or accommodation unit adjacent to a street addresses the street by having a front door or living room and kitchen windows facing the street.
PC18 Garages and car parts Garages and parking structures or areas that are sited and designed so they do not dominate the street frontage.	For “multiple dwellings”: AS18.1 Where they face the street, garages and car ports: (a) are located a minimum of 1m behind the main building line; and (b) have a maximum internal width of 6m or 50% of the frontage width of the dwelling unit to which they relate, whichever is the less. For other uses, no acceptable solution is prescribed.
PC19 Visual Privacy Buildings are designed to provide adequate visual privacy for neighbours.	For a “detached house” or “multiple dwelling”: AS19.1 A minimum 9m separation is provided between the windows of habitable rooms of facing “dwelling units”. AS19.2 Outlook from windows, balconies, stairs, landings,

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Performance Criteria	Acceptable Solution
	<p>terraces and decks is obscured or screened where a direct view is available into the private open space of an existing dwelling. If screening is used, the view of the area overlooked must be restricted within 9m and beyond a 45 degree angle from the plane of the wall containing the opening, measured from a height of 1.7m above floor level.</p> <p>AS19.3 Direct views described in AS19.2 (above) may be obscured by solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, which are:</p> <ul style="list-style-type: none"> (a) permanent and fixed; (b) or durable materials; and (c) designed and painted or coloured to blend in with the development. <p>AS19.4 No screening is required where:</p> <ul style="list-style-type: none"> (a) windows are in bathrooms, toilets, laundries, storage rooms, or other non-habitable rooms and they have translucent glazing or sill heights of at least 1.7m; and (b) windows are in habitable rooms and they have sill heights of 1.7m or more above floor level or translucent glazing to any part of a window less than 1.7m above floor level. <p>For all other uses: No acceptable solution is prescribed.</p>
<p>PC20 Climate Responsive Design “Buildings” are design to:</p> <ul style="list-style-type: none"> (a) maximise use of cooling breezes; (b) have windows located, sized, and shaded to facilitate heating and cooling; (c) have an area of roof with appropriate orientation and pitch suitable for the installation of solar collectors; and (d) have main living areas oriented generally to the east or north wherever possible. 	No acceptable solution is prescribed.
<p>PC21 Community Permanence Development contributes to a sense of permanence in the community and provides for a predominance of self contained “dwelling units” over other forms of housing.</p>	<p>AS21.1 “Accommodation buildings” are comprised of structures that are of a permanent rather than of a temporary or relocatable nature where they are likely to be established for a period of more than 5 years.</p> <p>For “accommodation buildings” and “caravan relocatable home parks”:</p> <p>AS21.2 Any single facility:</p> <ul style="list-style-type: none"> (a) consists of no more than 200 accommodation units or 100 individual caravan, tent or relocatable home sites; and (b) is no closer than 150m to an existing or approved “accommodation building” or “caravan or relocatable home park”.
Infrastructure	
<p>PC22 Water Supply All “premises” have an adequate volume and supply of water for the “use”.</p>	<p>AS22 “Premises” are connected to Council’s reticulated water supply system.</p>
<p>PC23 Effluent Disposal All “premises” provide for the treatment and disposal of</p>	<p>AS23 “Premises” are connected to Council’s reticulated</p>

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Performance Criteria	Acceptable Solution
effluent and other waste water to ensure the protection of public health and environmental values.	sewerage system.
PC24 Stormwater Stormwater is collected and discharged so as to: (a) protect the stability of buildings or the use of adjacent land; and (b) protect and maintain environmental values.	AS24 Stormwater is collected and discharged in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1.
PC25 Electricity “Premises” are provided with an adequate supply of electricity for the “use”.	AS25 All “premises” have a supply of electricity.
PC26 Vehicle Access Vehicle access is provided to ensure the safe and functional operation for motorists and pedestrians.	For all “self assessable uses”: AS26.1 All “premises” have vehicle access to a formed road. Access is designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.3(2). For all other “uses”: AS26.2 All “premises” have vehicle access to a formed road. Access is designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.3(1).
PC27 Vehicle Parking and Service Vehicle Provision Vehicle parking and service vehicle provision is adequate for the “use” and ensures safe and functional operation for motorists and pedestrians.	AS27.1 All “uses” provide vehicle parking in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(a). AS27.2 Car parking, service vehicle parking and manoeuvring areas are designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(b).
PC28 Roads Adequate all-weather road access is provided between the “premises” and the existing road network.	AS28 Roads are designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.1(1).
PC29 “Electricity transmission line easement” – Vegetation Transmission lines within an “electricity transmission line easement” are protected from vegetation.	AS29.1 Planted vegetation within an “electricity transmission line easement” has a mature height not exceeding 2.5 metres as shown in Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.2 Diagram 3. AS29.2 No part of planted vegetation, at its mature size, is located closer than 2.5 metres to an electricity transmission line as shown in Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.2 Diagram 3.
PC30 “Electricity transmission line easement” – Vegetated Buffers Vegetated buffers adjoining an “electricity transmission line easement” are maintained to provide: (a) a visual buffer to the easement; and (b) a separation distance from the easement.	AS30 Existing vegetation, comprising trees and/or shrubs, shall be retained within 20 metres of an “electricity transmission line easement” as shown in Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.2 Diagram 4.
PC31 “Electricity transmission line easement” – Separation Distance “Habitable buildings” and “child oriented uses” are	AS31 “Habitable buildings” and “child oriented uses” maintain a minimum separation distance from the most

“Material change of use”	
Performance Criteria	Acceptable Solution
located to ensure community safety.	proximate boundary of an “electricity transmission line easement” in accordance with Schedule 2, Division 4: Powerline / Electricity Easements, Section 3.1 (1) and Section 4.1 Diagram 1.
Environmental	
<p>PC32 “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AS32 A minimum 10 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p>
<p>PC33 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS33.1 A minimum separation distance of 10 metres is provided to the “defining bank” of “watercourses” and “lakes”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS33.2 A minimum separation distance of 20 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>
<p>PC34 Air Emissions Air emissions from “premises” do not cause environmental harm or nuisance to adjoining properties or “sensitive land uses”.³²</p>	No acceptable solution is prescribed.
<p>PC35 Noise Emissions Noise emissions from “premises” do not cause environmental harm or nuisance to adjoining properties or “sensitive land uses”.³³</p>	No acceptable solution is prescribed.
<p>PC36 Water Quality The standard of effluent and / or stormwater run-off from “premises” ensures the quality of surface and underground water is suitable for: (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use; or (e) industrial use.³⁴</p>	No acceptable solution is prescribed.
<p>PC37 Excavation or Filling Excavating or filling of land: (a) ensures safety and amenity for the users of the “premises” and nearby land; (b) minimises soil erosion and instability of surrounding areas; and (c) does not degrade the environmental values of receiving waters.</p>	<p>AS37.1 Batters have a maximum slope of 25%, are terraced at every rise of 1.5 metres and each terrace has a minimum depth of 750mm.</p> <p>AS37.2 Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p> <p>AS37.3 The extent of filling or excavation does not exceed 40% of the site area or 500m² whichever is lesser.</p>

³² One way an applicant may demonstrate how the development achieves the outcomes stated in PC34 is to prepare a study that identifies how the development is in accordance with Environmental Protection (Air) Policy 1997.

³³ One way an applicant may demonstrate how the development achieves the outcomes stated in PC35 is to prepare a study that identifies how the development is in accordance with Environmental Protection (Noise) Policy 1997.

³⁴ One way an applicant may demonstrate how the development achieves the outcomes stated in PC36 is to prepare a study that identifies how the development is in accordance with Environmental Protection (Water) Policy 1997.

“Material change of use”	
Performance Criteria	Acceptable Solution
	<p>AS37.4 Filling and excavation is not greater than 1 metre in height or depth.</p> <p>AS37.5 Only clean uncontaminated fill is used (i.e. no building waste, concrete, green waste or contaminated material etc. is used as fill).</p> <p>AS37.6 The site is not on the contaminated land register</p> <p>AS37.7 Any excavation or filling occurs more than 25 metres from the “defining bank” of any “watercourse” or “lake”. <i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS37.8 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1</p>
<p>PC38 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS38 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
Constraint	
<p>PC39 “Development” in the vicinity of “Airports” “Development” in the vicinity of “airports”: (a) protects the operation of the “airport”; (b) is designed and located to achieve a suitable standard of amenity for the proposed activity; and (c) does not restrict the future operational requirements of the “airport”.³⁵</p>	<p>AS39 “Buildings” and “structures” within 100 metres of the boundary of an “airport” are less than 7.5 metres in height at any point above natural ground level. (except where establishing in an existing “building” and no “building works” are being undertaken for that existing “building”.)</p>
<p>PC40 Flooding “Premises” are designed and located so as: (a) not to be adversely impacted upon by flooding; (b) to protect life and property; and (c) not to have an undesirable impact on the extent or magnitude of flooding.³⁶</p>	No acceptable solution is prescribed.
<p>PC41 Protected Areas “Development” is undertaken to ensure areas of significant biodiversity and habitat value and high scenic quality are protected.</p>	No acceptable solution is prescribed.
<p>PC42 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.</p>	<p>AS42 “Development” is not undertaken on slopes greater than 15%.</p>
“Use”	
<p>PC43 “Airport” “Airport” activities:</p>	No acceptable solution is prescribed.

³⁵ One way an applicant may demonstrate compliance with PC39 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities and the Planning Guidelines: Development in the Vicinity of Certain Airports and Aviation Facilities as may be applicable to the proposed development having regard to the nature of the airport facility and its operational characteristics

³⁶ To assist an applicant to demonstrate compliance with PC40, the maximum recorded flood may be adopted as an indication of flood level.

“Material change of use”	
Performance Criteria	Acceptable Solution
(a) do not adversely impact on the amenity of surrounding residents; (b) ensure the safe operation of aeronautical and support activities; and (c) ensure the safety of surrounding “premises”. ³⁷	
PC44 “Bed and Breakfast premises” “Premises” used for a “bed and breakfast premises” are of a scale and are operated in a manner so as not to impact adversely on the amenity of the locality.	AS44.1 Provision is made for no more than 4 (four) paying guests to be accommodated at any one time. AS44.2 “Premises” contains not more than 2 (two) “accommodation units” for guest accommodation purposes.
PC45 “Home Business” “Premises” used for a “home business” are of a scale and are operated in a manner so as not to impact adversely on the amenity of the locality.	AS45.1 No more than 1 (one) person other than the residents of the “premises” is employed in the “home business”. AS45.2 No more than 50m ² of “total use area” is used for the purposes of a “home business”. AS45.3 No more than 2 (two) clients normally attend the “premises” at any one time. AS45.4 No goods or products produced by other businesses are displayed for sale in any window or outdoor area. AS45.5 The “home business” operates only between the hours of 7:00am and 6:00pm. AS45.6 Delivery of goods occurs only between the hours of 8:00am and 6:00pm Monday to Friday, excluding Public Holidays.
Emerging Community Area	
PC46 Emerging Community Area Where located in the Emerging Community Area, as indicated on Zoning Map 3, development facilitates the creation of a well designed and integrated urban community which: <ul style="list-style-type: none"> (a) is well connected to the remainder of Moranbah; (b) provides for a mix of residential forms consistent with other provisions of this code; (c) meets local community needs for “open space and recreation activities” and “community oriented activities”; (d) accommodates “commercial activities” located in a neighbourhood level centre servicing the local needs of the Emerging Community Area and up to an ultimate floor space of 6,000m², and which: <ul style="list-style-type: none"> – develops commensurate with local community needs; 	No acceptable solution is prescribed.

³⁷ One way an applicant may demonstrate compliance with PC43 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities and the Planning Guidelines: Development in the Vicinity of Certain Airports and Aviation Facilities as may be applicable to the proposed airport facility and its operational characteristics.

³⁸ It is expected that any application demonstrates consistency with an overall “structure plan” that addresses each of the matters of relevance to this area identified in the performance criterion and the purpose of this code and the Reconfiguring a Lot Code, and contains all of the information set out in Planning Scheme Policy 3 Planning Scheme Policy 3 also provides guidelines on how to prepare a structure plan and other information required by Council.

“Material change of use”	
Performance Criteria	Acceptable Solution
<ul style="list-style-type: none"> - does not include a full line supermarket; and - which does not otherwise detract from the function or viability of the Moranbah town centre; <p>(e) has a high level of convenience and accessibility by walking, cycling and vehicles;</p> <p>(f) has a high standard of urban design; and</p> <p>(g) enables the ordered and efficient provision of infrastructure.³⁸</p>	

4.2.2.4 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Building work” where not associated with a “material change of use”

“Building work” where not associated with a material change of use”	
Performance Criteria	Acceptable Solution
Amenity	
<p>PC1 Height The height of “buildings” and “structures” does not impact adversely on the amenity of the Urban “Zone” and is consistent with the predominant building form.</p>	<p>AS1 “Buildings” and “Structures” other than those within 100 metres of the boundary of an “airport” are not more than: (a) 8.5 metres; and (b) 2 (two) storeys, at any point above natural ground level.</p>
<p>PC2 Setbacks and Boundary Clearances “Buildings” and “structures” are located to ensure that residential amenity is protected.</p>	<p>For all “uses” other than a “detached house”: AS2.1.1 “Buildings” and “structures” have a setback of not less than 6 metres from any road frontage.</p> <p style="text-align: center;">or</p> <p>AS2.1.2 “Buildings” and “structures” have a setback within 20% of the existing setbacks of adjoining “buildings” and “structures”.</p> <p>For all “uses” other than a “detached house”: AS2.2 “Buildings” and “structures” have side boundary clearances of not less than 2.5 metres and rear boundary clearance of not less than 6 metres from property boundaries.</p>
Infrastructure	
<p>PC3 Electricity Transmission Line Easement” – Separation Distance “Habitable buildings” and “child oriented uses” are located so as to promote community safety.</p>	<p>AS3 “Habitable buildings” and “buildings” and “structures” associated with “child oriented uses” maintain a minimum separation distance from the most proximate boundary of an “electricity transmission line easement” in accordance with Schedule 2, Division 4: Powerline / Electricity Easements, Section 3.1(1) and Section 4.1 Diagram 1.</p>
Environmental	
<p>PC4 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS4 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC5 “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AS5 A minimum 10 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”.</p>

“Building work” where not associated with a material change of use	
Performance Criteria	Acceptable Solution
	<i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i>
<p>PC6 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS6.1 A minimum separation distance of 10 metres is provided to the “defining bank” of “watercourses” and “lakes”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS6.2 A minimum separation distance of 20 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>
Constraint	
<p>PC7 “Development” in the Vicinity of “Airports” “Development” in the vicinity of “airports”: (a) protects the operation of the “airport”; (b) is designed and located to achieve a suitable standard of amenity for the proposed activity; and (c) does not restrict the future operational requirements of the “airport”.³⁹</p>	<p>AS7 “Buildings” and “structures” within 100 metres of the boundary of an “airport” are less than 7.5 metres in height at any point above natural ground level.</p>
<p>PC8 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.</p>	<p>AS8 “Development” is not undertaken on slopes greater than 15%.</p>

4.2.2.5 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Operational work” where not associated with a “material change of use”

“Operational work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
Amenity	
<p>PC1 General Design “Operational works” are designed and constructed so that the visual amenity of the locality is protected.</p>	No acceptable solution is prescribed.
Environmental	
<p>PC2 Excavation or Filling Excavating or filling of land: (a) ensures safety and amenity for the users of the “premises” and nearby land; (b) minimises soil erosion and instability of surrounding areas; and (c) does not degrade the environmental values of receiving waters.</p>	<p>AS2.1 Batters have a maximum slope of 25%, are terraced at every rise of 1.5 metres and each terrace has a minimum depth of 750mm.</p> <p>AS2.2 Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p> <p>AS2.3 The extent of filling or excavation does not exceed 40% of the site area or 500m² whichever is lesser.</p>

³⁹ One way an applicant may demonstrate compliance with PC7 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities and the Planning Guidelines: Development in the Vicinity of Certain Airports and Aviation Facilities as may be applicable to the proposed development having regard to the nature of the airport facility and its operational characteristics.

“Operational work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
	<p>AS2.4 Only clean uncontaminated fill is used (ie. no building waste, concrete, green waste or contaminated material etc. is used as fill).</p> <p>AS2.5 The site is not on the contaminated land register</p> <p>AS2.6 Any excavation or filling occurs more than 25 metres from the “defining bank” of any “watercourse” or “lake”. <i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS2.7 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC3 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS3 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC4 “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AS4 A minimum 10 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”. <i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p>
<p>PC5 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS5.1 A separation distance of not less than 10 metres is provided to the “defining bank” of “watercourses” and “lakes”. <i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS5.2 A minimum separation distance of 20 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>
<p>PC6 Water Quality The standard of effluent and / or stormwater run-off from “premises” ensures the quality of surface and underground water is suitable for: (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use; or (e) industrial use.⁴⁰</p>	<p>No acceptable solution is prescribed</p>
Constraint	
<p>PC7 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.</p>	<p>AS7 “Development” is not undertaken on slopes greater than 15%.</p>

⁴⁰ One way an applicant may demonstrate how the development achieves the outcomes stated in PC6 is to prepare a study that identifies how the development is in accordance with *Environmental Protection (Water) Policy 1997*.

4.3 Commercial “Zone”

4.3.1 Commercial “Zone” Table of Assessment ⁴¹ ⁴²

(1) “Material change of use”

“Use”	Assessment Category	Applicable Code
“Accommodation unit”	Code assessment where located above ground floor Impact assessment otherwise	Commercial “Zone” Code
“Bed and breakfast premises”	Self-assessment where complying with the applicable acceptable solutions in the Commercial “Zone” Code Code assessment if any applicable acceptable solution is not met	Commercial “Zone” Code Commercial “Zone” Code
“Caretaker’s residence”	Self-assessment where complying with the applicable acceptable solutions in the Commercial “Zone” Code Code assessment if any applicable acceptable solution is not met	Commercial “Zone” Code Commercial “Zone” Code
“Commercial activities”	Self-assessment where: (a) complying with the applicable acceptable solutions in the Commercial “Zone” Code; and (b) not involving “building work” other than “minor building work”. Code assessment otherwise	Commercial “Zone” Code Commercial “Zone” Code
“Home business”	Self-assessment where complying with the applicable acceptable solutions in the Commercial “Zone” Code Code assessment if any applicable acceptable solution is not met	Commercial “Zone” Code Commercial “Zone” Code
“Indoor recreation”	Code assessment where: (a) having a “total use area” less than 150 m ² , and (b) not involving “building work” other than “minor building work”. Impact assessment otherwise	Commercial “Zone” Code
“Industrial activities”	Code assessment where: (a) having a “total use area” less than 150 m ² : and (b) not involving “building work” other than “minor building work”. Impact assessment otherwise	Commercial “Zone” Code
“Multiple dwelling”	Code assessment where located above ground floor Impact assessment otherwise	Commercial “Zone” Code
All other “uses”	Impact assessment	

(2) “Reconfiguring a lot”

Type	Assessment Category	Applicable Code
“Reconfiguring a lot”	Code assessment	Reconfiguring a lot Code

⁴¹ Refer to section 1.4(2) of this planning scheme for development that is exempt.

⁴² The code provisions applicable to self-assessable development are listed in table 4.3.2.1 below.

(3) “Building work” where not associated with a “material change of use”

Type	Assessment Category	Applicable Code
“Building work”	Self-assessment where complying with the applicable acceptable solutions in the Commercial “Zone” Code Code assessment if any applicable acceptable solution is not met.	Commercial “Zone” Code Commercial “Zone” Code

(4) “Operational work” where not associated with a “material change of use”

Type	Assessment Category	Applicable Code
Excavation or filling	Self-assessment where complying with the applicable acceptable solutions in the Commercial “Zone” Code and: (a) less than 1 metre above or below natural ground level and involving less than 100m ³ of material; or (b) 1 metre or more above or below natural ground level and involving less than 50m ³ of material. Code assessment otherwise	Commercial “Zone” Code Commercial “Zone” Code

4.3.2 Commercial “Zone” Code

4.3.2.1 Self-assessable Development - Applicable Provisions

Applicable acceptable solutions for self-assessable development are as set out in Table 4.3.2.1.

Table 4.3.2.1

Acceptable solutions applicable to all self assessable material changes of use	
Development	Applicable acceptable solutions in section 4.3.2.3 of the code
All self assessable development	AS10-AS14, AS15.1, AS16.1, AS16.2, AS17, AS18.1, AS18.2
Additional acceptable solutions applicable only to certain self assessable material changes of use	
Development	Applicable acceptable solutions in section 4.3.2.3 of the code
All self assessable “residential activities”	AS4.3, AS8, AS19, AS20, AS24.1-24.7. AS25
“Bed and breakfast premises”	AS28
“Home business”	AS29.1-AS29.4
Acceptable solutions applicable to self assessable building work	
Development	Applicable acceptable solutions in section 4.3.2.4 of the code
Building work	AS1, AS3, AS4, AS5
Acceptable solutions applicable to self assessable operational work	
Development	Applicable acceptable solutions in section 4.3.2.5 of the code
Excavation and filling	AS2.1-AS2.7, AS3, AS5.2

4.3.2.2 Code Purpose

The following outcomes are the purpose of the Code:

- (1) The Commercial “Zone” is to be consolidated to form the commercial hubs of Clermont and Moranbah, accommodating a range of activities including commercial, community and recreational uses which contribute to the diversity of business and employment opportunities available to shire residents.
- (2) The town centres in Clermont and Moranbah are consolidated and their role as the primary commercial and community focal points of the Shire’s urban areas is reinforced. “Commercial activities” outside the Commercial “Zone” are limited to those opportunities specifically identified in other zones. The community will forgo any short term benefits that may be delivered by other out of centre development in order to create vibrant and vital town centres that deliver those benefits in the longer term.
- (3) The town centre in Moranbah expands to the east with “commercial activities” and some “community oriented activities” accommodated within the area of the existing Ted Rolf Oval.

However, commercial and retail floorspace only increases at a rate commensurate with population growth and community needs. Oversupply of retail or other commercial space which creates undue economic or social impacts is avoided.

- (4) Within the Commercial “Zone”, “development”:
- (a) contributes to identifiable, vibrant, compact commercial and community cores in Moranbah and Clermont;
 - (b) is located, designed and operated in a manner that protects and enhances commercial scale, intensity, form and character;
 - (c) reinforces the walkability of the centre and contributes to a pedestrian friendly environment;
 - (d) in Moranbah, promotes vehicular circulation around the perimeter of the centre rather than through the central parts of the centre;
 - (e) in Moranbah, contributes to the desired structure of the town centre, consisting of major retail anchors at the Ted Rolf Oval site and at (or integrated with) the Moranbah Fair site, linked by active frontages and pedestrian friendly environments along St Francis Drive, Griffin Street, Town Square Avenue and Batchelor Parade;
 - (f) in Moranbah, development on the Ted Rolf Oval site:
 - has its primary pedestrian entrance and main building areas oriented towards and located close to the Council building and the town square precinct, in a way that creates a public space which contributes to the activity and coherence of that precinct;
 - effectively engages with the nearby community centre to the west and community recreational facilities to the north;
 - has car parking, vehicular access and servicing areas located in the southern and eastern parts of the site, with appropriate screening from nearby residential areas, and providing flexibility to accommodate future commercial or mixed use activities along the external street frontages;
 - (g) in Moranbah, development on the Moranbah Fair site and land surrounding it provides active street frontages and orientate building, car parking and servicing create a visual and physical connection to the balance of the town centre, particularly those areas to the east;
 - (h) maintains the environment, including soil, air and water compatible with healthy natural systems and public health and safety;
 - (i) has an appropriately designed access to the road network and traffic generated by the development does not impact adversely on the local road network;
 - (j) protects areas and sites of cultural and high landscape values;
 - (k) is undertaken in an orderly and logical sequence to achieve an efficient provision of infrastructure, including social infrastructure;
 - (l) is located and designed in ways that minimise the need for flood and landslide mitigation, and to protect people and premises from such natural events;
 - (m) has water supply, stormwater disposal, sustainable effluent and waste disposal and power, to appropriate standards, adequate for the “use”; and
 - (n) does not impact adversely on infrastructure.
- (5) Within the Commercial “Zone”, the following are appropriate “uses”:
- (a) “commercial activities”, “community oriented activities”, and “indoor recreation”;
 - (b) “residential activities”, other than “caravan or relocatable home parks” and “detached houses” where they are located above ground floor “commercial activities”
 - (c) “tourist facilities”, where they are compatible with the urban form of the town centre and will contribute to the vitality of the centre; and
 - (d) “industrial activities”, where they are of a small scale and provide a direct service to the general public and are compatible with the amenity and urban form of the town centre.

4.3.2.3 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Material change of Use”

“Material change of use”	
Performance Criteria	Acceptable Solution
Location	
<p>PC1 Non-“Commercial Activities”, Non-“Community Oriented Activities” and Non “Indoor Recreation” Activities – General</p> <p>Only the following non-“commercial activities”, non-“community oriented activities” and non-“indoor recreation” activities are located in the Commercial “Zone”:</p> <p>(a) “residential activities” other than “caravan or relocatable home parks” and “detached houses” and “tourist facilities” where they are compatible with the urban form of the town centre and will contribute to the vitality of the centre; and</p> <p>(b) “Industrial activities” where they are of a small scale and provide a direct service to the general public and are compatible with the amenity and urban form of the town centre.</p>	No acceptable solution is prescribed.
Urban Design and Amenity	
<p>PC2 Consolidation of Town Centres</p> <p>Land in the town centres is efficiently utilised.</p>	No acceptable solution is prescribed.
<p>PC3 Moranbah Town Centre</p> <p>In Moranbah town centre, development is consistent with the intended town centre structure, including:</p> <p>(a) vehicular circulation primarily accommodated on perimeter roads;</p> <p>(b) major retailing uses such as supermarkets, discount department stores or other large format retailers being located at the Ted Rolf Oval site and at (or integrated with) the Moranbah Fair site;</p> <p>(c) the retail anchors described in (b) being linked by active, pedestrian friendly street frontages along the internal roads within the town centre;</p> <p>(d) the retail anchor described in (b) being designed to visually and physically connect to the balance of the town centre in a way which contributes to the activity and coherence of the centre overall;</p> <p>(e) car oriented activities such as (but not limited to) bulky goods showrooms⁴³, service stations, fast food stores⁴⁴, motels⁴⁵ and motor vehicle services⁴⁶ and the like are generally located on the external road frontages of the town centre: Mills Avenue, Belyando Avenue and Bacon Street.</p>	No acceptable solution is nominated.
<p>PC4 Active Street Frontages</p> <p>Active, pedestrian oriented street frontages are promoted to all internal streets within the town centre.</p>	<p>AS4.1</p> <p>Retail uses:</p> <p>(a) avoids having blank, or solid, or unglazed walls addressing the street, with a maximum of 5% of the ground floor façade being solid; and</p> <p>(b) provide a minimum 3m deep awning along the full length.</p> <p>AS4.2</p> <p>“Commercial activities” which do not contain a retail component should provide their major address facing the street and have entrances which front onto the primary street frontage.</p>

⁴³ A showroom falls within the definition of a “shop” in this planning scheme.

⁴⁴ A fast food store falls within the definition of “catering premises” in this planning scheme.

⁴⁵ Motels fall within the definition of “accommodation unit” in this planning scheme.

⁴⁶ Motor vehicle services would generally fall within the definition of “industry” in this planning scheme.

"Material change of use"	
Performance Criteria	Acceptable Solution
	<p>AS4.3 "Residential activities" are located above ground floor level.</p>
<p>PC5 Car Parking Location All off-street carparking and servicing occurs behind or alongside buildings rather than at the street frontage.</p>	No acceptable solution is prescribed.
<p>PC6 Moranbah Town Centre Expansion On the Ted Rolf Oval site in Moranbah, development:</p> <ul style="list-style-type: none"> (a) accommodates large format retail uses; (b) has its primary pedestrian enhance and building form oriented to the Council building and Town Square precinct; (c) creates a major public space at the entrance described in (b), which is activated by smaller scale and outdoor oriented retail uses; (d) physically and visually connects with the adjacent community centre and recreational facilities in a way which maintains safe and legible access and amenity for these facilities; (e) incorporates carparking, vehicular access and servicing in the eastern and southern portions of the site; (f) provides for screening or buffering of carparking and service areas in a manner which minimises adverse impacts on the amenity of nearby residential areas; and (g) provides the flexibility to accommodate future commercial activities or mixed residential and commercial activities fronting Mills Avenue or Belyando Avenue. 	No acceptable solution is prescribed.
<p>PC7 Meeting Community Needs In Moranbah, development does not create an oversupply of retail or other commercial space which generates economic or social impacts that cannot be satisfactorily alleviated.⁴⁷</p>	<p>Acceptable solution where a supermarket is proposed:</p> <p>AS7 A second full line supermarket does not occur prior to the full-time equivalent population of Moranbah reaching 10,000.⁴⁸</p> <p>Otherwise, no acceptable solution prescribed.</p>
<p>PC8 "Building" and "Structure" Height "Buildings" and "structures" are designed so that:</p> <ul style="list-style-type: none"> (a) the amenity of the Commercial "Zone" is protected and maintained; and (b) character and streetscape are enhanced. 	<p>AS8 "Buildings" and "structures" other than those within 100 metres of the boundary of an "airport" are not more than:</p> <ul style="list-style-type: none"> (a) 16 metres; and (b) 4 (four) storeys, <p>at any point above natural ground level (except where establishing in an existing "building" and no "building works" are being undertaken).</p>
<p>PC9 Landscaping and External Activity Areas Landscaping and external activity areas are provided on-site to:</p> <ul style="list-style-type: none"> (a) contribute to built form and streetscape; (b) provide positive sun and breeze control; and (c) make provision for recreation areas. 	No acceptable solution is prescribed.
<p>PC10 Lighting The design of lighting does not prejudice the amenity of the Commercial "Zone" or surrounding areas through poorly directed lighting, lighting overspill or</p>	<p>AS10 Direct lighting or lighting does not exceed 8.0 lux at 1.5 metres beyond the boundary of the site.</p>

⁴⁷ To demonstrate compliance with the performance criterion, where a proposal involves a floorspace of greater than 2,000m² provide:

- (a) a concept plan outlining proposed ultimate floorspace and staging; and
- (b) an economic and social impact assessment.

⁴⁸ The concept of full time equivalent population is as established by the Planning Information of Forecasting Unit in the Department of Infrastructure and Planning, in its publication "Bowen Basin Population Report" 2006.

“Material change of use”	
Performance Criteria	Acceptable Solution
lighting glare.	
Infrastructure	
PC11 Water Supply All “premises” have an adequate volume and supply of water for the “use”.	AS11 “Premises” are connected to Council’s reticulated water supply system.
PC12 Effluent Disposal All “premises” provide for the treatment and disposal of effluent and other waste water to ensure the protection of public health and environmental values.	AS12 “Premises” are connected to Council’s reticulated sewerage system.
PC13 Stormwater Stormwater is collected and discharged so as to: (a) protect the stability of buildings or the use of adjacent land; and (b) protect and maintain environmental values.	AS13 Stormwater is collected and discharged in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1.
PC14 Electricity “Premises” are provided with an adequate supply of electricity for the “use”.	AS14 All “premises” have a supply of electricity.
PC15 Vehicle Access Vehicle access is provided to ensure the safe and functional operation for motorists and pedestrians.	For “self assessable uses”: AS15.1 All “premises” must have vehicle access to a formed road. Access is to be designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.3(2). For all other “uses”: AS15.2 All “premises” must have vehicle access to a formed road. Access to be designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.3(1).
PC16 Vehicle Parking and Service Vehicle Provision Vehicle parking, service vehicle areas, loading and unloading areas (including refuse storage areas) are: (a) adequate for the “use”; (b) ensure safe and functional operation for motorists and pedestrians; and (c) located to allow for the servicing of the Use, while protecting the amenity of surrounding “uses”.	AS16.1 All “uses” provide vehicle parking in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(a). AS16.2 Car parking, service vehicle parking and manoeuvring areas are designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(b).
PC17 Roads Adequate all-weather road access is provided between the “premises” and the existing road network.	AS17 Roads are designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.1(1).
PC18 “Electricity transmission line easement” – Vegetation Transmission lines within an “electricity transmission line easement” are protected from vegetation.	AS18.1 Planted vegetation within an “electricity transmission line easement” shall have a mature height not exceeding 2.5 metres as shown in Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.2 Diagram 3. AS18.2 No part of planted vegetation, at its mature size, is located closer than 2.5 metres to an electricity transmission line as shown in Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.2 Diagram 3.

“Material change of use”	
Performance Criteria	Acceptable Solution
<p>PC19 “Electricity transmission line easement” – Separation Distance “Habitable buildings” and “child oriented uses” are located to ensure community safety.</p>	<p>AS19 “Habitable buildings” and “child oriented uses” maintain a minimum separation distance from the most proximate boundary of an “electricity transmission line easement” in accordance with Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.1 (1) and Section 4.1 Diagram 1.</p>
Environmental	
<p>PC20 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS20 A minimum separation distance of 20 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>
<p>PC21 Air Emissions Air emissions from “premises” do not cause environmental harm or nuisance to adjoining properties or “sensitive land uses”⁴⁹.</p>	No acceptable solution is prescribed.
<p>PC22 Noise Emissions Noise emissions from “premises” do not cause environmental harm or nuisance to adjoining properties or “sensitive land uses”⁵⁰.</p>	No acceptable solution is prescribed.
<p>PC23 Water Quality The standard of effluent and / or stormwater run-off from “premises” ensures the quality of surface and underground water is suitable for: (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use; or (e) industrial use⁵¹.</p>	No acceptable solution is prescribed.
<p>PC24 Excavation or Filling Excavating or filling of land: (a) ensures safety and amenity for the users of the “premises” and nearby land; (b) minimises soil erosion and instability of surrounding areas; and (c) does not degrade the environmental values of receiving waters.</p>	<p>AS24.1 Batters have a maximum slope of 25%, are terraced at every rise of 1.5 metres and each terrace has a minimum depth of 750mm.</p> <p>AS24.2 Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p> <p>AS24.3 The extent of filling or excavation does not exceed 40% of the site area or 500m² whichever is lesser.</p> <p>AS24.4 Filling and excavation is not greater than 1 metre in height or depth.</p> <p>AS24.5 Only clean uncontaminated fill is used (ie. no building waste, concrete, green waste or contaminated material etc. is used as fill).</p> <p>AS24.6 The site is not on the contaminated land register</p>

⁴⁹ One way an applicant may demonstrate how the development achieves the outcomes stated in PC21 is to prepare a study that identifies how the development is in accordance with *Environmental Protection (Air) Policy 1997*.

⁵⁰ One way an applicant may demonstrate how the development achieves the outcomes stated in PC22 is to prepare a study that identifies how the development is in accordance with *Environmental Protection (Noise) Policy 1997*.

⁵¹ One way an applicant may demonstrate how the development achieves the outcomes stated in PC23 is to prepare a study that identifies how the development is in accordance with *Environmental Protection (Water) Policy 1997*.

"Material change of use"	
Performance Criteria	Acceptable Solution
	AS24.7 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.
PC25 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.	AS25 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.
Constraint	
PC26 Flooding "Premises" are designed and located so as: (a) not to be adversely impacted upon by flooding; (b) to protect life and property; and (c) not to have an undesirable impact on the extent or magnitude of flooding ⁵² .	No acceptable solution is prescribed.
"Use"	
PC27 "Airport" "Airport" activities: (a) do not adversely impact on the amenity of surrounding residents; (b) ensure the safe operation of aeronautical and support activities; and (c) ensure the safety of surrounding "premises" ⁵³ .	No acceptable solution is prescribed.
PC28 "Bed and breakfast premises" "Premises" used for a "bed and breakfast premises" are of a scale and are operated in a manner so as not to impact adversely on the amenity of the locality.	AS28 Provision is made for no more than 8 (eight) paying guests to be accommodated at any one time.
PC29 "Home business" "Premises" used for a "home business" are of a scale and are operated in a manner so as not to impact adversely on the amenity of the locality.	AS29.1 No more than 2 persons other than the residents of the "premises" are employed in the "home business". AS29.2 No more than 100m ² of "total use area" is used for the purposes of a "home business". AS29.3 No more than 2 (two) clients normally attend the "premises" at any one time. AS29.4 No goods or products produced by other businesses are displayed for sale in any window or outdoor area.
Amenity – "Residential Activities"	
PC30 "Residential activities" Residential activities: (a) are located above ground floor "commercial activities" where part of a mixed use development; (b) are designed and located to ensure residents are not adversely impacted by surrounding uses; and (c) are of a scale and built form that is compatible with surrounding uses.	No acceptable solution is prescribed.
PC31 Visual Privacy Buildings are designed to provide adequate visual privacy for residents and neighbours.	No acceptable solution prescribed.

⁵² To assist an applicant to demonstrate compliance with PC26, the maximum recorded flood may be adopted as an indication of flood level.

⁵³ One way an applicant may demonstrate compliance with PC27 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities and the Planning Guidelines: Development in the Vicinity of Certain Airports and Aviation Facilities as may be applicable to the proposed airport facility and its operational characteristics.

"Material change of use"	
Performance Criteria	Acceptable Solution
<p>PC32 Daylight and ventilation Buildings are design to:</p> <ul style="list-style-type: none"> (a) maximise use of cooling breezes; (b) have windows located, sized, and shaded to facilitate heating and cooling; (c) have an area of roof with appropriate orientation and pitch suitable for the installation of solar collectors; and (d) have main living areas oriented generally to the east or north. 	No acceptable solution prescribed.

4.3.2.4 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – "Building work" where not associated with a "material change of use"

"Building work" where not associated with a "material change of use"	
Performance Criteria	Acceptable Solution
Amenity	
<p>PC1 "Building" and "Structure" Design "Buildings" and "structures" are designed so that:</p> <ul style="list-style-type: none"> (a) the amenity of the Commercial "Zone" is protected and maintained; (b) character and streetscape are enhanced; (c) they address the street frontage; and (d) compliment the local traditional building elements. 	<p>AS1 "Buildings" and "structures" other than those within 100 metres of the boundary of an "airport" are not more than:</p> <ul style="list-style-type: none"> (a) 16 metres; and (b) 4 (four) storeys, at any point above natural ground level.
<p>PC2 Setbacks and Boundary Clearances "Buildings" and "structures" are located to ensure the local character and streetscape are protected and enhanced.</p>	No acceptable solution is prescribed.
Infrastructure	
<p>PC3 "Electricity transmission line easement" – Separation Distance "Habitable buildings" and "child oriented uses" are located so as to promote community safety.</p>	<p>AS3 "Habitable buildings" and "buildings" and "structures" associated with "child oriented uses" maintain a minimum separation distance from the most proximate boundary of an "electricity transmission line easement" in accordance with Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.1(1) and Section 4.1 Diagram 1.</p>
Environmental	
<p>PC4 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS4 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC5 Cultural Heritage "Development" ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS5 A minimum separation distance of 20 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>

4.3.2.5 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – "Operational work" where not associated with a "material change of use"

"Operational work" where not associated with a "material change of use"	
Performance Criteria	Acceptable Solution
Amenity	
<p>PC1 General Design "Operational works" are designed and constructed so</p>	No acceptable solution is prescribed.

“Operational work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
that the visual amenity and streetscape of the Commercial “Zone” is protected.	
Environmental	
<p>PC2 Excavation or Filling Excavating or filling of land:</p> <ul style="list-style-type: none"> (a) ensures safety and amenity for the users of the “premises” and nearby land; (b) minimises soil erosion and instability of surrounding areas; and (c) does not degrade the environmental values of receiving waters. 	<p>AS2.1 Batters have a maximum slope of 25%, are terraced at every rise of 1.5 metres and each terrace has a minimum depth of 750mm.</p> <p>AS2.2 Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p> <p>AS2.3 The extent of filling or excavation does not exceed 40% of the site area or 500m² whichever is lesser.</p> <p>AS2.4 Only clean uncontaminated fill is used (i.e. no building waste, concrete, green waste or contaminated material etc. is used as fill).</p> <p>AS2.5 The site is not on the contaminated land register.</p> <p>AS2.6 Any excavation or filling occurs more than 25 metres from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS2.7 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1. The site is not on the contaminated land register.</p>
<p>PC3 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS3 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC4 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS4 A minimum separation distance of 20 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>
<p>PC6 Water Quality The standard of effluent and / or stormwater run-off from “premises” ensures the quality of surface and underground water is suitable for:</p> <ul style="list-style-type: none"> (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use; or (e) industrial use⁵⁴. 	<p>No acceptable solution is prescribed.</p>

⁵⁴ One way an applicant may demonstrate how the development achieves the outcomes stated in PC6 is to prepare a study that identifies how the development is in accordance with *Environmental Protection (Water) Policy 1997*.

4.4 Industrial “Zone”

4.4.1 Industrial “Zone” Table of Assessment ^{55 56}

(1) “Material change of use”

“Use”	Assessment Category	Applicable Code
“Caretaker’s residence”	Self-assessment where complying with the applicable acceptable solutions in the Industrial “Zone” Code Code assessment if any applicable acceptable solution is not met	Industrial “Zone” Code Industrial “Zone” Code
“Commercial premises” where involving a change of use from an existing commercial premises or shop	Code assessment if not involving “building work” other than “minor building work” Impact assessment otherwise	Industrial “Zone” Code
“Industrial activities”	Code assessment	Industrial “Zone” Code
“Public utility”	Code assessment	Industrial “Zone” Code
“Shop” where involving a change of use from an existing commercial premises or shop	Code assessment if not involving “building work” other than “minor building work” Impact assessment otherwise	Industrial “Zone” Code
All other “uses”	Impact assessment	

(2) “Reconfiguring a lot”

Type	Assessment Category	Applicable Code
“Reconfiguring a lot”	Code assessment	Reconfiguring a lot Code

(3) “Building work” where not associated with a “Material Change of use”

Type	Assessment Category	Applicable Code
“Building work” ⁵⁷	Self-assessment where complying with the applicable acceptable solutions in the Industrial “Zone” Code Code assessment if any applicable acceptable solution is not met.	Industrial “Zone” Code Industrial “Zone” Code

(4) “Operational work” where not associated with a “Material Change of use”

Type	Assessment Category	Applicable Code
Excavation or filling	Self-assessment where complying with the applicable acceptable solutions in the Industrial “Zone” Code and: (a) less than 1 metre above or below natural ground level and involving less than 100m ³ of material; or (b) 1 metre or more above or below natural ground level and involving less than 50m ³ of material. Code assessment otherwise	Industrial “Zone” Code Industrial “Zone” Code

4.4.2 Industrial “Zone” Code

4.4.2.1 Self-assessable Development - Applicable Provisions

Applicable acceptable solutions for self-assessable development are as follows in Table 4.4.2.1:

Table 4.4.2.1

⁵⁵ Refer to section 1.4(2) of this planning scheme for building work that is exempt development

⁵⁶ The code provisions applicable to self-assessable development are listed in table 4.4.2.1 below.

Acceptable solutions applicable to self assessable material changes of use	
Development	Applicable acceptable solutions in section 4.2.2.3 of the code
"Caretaker's residence"	AS4, AS5.1, AS5.2, AS9, AS10, AS11, AS12, AS13, AS14, AS15.1, AS16, AS17.1, AS17.2, AS18, AS20.2, AS24.1-AS24.8, AS25, AS26, AS28, AS30
Acceptable solutions applicable to self assessable building work	
Development	Applicable acceptable solutions in section 4.2.2.4 of the code
Building work	All acceptable solutions except AS5, AS6.1
Acceptable solutions applicable to self assessable operational work	
Development	Applicable acceptable solutions in section 4.2.2.5 of the code
Excavation and filling	AS2.1-AS2.8, AS3, AS5.2, AS7

4.4.2.2 Code Purpose

The following outcomes are the purpose of the Code:

- (1) The Industrial "Zone" accommodates a wide range of "industrial activities" and "public utilities".
- (2) Within the Industrial "Zone" "industrial activities":
 - (a) are consolidated within an identifiable area, so as to ensure other "uses" in the locality are protected from any adverse impacts associated with "industrial activities"; and
 - (b) are not prejudiced by the intrusion of incompatible "uses".
- (3) Within the Industrial "Zone", "development":
 - (a) is located, designed and operated in a manner that maintains the industrial scale, intensity, form and character;
 - (b) maintains the environment, including soil, air and water compatible with healthy natural systems and public health and safety;
 - (c) does not prejudice or impact adversely on other "uses" including those within other "zones";
 - (d) has an appropriately designed access to the road network, and traffic generated by the development does not impact adversely on the local road network;
 - (e) protects areas and sites of conservation importance, including cultural and high landscape values;
 - (f) is undertaken in an orderly and logical sequence to achieve an efficient provision of infrastructure;
 - (g) is located and designed in ways that minimise the need for flood and landslide mitigation, and to protect people and premises from such natural events;
 - (h) has water supply, stormwater disposal, sustainable effluent and waste disposal and power, to appropriate standards, adequate for the "use"; and
 - (i) does not impact adversely on infrastructure.
- (4) Within the Industrial "Zone", "commercial premises" or "shop" are appropriate uses where providing a direct service to industrial activities located within the Industrial "Zone".

4.4.2.3 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Material change of Use”

“Material change of use”	
Performance Criteria	Acceptable Solution
Location	
<p>PC1 Non-“Industrial activities” – Locational Criteria Uses other than “industrial activities” and “public utilities” are located in the Industrial “Zone” only where:</p> <p>(a) it can be demonstrated those activities are directly associated with industrial activities and cannot reasonably be established in other more appropriate “zones”; and</p> <p>(b) those activities do not prejudice the operation of “industrial activities”.</p>	No acceptable solution is prescribed.
Amenity	
<p>PC2 Protection of Surrounding Areas “Uses” are operated to ensure the amenity of the surrounding areas is protected.</p>	<p>AS2.1 “Uses” are operated only between the hours of 7:00am and 6:00pm.</p> <p>AS2.2 A 1.8 metre high solid screen fence is erected along the full length of any boundary common with land in an Urban, Commercial or Open Space and Recreation “zone”.</p> <p>For “industrial activities” located adjacent to a “sensitive land use”:</p> <p>AS2.3 “Buildings” and “structures” are located not less than 50 metres from the lot boundary which adjoins the use.</p>
<p>PC3 “Total use area” “Development” is of a scale that contributes to the amenity of the Industrial “Zone” and surrounding areas by providing adequate area for landscaping and separation between buildings.</p>	<p>AS3 “Total use area” is no more than 75% of site area.</p>
<p>PC4 Height The height of “buildings” and “structures” does not impact adversely on the amenity of the Industrial “Zone” and surrounding areas.</p>	<p>AS4 “Buildings” and “structures” other than those within 100 metres of the boundary of an “airport” are less than 12 metres in height at any point above natural ground level. (Except where establishing in an existing “building” and no “building works” are being undertaken).</p>
<p>PC5 Setbacks and Boundary Clearances “Buildings” and “structures” are located to ensure the local character and streetscape are protected and enhanced.</p>	<p>AS5.1 “Buildings” and “structures” have a setback of not less than 6 metres from any road frontage.</p> <p>AS5.2 “Buildings” and “structures” have side boundary clearances of not less than 2.5 metres and rear boundary clearance of not less than 6 metres from property boundaries. (Except where establishing in an existing building” and no “building works” are being undertaken for that existing “building”).</p>
<p>PC6 Transport Movements Transport movements associated with the use protect the amenity of surrounding residential areas.</p>	<p>AS6 Transport movements do not occur through residential areas.</p>
<p>PC7 “Building” and “Structure” Design “Buildings” and “structures” are designed so that the amenity of the Industrial “Zone” is maintained and the amenity of surrounding areas is protected.</p>	No acceptable solution is prescribed.
<p>PC8 Landscaping and External Activity Areas Landscaping and external activity areas are provided</p>	No acceptable solution is prescribed.

“Material change of use”	
Performance Criteria	Acceptable Solution
on-site to: (a) contribute to built form and streetscape; (b) provide positive sun and breeze control; and (c) make provision for recreation areas.	
PC9 Lighting The design of lighting does not prejudice the local amenity.	AS9 Direct lighting or lighting does not exceed 8.0 lux at 1.5 metres beyond the boundary of the site.
Infrastructure	
PC10 Water Supply All “premises” have an adequate volume and supply of water for the “use”.	AS10 “Premises” are connected to Council’s reticulated water supply system.
PC11 Effluent Disposal All “premises” provide for the treatment and disposal of effluent and other waste water to ensure the protection of public health and environmental values.	AS11 “Premises” are connected to Council’s reticulated sewerage system.
PC12 Stormwater Stormwater is collected and discharged so as to: (a) protect the stability of buildings or the use of adjacent land; and (b) protect and maintain environmental values.	AS12 Stormwater is collected and discharged in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1.
PC13 Electricity “Premises” are provided with an adequate supply of electricity for the “use”.	AS13 All “premises” have a supply of electricity.
PC14 Vehicle Access Vehicle access is provided to ensure the safe and functional operation for motorists and pedestrians.	AS14 All “premises” must have vehicle access to a formed road. Access to be designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.3(1).
PC15 Vehicle Parking and Service Vehicle Provision Vehicle parking, service vehicle areas, loading and unloading areas (including refuse storage areas) are: (a) adequate for the “use”; (b) ensure safe and functional operation for motorists and pedestrians; and (c) located to allow for the servicing of the “use”, while protecting the amenity of surrounding “uses”.	AS15.1 All “uses” provide vehicle parking in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(a). AS15.2 Car parking, service vehicle parking and manoeuvring areas are designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(b).
PC16 Roads Adequate all-weather road access is provided between the “premises” and the existing road network.	AS16 Roads are designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.1(1).
PC17 “Electricity Transmission Line Easement” – Vegetation Transmission lines within an “electricity transmission line easement” are protected from vegetation.	AS17.1 Planted vegetation within an “electricity transmission line easement” shall have a mature height not exceeding 2.5 metres as shown in Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.2 Diagram 3. AS17.2 No part of planted vegetation, at its mature size, is located closer than 2.5 metres to an electricity transmission line as shown in Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.2 Diagram 3.
PC18 “Electricity Transmission Line Easement” – Separation Distance “Habitable buildings” and “child oriented uses” are located to ensure community safety.	AS18 “Habitable buildings” and “child oriented uses” maintain a minimum separation distance from the most proximate boundary of an “electricity transmission line

“Material change of use”	
Performance Criteria	Acceptable Solution
	easement” in accordance with Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.1(1) and Section 4.1 Diagram 1.
Environmental	
<p>PC19 “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AS19 A minimum 10 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p>
<p>PC20 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS20.1 A minimum separation distance of 10 metres is provided to the “defining bank” of “watercourses” and “lakes”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS20.2 A minimum separation distance of 20 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>
<p>PC21 Air Emissions Air emissions from “premises” do not cause environmental harm or nuisance to adjoining properties or “sensitive land uses”⁵⁸.</p>	No acceptable solution is prescribed.
<p>PC22 Noise Emissions Noise emissions from “premises” do not cause environmental harm or nuisance to adjoining properties or “sensitive land uses”⁵⁹.</p>	No acceptable solution is prescribed.
<p>PC23 Water Quality The standard of effluent and / or stormwater run-off from “premises” ensures the quality of surface and underground water is suitable for: (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use; or (e) industrial use⁶⁰.</p>	No acceptable solution is prescribed.
<p>PC24 Excavation or Filling Excavating or filling of land: (a) ensures safety and amenity for the users of the “premises” and nearby land; (b) minimises soil erosion and instability of surrounding areas; and (c) does not degrade the environmental values of receiving waters.</p>	<p>AS24.1 Batters have a maximum slope of 25%, are terraced at every rise of 1.5 metres and each terrace has a minimum depth of 750mm.</p> <p>AS24.2 Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p> <p>AS24.3 The extent of filling or excavation does not exceed 40% of the site area or 500m² whichever is lesser.</p> <p>AS24.4</p>

⁵⁸ One way an applicant may demonstrate how the development achieves the outcomes stated in PC21 is to prepare a study that identifies how the development is in accordance with Environmental Protection (Air) Policy 1997.

⁵⁹ One way an applicant may demonstrate how the development achieves the outcomes stated in PC22 is to prepare a study that identifies how the development is in accordance with Environmental Protection (Noise) Policy 1997.

⁶⁰ One way an applicant may demonstrate how the development achieves the outcomes stated in PC23 is to prepare a study that identifies how the development is in accordance with Environmental Protection (Water) Policy 1997.

“Material change of use”	
Performance Criteria	Acceptable Solution
	<p>Filling and excavation is not greater than 1 metre in height or depth.</p> <p>AS24.5 Only clean uncontaminated fill is used (ie. no building waste, concrete, green waste or contaminated material etc. is used as fill).</p> <p>AS24.6 The site is not on the contaminated land register</p> <p>AS24.7 Any excavation or filling occurs more than 25 metres from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS24.8 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC25 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS25 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
Constraint	
<p>PC26 “Development” in the vicinity of “Airports” “Development” in the vicinity of “airports”: (a) protects the operation of the “airport”; (b) is designed and located to achieve a suitable standard of amenity for the proposed activity; and (c) does not restrict the future operational requirements of the “airport”⁶¹.</p>	<p>AS26 “Buildings” and “structures” within 100 metres of the boundary of an “airport” are less than 7.5 metres in height at any point above natural ground level. (except where establishing in an existing “building” and no “building works” are being undertaken for that existing “building”.)</p>
<p>PC27 Flooding “Premises” are designed and located so as: (a) not to be adversely impacted upon by flooding; (b) to protect life and property; and (c) not to have an undesirable impact on the extent or magnitude of flooding⁶².</p>	<p>No acceptable solution is prescribed.</p>
<p>PC28 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.</p>	<p>AS28 “Development” is not undertaken on slopes greater than 15%.</p>
“Use”	
<p>PC29 “Airport” “Airport” activities: (a) do not adversely impact on the amenity of surrounding residents; (b) ensure the safe operation of aeronautical and support activities; and (c) ensure the safety of surrounding “premises”⁶³.</p>	<p>No acceptable solution is prescribed.</p>

⁶¹ One way an applicant may demonstrate compliance with PC26 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities and the Planning Guidelines: Development in the Vicinity of Certain Airports and Aviation Facilities as may be applicable to the proposed development having regard to the nature of the airport facility and its operational characteristics.

⁶² To assist an applicant to demonstrate compliance with PC27, the maximum recorded flood may be adopted as an indication of flood level.

“Material change of use”	
Performance Criteria	Acceptable Solution
<p>PC30 “Caretaker’s Residences” “Caretaker’s residences” are directly associated with the use on the premises and do not compromise the operation of “industrial activities” within the Industrial “Zone”.</p>	<p>AS30 No more than 1 (one) “caretaker’s residence” per lot.</p>

4.4.2.4 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Building work” where not associated with a “material change of use”

“Building work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
Amenity	
<p>PC1 Height The height of “buildings” and “structures” does not impact adversely on the amenity of the Industrial “Zone” and is consistent with the predominant industrial form.</p>	<p>AS1 “Buildings” and “structures” other than those within 100 metres of the boundary of an “airport” are less than 12 metres in height at any point above natural ground level.</p>
<p>PC2 Setbacks and Boundary Clearances “Buildings” and “structures” are located to ensure the local character and streetscape are protected and enhanced.</p>	<p>AS2.1 “Buildings” and “structures” have a setback of not less than 6 metres from any road frontage.</p> <p>AS2.2 “Buildings” and “structures” have side boundary clearances of not less than 2.5 metres and rear boundary clearance of not less than 6 metres from property boundaries (except where establishing in an existing “building” and no “building works” are being undertaken for that existing “building”).</p>
Infrastructure	
<p>PC3 “Electricity Transmission Line Easement” – Separation Distance “Habitable buildings” and “child oriented uses” are located so as to promote community safety.</p>	<p>AS3 “Habitable buildings” and “buildings” and “structures” associated with “child oriented uses” maintain a minimum separation distance from the most proximate boundary of an “electricity transmission line easement” in accordance with Schedule 2, Division 4: Powerline / Electricity Easements, Section 4.1(1) and Section 4.1 Diagram 1.</p>
Environmental	
<p>PC4 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS4 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC5 “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AS5 A minimum 10 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p>
<p>PC6 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS6.1 A minimum separation distance of 10 metres is provided to the “defining bank” of “watercourses” and “lakes”.</p> <p><i>Note: See diagrammatic representation of a “defining</i></p>

⁶³ One way an applicant may demonstrate compliance with PC29 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities and the Planning Guidelines: Planning Development in the Vicinity of Certain Airports and Aviation Facilities as may be applicable to the proposed airport facility and its operational characteristics.

“Building work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
	<i>bank” in Schedule 3.</i> AS6.2 A minimum separation distance of 20 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.
Constraint	
PC7 “Development” in the Vicinity of “Airports” “Development” in the vicinity of “airports”: (a) protects the operation of the “airport”; (b) is designed and located to achieve a suitable standard of amenity for the proposed activity; and (c) does not restrict the future operational requirements of the “airport” ⁶⁴ .	AS7 “Buildings” and “structures” within 100 metres of the boundary of an “airport” are less than 7.5 metres in height at any point above natural ground level.
PC8 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.	AS8 “Development” is not undertaken on slopes greater than 15%.

4.4.2.5 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – *Operational work*” where not associated with a “material change of use”

“Operational work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
Amenity	
PC1 General Design “Operational works” are designed and constructed so that the visual amenity and streetscape of the Industrial “Zone” and surrounding areas are protected.	No acceptable solution is prescribed.
Environmental	
PC2 Excavation or Filling Excavating or filling of land: (a) ensures safety and amenity for the users of the “premises” and nearby land; (b) minimises soil erosion and instability of surrounding areas; and (c) does not degrade the environmental values of receiving waters.	AS2.1 Batters have a maximum slope of 25%, are terraced at every rise of 1.5 metres and each terrace has a minimum depth of 750mm. AS2.2 Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height. AS2.3 The extent of filling or excavation does not exceed 40% of the site area or 500m ² whichever is lesser. AS2.4 Only clean uncontaminated fill is used (ie. no building waste, concrete, green waste or contaminated material etc. is used as fill). AS2.5 The site is not on the contaminated land register

⁶⁴ One way an applicant may demonstrate compliance with PC7 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities and the Planning Guidelines: Development in the Vicinity of Certain Airports and Aviation Facilities as may be applicable to the proposed development having regard to the nature of the airport facility and its operational characteristics.

“Operational work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
	<p>AS2.6 Any excavation or filling occurs more than 25 metres from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS2.7 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC3 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS3 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC4 “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AS4 A minimum 10 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p>
<p>PC5 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS5.1 A separation distance of not less than 10 metres is provided to the “defining bank” of “watercourses” and “lakes”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS5.2 A minimum separation distance of 20 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>
<p>PC6 Water Quality The standard of effluent and / or stormwater run-off from “premises” ensures the quality of surface and underground water is suitable for: (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use; or (e) industrial use⁶⁵.</p>	<p>No acceptable solution is prescribed.</p>
Constraint	
<p>PC7 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.</p>	<p>AS7 “Development” is not undertaken on slopes greater than 15%.</p>

⁶⁵ One way an applicant may demonstrate how the development achieves the outcomes stated in PC6 is to prepare a study that identifies how the development is in accordance with Environmental Protection (Water) Policy 1997.

4.5 Open Space and Recreation “Zone”

4.5.1 Open Space and Recreation “Zone” Table of Assessment ^{66 67}

(1) “Material change of use”

“Use”	Assessment Category	Applicable Code
All “uses”	Impact assessment	

(2) “Reconfiguring a lot”

Type	Assessment Category	Applicable Code
“Reconfiguring a lot”	Code assessment	Reconfiguring a lot Code

(3) “Building work” where not associated with a “material change of use”

Type	Assessment Category	Applicable Code
“Building work”	Self-assessment where complying with the applicable acceptable solutions in the Open Space and Recreation “Zone” Code. Code assessment if any applicable acceptable solution is not met.	Open Space and Recreation “Zone” Code Open Space and Recreation “Zone” Code

(4) “Operational Work” where not associated with a “material change of use”

Type	Assessment Category	Applicable Code
Excavation or filling	Self assessment where complying with the applicable acceptable solutions in the Open Space and Recreation “Zone” Code and: (a) less than 1 metre above or below natural ground level and involving less than 100m ³ of material: or (b) 1 metre or more above or below natural ground level and involving less than 50m ³ of material. Code assessment otherwise	Open Space and Recreation “Zone” Code Open Space and Recreation “Zone” Code

4.5.2 Open Space and Recreation “Zone” Code

4.5.2.1 Self Assessable Development – Applicable Provisions

Applicable acceptable solutions for self-assessable development are set out in Table 4.5.2.1.

Table 4.5.2.1

Acceptable solutions applicable to self assessable building work	
Development	Applicable acceptable solutions in section 4.5.2.4 of the code
Building work	AS1, AS2.1, AS2.2, AS4, AS6, AS8.2, AS9, AS10
Acceptable solutions applicable to self assessable operational work	
Development	Applicable acceptable solutions in section 4.5.2.5 of the code
Excavation and filling	AS2.1-AS2.7, AS3, AS6.2, AS8

4.5.2.2 Code Purpose

The following outcomes are the purpose of the code:

⁶⁶ Refer to section 1.4(2) of this planning scheme for development that is exempt

⁶⁷ The code provisions applicable to self-assessable development are listed in table 4.5.2.1 below.

- (1) The Open Space and Recreation “Zone” ensures:
 - (a) the continued conservation of protected areas; and
 - (b) areas remain for the provision of recreational facilities.
- (2) “Development” in protected areas:
 - (a) results in minimal impacts on the natural environment; and
 - (b) maintains conservation, biodiversity and habitat values.
- (3) “Development” in areas other than protected areas:
 - (a) is located, designed and operated in a manner that protects local amenity, and environmental values;
 - (b) does not prejudice or impact adversely on other uses including those within other “zones”;
 - (c) has an appropriately designed access to the road network, and traffic generated by the development does not impact adversely on the local road network and local amenity;
 - (d) has water supply, stormwater disposal, sustainable effluent and waste disposal and power, to appropriate standards, adequate for the “use”;
 - (e) maintains the environment, including soil, air and water, compatible with healthy provision of infrastructure;
 - (f) is undertaken in an orderly and logical sequence to achieve an efficient provision of infrastructure;
 - (g) protects areas and sites of conservation importance, including cultural and high landscape values;
 - (h) is located and designed in ways that minimise the need for flood and landslide mitigation, and to protect people and premises from such natural events; and
 - (i) does not impact adversely on infrastructure.

4.5.2.3 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Material Change of Use”

“Material change of use”	
Performance Criteria	Acceptable Solution
Location	
PC1 Protected Areas “Development” in protected areas as identified on Land Characteristics Map – Features Map: <ol style="list-style-type: none"> (a) provides activities and/or facilities having a direct relationship with the role of protected areas; (b) is located, designed and operated with minimal impacts on the natural environment; and (c) maintains the conservation, biodiversity and habitat values. 	No acceptable solution is prescribed.
PC2 Areas other than protected areas “Development” in areas other than protected areas as identified on Land Characteristics Map – Features Map, provides areas for, or facilities for sporting and/or recreational activities for the community.	No acceptable solution is prescribed.
Amenity	
PC3 Scale “Development” is of an appropriate scale to protect local amenity.	No acceptable solution is prescribed.
PC4 Operating Hours “Development” is operated so as to protect local amenity.	No acceptable solution is prescribed.
PC5 Delivery of Goods The loading and unloading of goods occurs at appropriate times to protect the local amenity.	No acceptable solution is prescribed.
PC6 Total Use Area “Development” is of a scale that maintains the local amenity.	AS6 “Total use area” is no more than 75% of site area.

“Material change of use”	
Performance Criteria	Acceptable Solution
<p>PC7 Height The height of “buildings” and “structures” does not impact adversely on the character and amenity of land within the zone as well as land in nearby zones.</p>	<p>AS7 “Buildings” and “structures” other than those within 100 metres of the boundary of an “airport” are not more than: (a) 8.5 metres; and (b) 2 (two) storeys, at any point above natural ground level (except where establishing in an existing “building” and no “building works” are being undertaken for that existing building”).</p>
<p>PC8 Setbacks and Boundary Clearances The location of “buildings” and “structures” does not impact adversely on the character and amenity of land within the zone as well as land in nearby zones.</p>	<p>AS8.1 “Buildings” and “structures” have a setback of not less than 6 metres from any road frontage.</p> <p>AS8.2 “Buildings” and “structures” have side boundary clearances of not less than 2.5 metres and rear boundary clearances of not less than 6 metres from property boundaries (except where establishing in an existing “building” and no “building works” are being undertaken for that existing “building”).</p>
<p>PC9 Transport Movements Transport movements associated with the use protect the amenity of surrounding residential areas.</p>	<p>AS9 Transport movements do not occur through residential areas.</p>
<p>PC10 “Building” and “Structure” Design “Buildings” and “structures” are designed to ensure the amenity of land within the zone as well as land in nearby zones is protected and to ensure minimal impact on any environmental values of the site.</p>	<p>No acceptable solution is prescribed.</p>
<p>PC11 Ridgelines and Escarpments Ridgelines and escarpments are maintained in a natural state to protect rural character, landscape values, and visual amenity.</p>	<p>No acceptable solution is prescribed.</p>
<p>PC12 Landscaping and External Activity Areas Landscaping is provided on site to: (a) contribute to a pleasant and functional built form; and (b) contribute to the local visual qualities.</p>	<p>No acceptable solution is prescribed.</p>
<p>PC13 Lighting The design of lighting does not impact adversely on the local amenity through poorly directed lighting, lighting overspill or lighting glare.</p>	<p>AS13 Direct lighting or lighting does not exceed 8.0 lux at 1.5 metres beyond the boundary of the site.</p>
<p>PC14 Separation of Incompatible Land Uses Separation distances are provided to ensure: (a) the future viability of surrounding uses; (b) infrastructure items are protected from incompatible “development”; (c) an appropriate standard of amenity and public safety; and (d) conflict arising from incompatible “uses” is minimised.</p>	<p>No acceptable solution is prescribed.</p>
Infrastructure	
<p>PC15 Water Supply All “premises” have an adequate volume and supply of water for the “use”.</p>	<p>For land within or adjacent to the the towns of Moranbah or Clermont (as shown on zoning maps 2 and 3): AS15.1 “Premises” are connected to Council’s reticulated water supply system.</p> <p>or For all other land: AS15.2 “Premises” are connected to an approved water allocation as provided by the relevant agency.</p>

“Material change of use”	
Performance Criteria	Acceptable Solution
<p>PC16 Effluent Disposal All “premises” provide for the treatment and disposal of effluent and other waste water to ensure the protection of public health and environmental values.</p>	<p>For land within or adjacent to the the towns of Moranbah or Clermont (as shown on zoning maps 2 and 3): AS16.1 “Premises” are connected to Council’s reticulated sewerage system.</p> <p>or For all other land: AS16.2 “Premises” have an on site effluent disposal system in accordance with Schedule 1, Division 4: Standards for Sewerage Supply, Section 4.2.</p>
<p>PC17 Stormwater Stormwater is collected and discharged so as to: (a) protect the stability of buildings or the use of adjacent land; and (b) protect and maintain environmental values.</p>	<p>AS17 Stormwater is collected and discharged in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1</p>
<p>PC18 Electricity “Premises” are provided with an adequate supply of electricity for the “use”.</p>	<p>AS18 All “premises” have a supply of electricity.</p>
<p>PC19 Vehicle Access Vehicle access is provided to ensure the safe and functional operation for motorists and pedestrians, and the protection of local recreational, scenic or environmental values.</p>	<p>No acceptable solution prescribed.</p>
<p>PC20 Vehicle Parking and Service Vehicle Provision Vehicle parking and service vehicle provision is adequate for the “use” and ensures safe and functional operation for motorists and pedestrians.</p>	<p>AS20.1 All “uses” provide vehicle parking in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(a).</p> <p>AS20.2 Car parking, service vehicle parking and manoeuvring areas are designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(b).</p>
<p>PC21 Roads Adequate all-weather road access is provided between the “premises” and the exiting road network.</p>	<p>AS21 Roads are designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access Section 2.1(1).</p>
<p>PC22 “Electricity Transmission Line Easement” – Vegetation Transmission lines within an “electricity transmission line easement” are protected from vegetation.</p>	<p>AS22.1 Planted vegetation within an “electricity transmission line easement” shall have a mature height not exceeding 2.5 metres as shown in Schedule 2, Division 4: Powerline/Electricity Easements, Section 4.2 Diagram 3.</p> <p>AS22.2 No part of planted vegetation, at its mature size, is located closer than 2.5 metres to an electricity transmission line as shown in Schedule 2, Division 4: Powerline/Electricity Easements, Section 4.2 Diagram 3.</p>
<p>PC23 “Electricity Transmission Line Easement’ – Vegetated Buffers Vegetated buffers adjoining an “electricity transmission line easement” are maintained to provide: (a) a visual buffer to the easement; and (b) a separation distance from the easement.</p>	<p>AS23 Existing vegetation, comprising trees and/or shrubs, shall be retained within 20 metres of an “electricity transmission line easement” as shown in Schedule 2, Division 4: Powerline/Electricity Easement, Section 4.2 Diagram 4.</p>

“Material change of use”	
Performance Criteria	Acceptable Solution
<p>PC24 “Electricity Transmission Line Easement” – Separation Distance “Habitable buildings” and “child oriented uses” are located to ensure community safety.</p>	<p>AS24 “Habitable buildings” and “child oriented uses” maintain minimum separation distance from the most proximate boundary of an “electricity transmission line easement” in accordance with Schedule 2, Division 4: Powerline/ Electricity Easements, Section 4.1(1) and Section 4.1 Diagram 1.</p>
Environmental	
<p>PC25 “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AS25 A minimum 50 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p>
<p>PC26 Vegetation Retention “Development” retains vegetation for the: (a) protection of scenic quality; (b) protection of general habitat; (c) protection of soil quality; and (d) establishment of open space corridors and networks.</p>	<p>AS26 Vegetation comprising 20% of each regional ecosystem type is retained within each lot with retained vegetation made up of wood remnant, regrowth or replanted natural species, excluding deep-rooted crops and clear fell plantation forestry. The shade lines are a minimum of 10 metres in width, clumps have an area great than 2 hectares.</p>
<p>PC27 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS27.1 A minimum separation distance of 50 metres is provided to the “defining bank” of “watercourses” and “lakes”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS27.2 A minimum separation distance of 50 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>
<p>PC28 Air Emissions Air emissions from “premises” do not cause environmental harm or nuisance to adjoining properties or “sensitive land uses”⁶⁸.</p>	No acceptable solution is prescribed.
<p>PC29 Noise Emissions Noise emissions from “premises” do not cause environmental harm or nuisance to adjoining properties or “sensitive land uses”⁶⁹.</p>	No acceptable solution is prescribed.
<p>PC30 Water Quality The standard of effluent and/or stormwater run-off from “premises” ensures the quality of surface and underground water is suitable for: (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use; or (e) industrial use⁷⁰.</p>	No acceptable solution is prescribed.
<p>PC31 Excavation of Filling Excavating or filling of land: (a) ensures safety and amenity for the users of the</p>	<p>AS31.1 Batters have a maximum slope of 25%, are terraced at every rise of 1.5 metres and each terrace has a</p>

⁶⁸ One way an applicant may demonstrate how the development achieves the outcomes stated in PC28 is to prepare a study that identifies how the development is in accordance with *Environmental Protection (Air) Policy 1997*.

⁶⁹ One way an applicant may demonstrate how the development achieves the outcomes stated in PC29 is to prepare a study that identifies how the development is in accordance with *Environmental Protection (Noise) Policy 1997*.

⁷⁰ One way an applicant may demonstrate how the development achieves the outcomes stated in PC30 is to prepare a study that identifies how the development is in accordance with *Environmental Protection (Water) Policy 1997*.

“Material change of use”	
Performance Criteria	Acceptable Solution
<p>“premises” and nearby land;</p> <p>(b) minimises soil erosion and instability of surrounding areas; and</p> <p>(c) does not degrade the environmental values of receiving waters.</p>	<p>minimum depth of 750mm.</p> <p>AS31.2 Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p> <p>AS31.3 The extent of filling or excavation does not exceed 40% of the site area or 500m² whichever is lesser.</p> <p>AS31.4 Filling and excavation is not greater than 1 metre in height or depth.</p> <p>AS31.5 Only clean uncontaminated fill is used (ie. no building waste, concrete, green waste or contaminated material etc. is used as fill).</p> <p>AS31.6 The site is not on the contaminated land register</p> <p>AS31.7 Any excavation or filling occurs more than 25 metres from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS31.5 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC32 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS32 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
Constraint	
<p>PC33 “Development” in the vicinity of “Airports”. “Development” in the vicinity of “airports”:</p> <p>(a) protects the operation of the “airport”;</p> <p>(b) is designed and located to achieve a suitable standard of amenity for the proposed activity; and</p> <p>(c) does not restrict the future operational requirements of the “airport”.⁷¹</p>	<p>AS33 “Buildings” and “structures” within 100 metres of the boundary of an “airport” are less than 7.5 metres in height at any point above natural ground level (except where establishing in an existing “building” and no “building works” are being undertaken for that existing “building”).</p>
<p>PC34 Flooding “Premises” are designed and located so as:</p> <p>(a) not be adversely impacted upon by flooding;</p> <p>(b) to protect life and property; and</p> <p>(c) not to have an undesirable impact on the extent or magnitude of flooding.⁷²</p>	<p>No acceptable solution is prescribed.</p>
<p>PC35 Environmental Areas “Development” is undertaken to ensure areas of significant biodiversity and habitat value and high</p>	<p>No acceptable solution is prescribed.</p>

⁷¹ One way an applicant may demonstrate compliance with PC33 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Planning for Aerodromes and other Aeronautical Facilities and the Planning Guidelines: Planning for Aerodromes and other Aeronautical Facilities as may be applicable to the proposed development having regard to the nature of the airport facility and its operational characteristics.

⁷² To assist an applicant to demonstrate compliance with PC34, the maximum recorded flood may be adopted as an indication of flood.

“Material change of use”	
Performance Criteria	Acceptable Solution
scenic quality are protected.	
PC36 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.	AS36 “Development” is not undertaken on slopes greater than 15%.
“Use”	
PC37 “Airport” “Airport” activities: (a) do not adversely impact on the amenity of surrounding residents; (b) ensure the safe operation of aeronautical and support activities; and (c) ensure the safety of surrounding “premises” ⁷³ .	No acceptable solution is prescribed.

4.5.3.4 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Building work” where not associated with a “material change of use”.

“Building work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
Amenity	
PC1 Height The height of “buildings” and “structures” does not impact adversely on the amenity of the Open Space and Recreation “Zone” and is consistent with the predominant rural form.	AS1 “Buildings” and “structures” other than those within 100 metres of the boundary of an “airport” are less than 8.5 metres in height and are not more than 2 (two) storeys at any point above natural ground level.
PC2 Setbacks and Boundary Clearances “Buildings” and “structures” are located to ensure that rural amenity is protected and enhanced.	AS2 .1 “Buildings” and “structures” have a setback of not less than 6 metres from any road. AS2.2 “Buildings” and “structures” have side boundary clearances of not less than 2.5 metres and rear boundary clearances of not less than 6 metres from property boundaries.
PC3 Ridgelines and Escarpments Ridgelines and escarpments are maintained in a natural state to protect rural character, landscape values, and visual amenity.	AS3 No acceptable solution is prescribed.
Infrastructure	
PC4 “Electricity Transmission Line Easement” – Separation Distance “Habitable buildings” and “child oriented uses” are located to ensure community safety.	AS4 “Habitable buildings” and “child oriented uses” maintain minimum separation distance from the most proximate boundary of an “electricity transmission line easement” in accordance with Schedule 2, Division 4: Powerline/Electricity Easements, Section 4.1 (1) and Section 4.1 Diagram 1.
Environmental	
PC5 “Building” and “Structure” “Buildings” and “structures” are designed and located to ensure minimal impact on the local conservation and environmental qualities.	No acceptable solution is prescribed.

⁷³ One way an applicant may demonstrate compliance with PC37 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Planning for Aerodromes and other Aeronautical Facilities and the Planning Guidelines: Planning for Aerodromes and other Aeronautical Facilities as may be applicable to the proposed development having regard to the nature of the airport facility and its operational characteristics.

“Building work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
PC6 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.	AS6 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.
PC7 – “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.	AS7 A minimum 50 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”. <i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i>
PC8 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.	AS8.1 A minimum separation distance of 50 metres is provided to the “defining bank” of “watercourses” and “lakes”. <i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i> AS8.2 A minimum separation distance of 50 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.
Constraint	
PC9 “Development” in the vicinity of “Airports” “Development” in the vicinity of “airports”: (a) protects the operation of the “airport”; (b) is designed and located to achieve a suitable standard of amenity for the proposed activity; and (c) does not restrict the future operational requirements of the “airport” ⁷⁴ .	AS9 “Buildings” and “structures” within 100 metres of the boundary of an “airport” are less than 7.5 metres in height at any point above natural ground level.
PC10 Sloping Land “Development” is undertaken to ensure: (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised.	AS10 “Development” is not undertaken on slopes greater than 15%.

4.5.3.5 Performance Criteria, Acceptable Solutions and Self Assessable Applicability – “Operational Work” where not associated with a “material change of use”.

“Operational work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
Amenity	
PC1 General Design “Operational works” are designed and constructed so that the visual amenity and environmental values of the locality are protected.	No acceptable solution is prescribed.
Environmental	
PC2 Excavation or Filling Excavating or filling of land: (a) ensures safety and amenity for the users of the “premises” and nearby land;	AS2.1 Batters have a maximum slope of 25%, are terraced at every rise of 1.5 metres and each terrace has a minimum depth of 750mm.

⁷⁴ One way an applicant may demonstrate compliance with PC9 is to prepare a study identifying that the proposed development is in accordance with the relevant outcomes for State Planning Policy 1/02 – Planning for Aerodromes and other Aeronautical Facilities and the Planning Guidelines: Planning for Aerodromes and other Aeronautical Facilities as may be applicable to the proposed development having regard to the nature of the airport facility and its operational characteristics.

“Operational work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
<p>(b) minimises soil erosion and instability of surrounding areas; and</p> <p>(c) does not degrade the environmental values of receiving waters.</p>	<p>AS2.2 Excavation of filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p> <p>AS2.3 The extent of filling or excavation does not exceed 40% of the site area or 500m² whichever is lesser.</p> <p>AS2.4 Only clean uncontaminated fill is used (i.e. no building waste, concrete, green waste or contaminated material etc. is used as fill).</p> <p>AS2.5 The site is not on the contaminated land register.</p> <p>AS2.6 Any excavation or filling occurs more than 25 metres from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS2.7 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC3 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.</p>	<p>AS3 During construction soil erosion and sediment is controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.</p>
<p>PC4 – “Watercourses” and “Lakes” “Development” ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AS4 A minimum 50 metre wide buffer area is provided extending out from the “defining bank” of any “watercourse” or “lake”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p>
<p>PC5 Vegetation Retention “Development” retains vegetation for the:</p> <p>(a) protection of scenic quality;</p> <p>(b) protection of general habitat;</p> <p>(c) protection of soil quality; and</p> <p>(d) establishment of open space corridors and networks.</p>	<p>AS5 Vegetation comprising 20% of each regional ecosystem type is retained within each lot with retained vegetation made up of wood remnant, regrowth or replanted natural species, excluding deep-rooted crops and clear fell plantation forestry. The shade lines are a minimum of 10 metres in width; clumps have an area great than 2 hectares.</p>
<p>PC6 Cultural Heritage “Development” ensures the protection and maintenance of places and items of cultural heritage.</p>	<p>AS6.1 A separation distance of not less than 50 metres is provided to the “defining bank” of “watercourses” and “lakes”.</p> <p><i>Note: See diagrammatic representation of a “defining bank” in Schedule 3.</i></p> <p>AS6.2 A minimum separation distance of 50 metres is provided to cemeteries and burial sites as identified in Schedule 2, Division 7: Places and Items of Cultural Heritage, Section 7.1.</p>

“Operational work” where not associated with a “material change of use”	
Performance Criteria	Acceptable Solution
<p>PC7 Water Quality The standard of effluent and/or stormwater run-off from “premises” ensures the quality of surface and underground water is suitable for:</p> <ul style="list-style-type: none"> (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use; or (e) industrial use.⁷⁵ 	No acceptable solution is prescribed.
Constraint	
<p>PC8 Sloping Land “Development” is undertaken to ensure:</p> <ul style="list-style-type: none"> (a) vulnerability to landslip, erosion and land degradation is minimised; and (b) safety of persons and property is not compromised. 	<p>AS8 “Development” is not undertaken on slopes greater than 15%.</p>

⁷⁵ One way an applicant may demonstrate how the development achieves the outcomes stated in PC7 is to prepare a study that identifies how the development is in accordance with *Environmental Protection (Water) Policy 1997*.

PART 5 RECONFIGURING A LOT CODE

5.1 Code Purpose

The following outcomes are the purpose of the code:

- (1) “Reconfiguring a Lot”:
 - (a) achieves a lot size appropriate for the character of the “zone” in which the site is located and maintains the local amenity and environmental characteristics of the locality through appropriate lot layout and design;
 - (b) is undertaken in an orderly and logical sequence to achieve efficient provision of infrastructure;
 - (c) does not prejudice extractive or mining resources;
 - (d) minimises the need for flood and landslide mitigation, and protects people and premises from such natural events; and
 - (e) does not impact adversely on infrastructure.
- (2) Each lot created by the reconfiguration has water supply, stormwater disposal, sustainable effluent and waste disposal, power and access to the road network, to appropriate standards.
- (3) “Reconfiguring a lot” protects:
 - (a) Good quality agricultural land (GQAL), as defined in the Land Characteristics (Good Quality Agricultural Land) Map, from fragmentation, alienation or encroachment of incompatible land “uses” in accordance with State Planning Policy 1/92 – Development and Conservation of Agricultural Land; and
 - (b) Areas and sites of conservation importance, including cultural and high landscape values.

5.2 Performance Criteria and Acceptable Solutions – “Reconfiguring a Lot”

“Reconfiguring a Lot”	
Performance Criteria	Acceptable Solution
Rural “Zone”	
<p>PC1 Rural “Zone” – Minimum Lot Size The reconfiguring of lots ensures the Rural “Zone” retains its viability as an area of primary production, and that development is consistent with the local character ⁷⁶.</p>	<p>For land in Classes A and B Good Quality Agricultural Land Area, as shown on the Land Characteristics Map – Good Quality Agricultural Land: AS1.1 All lots have a minimum area of 500 hectares.</p> <p>For land in Class C1 Good Quality Agricultural Land Area, as shown on the Land Characteristics Map – Good Quality Agricultural Land: AS1.2 All lots have a minimum area of 1000 hectares.</p> <p>For land not in the Good Quality Agricultural Land Area, as show on the Land Characteristics Map – Good Quality Agricultural Land: AS1.3 All lots have a minimum area of 5000 hectares.</p> <p>AS1.4 All lots have a minimum width to depth ration of 1:5.</p>

⁷⁶ Where lot sizes are proposed below the minimum areas stated in the acceptable solution, in an area identified as Good Quality Agricultural Land on the Land Characteristics Map, the applicant shall demonstrate compliance with PC1 by preparing a study in accordance with the requirements of State Planning Policy 1/92 – The Development and Conservation of Agricultural Land and the Planning Guidelines: The Identification of Good Quality Agricultural Land.

Performance Criteria	Acceptable Solution
Urban “Zone”	
PC2 Urban “Zone” – Minimum Lot Size Lots within the Urban “Zone” are of a sufficient size to accommodate residential uses, consistent with the local character and which enables future uses to comply with the Urban Zone Code.	AS2 All lots have: (a) a minimum area of 450m ² ; (b) a minimum frontage of 15 metres; and (c) a minimum width to depth ratio of 1:5.
Commercial “Zone”	
PC3 Commercial “Zone” – Minimum Lot Size Lots within the Commercial “Zone” are of a sufficient size to accommodate commercial uses, consistent with the local character and which enables future uses to comply with the Commercial Zone Code.	AS3 All lots have: (a) a minimum area of 600m ² ; and (b) a minimum frontage of 18 metres.
Industrial “Zone”	
PC4 Industrial “Zone” – Minimum Lot Size Lots within the Industrial “Zone” are of a sufficient size to accommodate industrial uses, consistent with the local character and which enables future uses to comply with the Industrial Zone Code.	AS4 All lots have: (a) a minimum area of 800m ² ; (b) a minimum frontage of 20 metres; and (c) a minimum width to depth ratio of 1:5.
Open Space and Recreation “Zone”	
PC5 Open Space and Recreation “Zone” – Minimum Lot Size Lots within the Open Space and Recreation “Zone” are of a sufficient size to accommodate recreational uses, consistent with the local character and which enables future uses to comply with the Open Space and Recreation Zone Code.	No acceptable solution is prescribed.
Urban “Zone” Emerging Community Area	
PC6 Emerging Community Area Where located in the Emerging Community Area, as indicated on Zoning Map 3, development facilitates the creation of a well designed and integrated urban community which: (a) is well connected to the remainder of Moranbah; (b) provides for a mix of residential forms consistent with other provisions of this code; (c) meets local community needs for “open space and recreation activities” and “community oriented activities”; (d) accommodates “commercial activities” located in a neighbourhood level centre servicing the Emerging Community Area and up to an ultimate floor space of 6,000m ² , but which develops commensurate with local community needs does not include a full line supermarket and which does not otherwise detract from the function or viability of the Moranbah town centre; (e) has a high level of convenience and accessibility by walking, cycling and vehicles; (e) has a high standard of urban design; and (f) enables the ordered and efficient provision of infrastructure ⁷⁷ .	AS6 No acceptable solution is prescribed.
Layout and Design	
PC7 Layout and Design The reconfiguring of lots: (a) ensures safe and livable communities; (b) ensures safe and legible vehicle and pedestrian movement areas and roads;	No acceptable solution is prescribed.

⁷⁷ It is expected that any application demonstrates consistency with an overall structure plan that addresses each of the matters of relevance to this area identified in the performance criterion and the purpose of this code and the Urban Zone Code, and contains all of the information set out in Planning Scheme Policy 3. Planning Scheme Policy 3 also provides guidelines on how to prepare a structure plan and other information required by Council.

Performance Criteria	Acceptable Solution
(c) integrates with adjoining land; and (d) optimises the protection of environmental values, significant features, open space areas and high conservation or landscape values.	
PC8 "Electricity Transmission Line Easement" Lot layout and design adjoining an "electricity transmission line easement" promotes community safety and health and well being.	AS8 Lot layout and design is in accordance with Schedule 2, Division 4: Powerline/Electricity Easements, Section 4.1, Diagram 2.
PC9 Siting of Buildings and Structures Lot size, layout and design enable future uses to comply with separation distances for buildings and structures in respect of: (a) "Watercourses" and "lakes"; (b) Ridgelines and escarpments; (c) Cultural heritage places; and (d) Protected areas.	No acceptable solution is prescribed.
Infrastructure	
PC10 Street Lighting Street lighting is provided: (a) to ensure safety for vehicles, cyclists and pedestrians; and (b) to an appropriate engineering standard.	AS10 Street lighting is designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.1(1).
PC11 Water Supply Each lot has an adequate volume and supply of water.	For land within the Open Space zone within or adjacent to the the towns of Moranbah or Clermont (as shown on zoning maps 2 and 3), or within the Urban, Commercial or Industry zones: AS11.1 Each lot is connected to Council's reticulated water supply system in accordance with Schedule 1, Division 3: Standards for Water Supply. or For all other land: AS11.2 "Premises" are connected to an approved water allocation as provided by the relevant agency.
PC12 Effluent Disposal Each lot provides for the treatment and disposal of effluent and other waste water to ensure the protection of public health and environmental values.	For land within the Open Space zone within or adjacent to the the towns of Moranbah or Clermont (as shown on zoning maps 2 and 3), or within the Urban, Commercial or Industry zones: AS12.1 Each lot is connected to Council's reticulated sewerage system in accordance with Schedule 1, Division 4: Standards for Sewerage Supply, Section 4.1. or For all other land: AS12.2 "Premises" have an on site effluent disposal system in accordance with Schedule 1, Division 4: Standards for Sewerage Supply, Section 4.2.
PC13 Stormwater Stormwater is colleted and discharges so as to: (a) protect the stability of buildings or the use of adjacent land; and (b) protect and maintain environmental values.	AS13 Stormwater is collected and discharged in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1.
PC14 Electricity Each lot is provided with an adequate supply of electricity.	For land within the Open Space zone within or adjacent to the the towns of Moranbah or Clermont (as shown on zoning maps 2 and 3), or within the Urban, Commercial or Industry zones: AS14 Each lot is connected to the reticulated electricity supply.
PC15 Vehicle Access	AS15

Performance Criteria	Acceptable Solution
Vehicle access is provided to each lot to ensure the safe and functional operation for motorist and pedestrians.	Each lot has a vehicle access to a formed road. Access is to be designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.3(1) and (2).
PC16 Roads Adequate all-weather road access is provided between each lot and the existing road network.	AS16 Roads are designed and constructed in accordance with Schedule 1, Division 2: Standards for Road, Carparking, Manoeuvring Areas and Access, Section 2.1(1).
PC17 “Electricity Transmission Line Easement” – Separation Distance “Habitable buildings” and “child oriented uses” are located to ensure community safety.	AS17 “Habitable buildings” and “child oriented uses” maintain a minimum separation distance from the most proximate boundary of an “electricity Transmission Line easement” in accordance with Schedule 2, Division 4: Powerline/Electricity Easements, Section 4.1(1) and Section 4.1 Diagram 1.
Environmental	
PC18 Excavation or Filling Excavating or filling of land: (a) ensures safety and amenity for the users of the “premises” and land in close proximity; (b) minimises soil erosion; and (c) limits detrimental impacts on water quality.	AS18 Excavation or filling is undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.
PC19 Vegetation Retention Reconfiguring a lot retains vegetation for the: (a) protection of scenic quality; (b) protection of general habitat; (c) protection of soil quality; (d) establishment of open space corridors and networks; and (e) purpose of positive climate response.	No acceptable solution is prescribed.
PC20 Construction Activities Erosion control measures and silt collection measures ensure that environmental values are protected during construction activities.	AS20 During construction soil erosion and sediments controlled in accordance with standards contained in Schedule 1, Division 1: Standards for Construction Activities, Section 1.1.
Constraint	
PC21 Sloping Land Reconfiguring a lot ensures: a) vulnerability to landslip, erosion and land degradation is minimised; and b) safety of persons and property is not compromised.	AS21 Reconfiguring a lot is not undertaken on slopes greater than 15%.

SCHEDULE 1 – DESIGN AND CONSTRUCTION STANDARDS

Division 1: Standards for Construction Activities

1.1 Construction Standards

- (1) Construction activities are undertaken in accordance with:

Soil Erosion and Sediment Control – Engineering Guidelines for Queensland Construction Sites (IE Aust – or later versions).

Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access

2.1 Standards for Roads

- (1) Roads are designed and constructed in accordance with the following standards:

Infrastructure Item	Standard
Roads and Streets	Austroads Series – Part 1 Traffic Flow Part 2 Roadway Capacity Part 3 Traffic Studies Part 4 Road Crashes Part 5 Intersections at Grade Part 6 Roundabouts Part 7 Traffic Signals Part 8 Traffic Control Devices Part 9 Arterial Road Traffic Management Part 10 Local Area Traffic Management Part 11 Parking Part 12 Roadway Lighting Part 13 Pedestrians Part 14 Bicycles Rural Road Design Queensland Streets – Section 2 - The Residential Street Section 3 - The Street System Section 4 - Pedestrians and Cyclists Section 5 - Design Detail Section 6 - The Road System Section 7 - Development Concept Design Section 9 - Industrial Streets Section 10 - Multi Unit Residential Streets
Pavement Design	Austroads Pavement Design 1992
Bridges	Austroads Bridges Design Code 1992 Sections 1 – 7
Traffic Control Devices	Manual of Uniform Traffic Control Devices Part 1 – 14
Street Lighting	AS1158 All Parts AS/NZS 1158 All Parts

2.2 Standards for Carparking and Manoeuvring Areas

(1) Carparking areas are in accordance with the following carparking requirements and carparking design standards:

(a) Carparking Requirements

Use	Car Parking Requirements
"Bed and breakfast premises"	1 space per "accommodation unit"
"Caravan or relocatable home park"	1 space per "accommodation unit", camping site or caravan site
"Caretaker's residence"	1 space
"Catering premises"	1 space per 10m ² of "total use area"
"Child care centre"	1 space per 7 children
"Commercial premises"	1 space per 30m ² of "total use area"
"Detached house"	1 space
"Home business"	1 space
"Hotel"	1 space per "accommodation unit" and 1 space per 30m ² of "total use area" excluding the "accommodation unit" areas
"Industry"	1 space per 100m ² of "total use area"
"Noxious industry"	1 space per 100m ² of "total use area"
"Place of worship"	1 space per 10m ² of "total use area"
"Residential activities" where not identified elsewhere in this table	1 space per "accommodation unit"; or 1.5 spaces per dwelling unit
"Shop"	1 spaces per 20m ² of "total use area"
"Storage facility"	1 space per 100m ² of "total use area"
"Tourist facility"	1 space per 200m ² of "total use area"
All other "uses"	No requirement prescribed – parking to be appropriate for the use

(b) Carparking and Manoeuvring Design Standards

Infrastructure Item	Standard
Off-street carparking and manoeuvring	AS2890.1 – Parking Facilities – Off Street Carparking
Off-street service vehicle parking and manoeuvring	AS2890.2 – Parking Facilities – Off-Street Commercial Vehicle Facilities
Bicycle parking facilities	AS2890.3 – Parking Facilities – Bicycle Parking Facilities
On-street parking	AS2890.5 – Parking Facilities – On-Street Parking
Manoeuvring	AUSTROADS AP34/95 Design Vehicles and Turning Path Templates

2.3 Access Standards

(1) Access is provided in accordance with the following standards;

Infrastructure Item	Standard
Off-street carparking and manoeuvring	AS2890.1 – Parking Facilities – Off Street Carparking
Off-street service vehicle parking and manoeuvring	AS2890.2 – Parking Facilities – Off-Street Commercial Vehicle Facilities

(2) Crossovers are provided in accordance with the following standard drawings:

(a) Crossover Standards

The crossover is not:

- (i) a second property access; or
- (ii) located on a bend in the road of more than 45°.

The crossover is not within:

- (i) 25.0 metres of a signalised road intersection;
- (ii) 20.0 metres of an unsignalised road intersection in an Industrial or Commercial "Zone";
- (iii) 2.0 metres of any adjoining property access, including shared property accesses, at the property line;
- (iv) 1.0 metre off any street signage, power poles, street lights, manholes, stormwater gully pits, or other Council asset;
- (v) The outer canopy of any street tree; or
- (vi) The turning area at the end of a cul-de-sac.

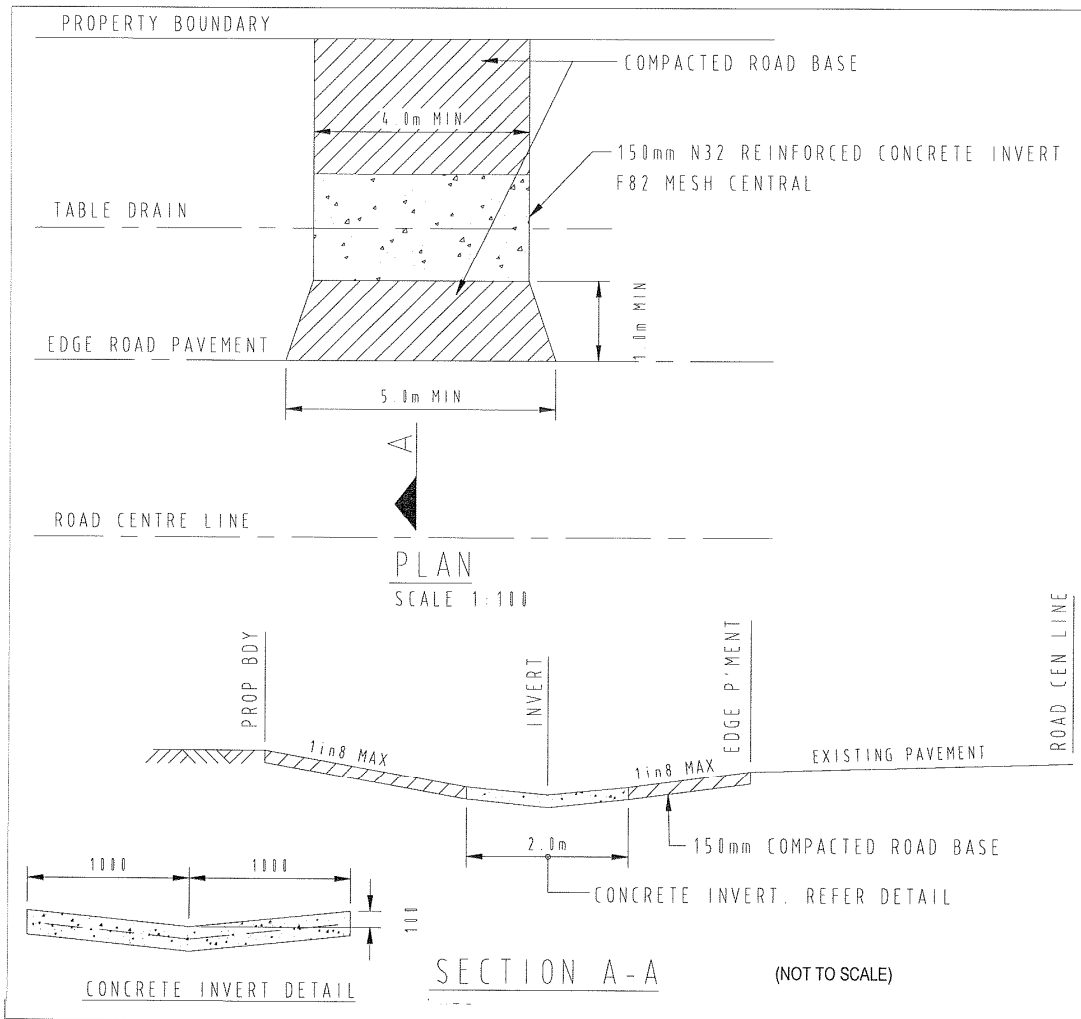
The crossover does not:

- (i) require the modification, relocation, or removal of any existing infrastructure (eg. street trees, fire hydrants, water meters, manholes or stormwater gully pits);
- (ii) front a traffic island, speed control device, car parking bay, bus stop, or other structure within the roadway;
- (iii) require any change to existing footpath/verge profiles;
- (iv) have access restricted by an access restriction strip or link reserve;
- (v) access an unformed or unkerbed road.

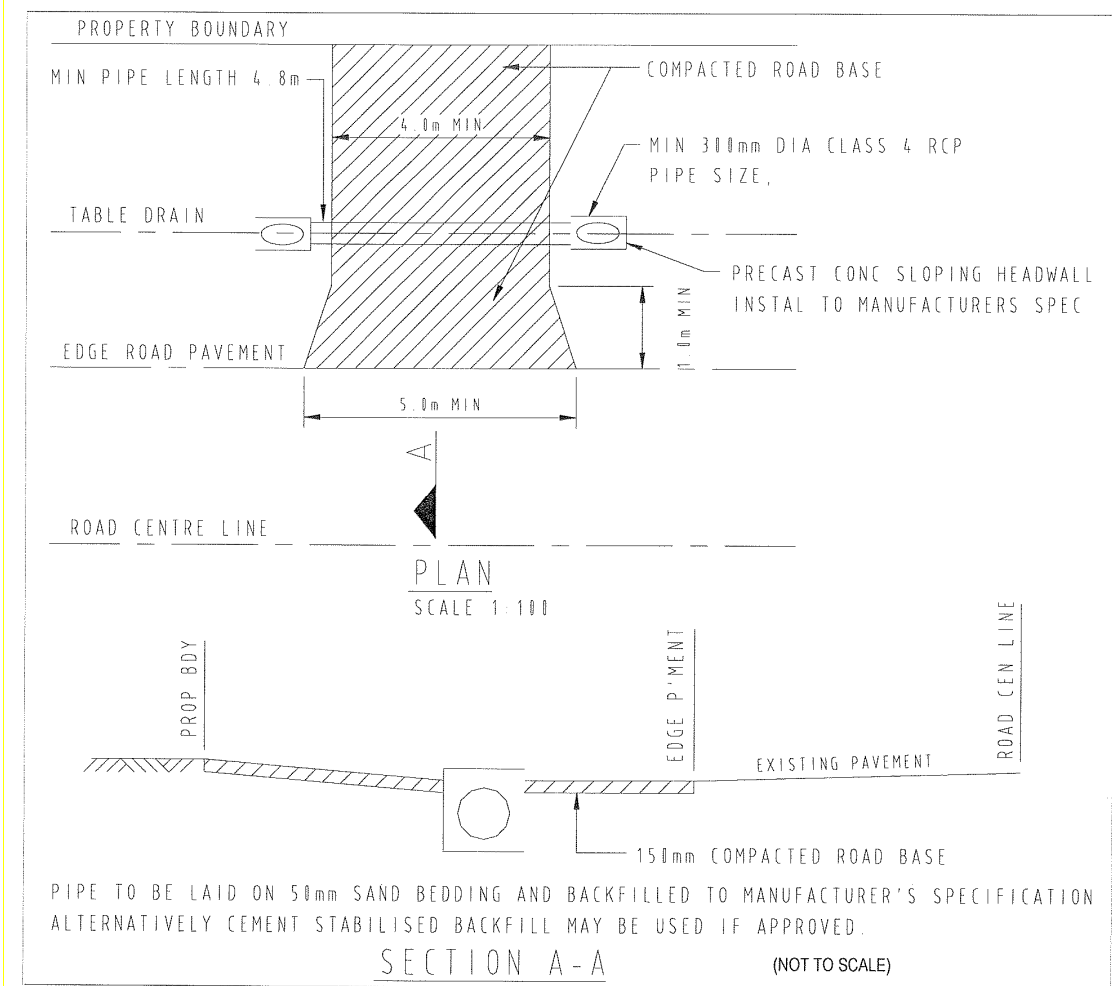
The crossover is constructed of gravel, reinforced concrete, bitumen or pavers where it is located in the Rural "zone".

The crossover is constructed of reinforced concrete, bitumen, or pavers in all other "zones".

(b) Standard Crossover Drawings



STANDARD DRAWING 1: ROADWORKS - Residential Property Access, Concrete Invert Crossing



STANDARD DRAWING 2: ROADWORKS - Residential Property Access, Concrete Pipe Crossing

Division 3: Standards for Water Supply

3.1 Standards for Reticulated Water Supply

- (1) Reticulated water supply is in accordance with:

WSA03 Water Reticulation Code of Australia DNRM 2002
Guidelines for Planning and Design of Urban Water Supply Schemes DNRM

Division 4: Standards for Sewerage Supply

4.1 Standards for Reticulated Sewerage

- (1) Reticulated sewerage is in accordance with:

WSA02 Sewerage Code of Australia DNRM 2002
WSA04 Pumping Station Code of Australia DNRM 2001
Guidelines for Planning and Design of Sewerage Supply Schemes Volume 1 and Volume 2
DNRM

4.2 Standards for On-Site Sewerage

- (1) On-site sewerage is in accordance with:

On Site Sewerage Code DNRM
AS1547.2000
On Site Sewerage Facilities Guidelines for Effluent Quality DNRM

Division 5: Standards for Stormwater Drainage

5.1 Standards for Stormwater Drainage

- (1) Stormwater drainage is in accordance with:

Queensland Urban Drainage Design Manual (Volume 1 Text, Volume 2 Design Charts)
Australian Rainfall and Run-off (Volume 1 A Guide to Flood Estimation)

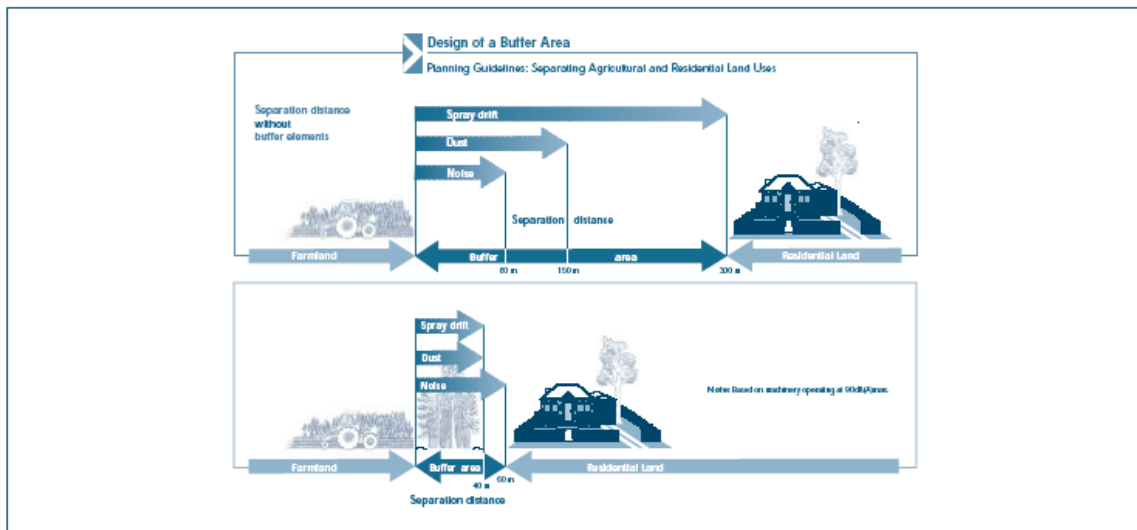
SCHEDULE 2 – SEPARATION DISTANCES

Division 1: Separation Distances – Agricultural and Residential Uses

Table 2. Summary of buffer area design criteria

	Duration threshold	Min. default distance (m)	Min. design distance with buffer element(m)
Chemical spray drift	None	300	40
Intermittent odour	>88 hrs/yr	500	500*
Intermittent noise**	>10 hrs/yr<50 hrs/yr	60 (d)	15 (d)
		1000 (n)	250 (n)
Long term noise **	>50 hrs/yr	500 (d)	120 (d)
		1000# (n)	1000# (n)
Dust, smoke and ash	None	150	40

- * Minimum design distance for an odour buffer area may be reduced on consideration of site factors and nature of odour
- ** Based on source noise level of 90 dB(A) ($L_{Amax,T}$) at 7.5 m
 - d = Noise occurring in day-time (6 a.m.–10 p.m.)
 - n = Noise occurring in night-time (10 p.m.–6 a.m.)
 - # = Long-term noise occurring between 10 p.m.–6 a.m. is likely to be considered intrusive and therefore unreasonable. Such noise sources may be ameliorated by a combination of enclosing or muffling the source of the noise, by provision of a buffer area and attention to residential design.



Division 2: Separation Distances – Intensive Animal Industries

2.1 Separation of Intensive Animal Industries from Sensitive Land Uses

- (1) “Intensive animal industries” are separated from “sensitive land uses” in accordance with the following distances:

Type of “Intensive animal industry”	Animal/Fowls Numbers	Urban and Small Town “Zone” (metres)	Public Roads (metres)	Other Boundaries of the Land (metres)	“Sensitive land uses” other than in the Urban and Small Town “Zone” (metres)	Watercourses, Well and Bores (metres)
Piggery (Standard Pig Units)	Up to 1000	2500	200	50	800	100
	1001 - 5000	3500	200	50	1000	200
	5001 - 10000	5000	200	50	1500	200
	>10000	8000	200	50	2000	200
Poultry Farm	Up to 1000	2000	80	40	800	100
	1001 - 10000	4000	120	40	1000	100
	>10000	5000	140	40	2000	100
Lot Feeding (Cattle: Standard Cattle Units)	Up to 500	2000	200	100	700	100
	501 - 5000	6000	200	130	1500	200
	5001 - 10000	7000	200	130	2000	200
	>10000	15000	200	130	2500	200
Sheep/Goats	Up to 500	1000	150	100	800	100
	501 - 1500	3000	150	100	800	150
	1501 - 10000	4000	200	130	1000	200
	>10000	7000	200	130	2000	200
Other	All	1000	70	40	700	100

2.2 Separation of Sensitive Land Uses from Intensive Animal Industries

- (1) “Sensitive land uses” are separated from “intensive animal industries” in accordance with the following distances:

Type of “Intensive Animal Industry”	Animal / Fowl Numbers	Separation Distance (metres)
Piggery (Standard Pig Units)	Up to 1000	800
	1001 - 5000	1000
	5001 - 10000	1500
	>10000	2000
Poultry Farm	Up to 1000	800
	1001 - 10000	1000
	>10000	2000
Lot Feeding (Cattle: Standard Cattle Units)	Up to 500	700
	501 - 5000	1500
	5001 - 10000	2000
	>10000	2500
Sheep/Goats	Up to 500	800
	501 - 1500	800
	1501 - 10000	1000
	>10000	2000
Other	All	700

Division 3: Separation Distances – Extractive Industries

3.1 Separation Distances to Extractive Industries

- (1) Separation distances to “extractive Industries” are as follows:

Mining Tenure/ Extractive Industry	Resource Property	Separation Distance (metres)
Mining Leases		
	Part of Lot 3 on CP852527	1000
	Part of Lot 17 on GV130	1000
	Part of Lot 5 on SP135741	1000
	Part of Lot 4 on RP884695	1000
	Part of Lot 11 on RP615467	1000
	Part of Lot 9 on RP615467	1000
	Part of Lot 10 on RP615467	1000
	Part of Lot 13 on GV225	1000
	Lot 14 on GV116	1000
	Part of Lot 6 on SP110795	1000
	Part of Lot 14 on GV116	1000
	Part of Lot 18 on GV135	1000
	Lot 4 on SP110795	1000
	Part of Lot 10 on SP137499	1000
	Lot 5 on SP110795	1000
	Part of Lot 8 on RP615467	1000
	Lot 1 on PER206268	1000
	Part of Lot 9 on CNS98	1000
North Goonyella	Part of Lot 1 on GV334	1000
	Lot 14 on P846391	1000
	Lot 11 on GV297	1000
Riverside	Part of Lot 12 on CP852528	1000
	Lot 13 on GV312	1000
	Lot 8 on GV47	1000
	Lot 2 on RP617822	1000

Mining Tenure/ Extractive Industry	Resource Property	Separation Distance (metres)
	Lot 5 on RP852533	1000
	Lot 7 on GV46	1000
	Lot 6 on GV46	1000
Riverside West	Lot 3 on RP852526	1000
Goonyella Industrial	Lot 11 on GV297	1000
Goonyella Coal Mine	Part of Lot 6 on RP619487	1000
	Part of Lot 5 on GV13	1000
	Part of Lot 11 on SP147333	1000
Moranbah North	Lot 3 on CP907954	1000
	Part of Lot 2 on CP907954	1000
	Lot 1 on RP904445	1000
	Lot 1 on SP126833	1000
Burton	Part of Lot 4 on CP903281	1000
	Lot 42 on CP903280	1000
Peak Downs Northern Lease	Part of Lot 12 on GV274	1000
	Part of Lot 5 on SP135741	1000
Peak Downs Central Lease	Lot 47 on GV226	1000
	Part of Lot 18 on GV135	1000
	Part of Lot 10 on SP137499	1000
Boomerang Creek	Part of Lot 10 on SP137499	1000
Winchester	Part of Lot 6 on SP110795	1000
Wild Cat Lead	Part of Lot 2 on RP803535	1000
Window	Lot 2 on RP814075	1000
Peak Downs Two	Lot 36 on M1001	1000
	Lot 30 on M1001	1000
	Lot 1 on RP619634	1000
	Lot 2 on RP619634	1000
Last Ditch	Part of Lot 117 on FTY1772	1000
Jumbo	Part of Lot 117 on FTY1772	1000
Tom	Part of Lot 117 on FTY1772	1000
Nobby	Part of Lot 117 on FTY1772	1000
Wolfgang	Part of Lot 33 on SP103887	1000
Wolfgang Extended	Part of Lot 82 on CLM514	1000
	Part of Lot 1 on CP805053	1000
	Part of Lot 24 on L4113	1000
	Part of Lot 33 on SP103887	1000
Schatzli	Part of Lot 117 on FTY 1772	1000
Willie be Good	Part of Lot 77 CLM359	1000
Jacqueline	Part of Lot 23 on CLM688	1000
Lady Jane	Part of Lot 127 on FTY1513	1000
Joanne	Part of Lot 127 on FTY1513	1000
Red Bull	Part of Lot 127 on FTY1513	1000
Bindy Eye	Part of Lot 127 on FTY1513	1000
Kangaroo	Part of Lot 127 on FTY1513	1000
Hurley's No 2	Part of Lot 127 on FTY1513	1000
Hurley's No 1	Part of Lot 127 on FTY1513	1000
Gold Hill	Part of Lot 127 on FTY1513	1000
Cockatoo	Part of Lot 127 on FTY1513	1000
Seven Mile	Part of Lot 127 on FTY1513	1000
Specimen Gully	Part of Lot 127 on FTY1513	1000
Snufflers	Part of Lot 127 on FTY1513	1000
Lower Camp	Part of Lot 127 on FTY1513	1000
Thomson's Dam	Part of Lot 127 on FTY1513	1000
Cherie	Part of Lot 21 on CLM532	1000
Puddlers Loss	Part of Lot 21 on CLM532	1000

Mining Tenure/ Extractive Industry	Resource Property	Separation Distance (metres)
Cumberland	Part of Lot 21 on CLM 532	1000
Prospect Three	Part of Lot 23 on CLM 340	1000
Prospect	Part of Lot 23 on CLM 340	1000
Prospect Extended	Part of Lot 23 on CLM 340	1000
	Part of Lot 25 on L42327	1000
	Part of Lot 1 on PER6837	1000
Blair Athol	Part of Lot 127 on FTY 1513	1000
	Lot 6 on CLM217	1000
	Lot 5 on CLM527	1000
	Lot 102 on USL43677	1000
	Part of Lot 117 FTY 1772	1000
	Lot 11 on AP5081	1000
	Part of Lot 22 on CLM687	1000
	Part of Lot 24 USL 43677	1000
	Lot 12 on AP5081	1000
	Lot 14 on CLM388	1000
	Lot 96 on USL43677	1000
	Lot 40 on USL43677	1000
	Lot 10 on AP5081	1000
	Lot 71 on USL 43677	1000
	Lot 13 on AP5081	1000
	Lot 29 on USL 43675	1000
	Lot 2 on CLM74	1000
	Lot 15 on AP5081	1000
	Lot 15 on AP5081	1000
	Lot 17 on AP5081	1000
	Lot 13 on USL43672	1000
	Lot 50 on USL43677	1000
	Lot 52 on USL43677	1000
	Lot 141 on CLM34	1000
	Lot 2 on LM150	1000
	Lot 11 on USL43672	1000
	Lot 2 on USL 43676	1000
	Lot 40 on USL47303	1000
	Lot 28 on USL43675	1000
	Lot 26 on USL43675	1000
	Lot 55 on MPH284	1000
	Lot 43 on MPH284	1000
	Lot 501 on MPH277	1000
	Lot 561 on MPH284	1000
	Lot 562 on MPH284	1000
	Lot 678 on MPH292	1000
	Lot 53 on USL 436751	1000
	Lot 14 on AP5081	1000
	Lot 1 on MPH 286	1000
	Lot 2 on MPH 286	1000
	Lot 8 on MPH 286	1000
	Lot 7 on MPH 286	1000
	Lot 6 on MPH 286	1000
	Lot 5 on MPH 286	1000
	Lot 4 on MPH 286	1000
	Lot 463 on MPH 257	1000
	Lot 394 on MPH 247	1000
	Lot 3 on USL 43676	1000
	Lot 635 on MPH291	1000

Mining Tenure/ Extractive Industry	Resource Property	Separation Distance (metres)
	Lot 19 on CLM485	1000
	Lot 27 on MPH40967	1000
	Lot 151 on CLM34	1000
	Lot 2 on RP607100	1000
	Lot 16 on USL 43673	1000
	Lot 14 on AP5081	1000
	Lot 1 B9064	1000
	Lots 1 – 83 on MPH13945	1000
	Lots 86 to 100 on MPH13945	1000
	Lot 504 on B9061	1000
	Lot 505 on B9061	1000
	Lots 1 – 93 on MPH21831	1000
	Lot 601 on MPH21846	1000
	Lot 2 on USL43674	1000
	Lot 641 on MPH13956	1000
	Lot 643 on MPH13956	1000
	Lot 645 on MPH13956	1000
	Lot 646 on MPH13956	1000
	Lot 630 on MPH13956	1000
	Lot 636 on MPH 13956	1000
	Lots 101 - 110 on MPH13965	1000
	Lot 611 on B9061	1000
	Lots 112 – 140 on MPH13965	1000
	Lots 1 – 20 on MP21829	1000
	Lots 610 to 613 on MPH13956	1000
	Lot 24 on CLM153	1000
	Lot 1 on CLM149	1000
	Lot 2 on RP600710	1000
	Lot 1 on RP600710	1000
Carrol	Part of Lot 24 on CP901151	1000
Nathan	Part of Lot 24 on CP901151	1000
Gurra	Part of Lot 24 on CP901151	1000
Gurra West 1	Part of Lot 25 on DC200	1000
	Part of Lot 24 on CP901151	1000
Gurra West 2	Part of Lot 24 on CP901151	1000
Renmark	Part of Lot 24 on CP901151	1000
Karinya	Part of Lot 24 on CP901151	1000
Vega	Part of Lot 24 on CP901151	1000
The Wandering Deep	Part of Lot 24 on CP901151	1000
Sandy Creek One	Part of Lot 24 on CP901151	1000
Top Camp	Part of Lot 24 on CP901151	1000
Billy Sing	Part of Lot 24 on CP901151	1000
Bottle Tree	Part of Lot 24 on CP901151	1000
Carter	Part of Lot 24 on CP901151	1000
Bootlace	Part of Lot 24 on CP901151	1000
Marie	Part of Lot 24 on CP901151	1000
Eddies Dream	Part of Lot 24 on CP901151	1000
Col's Patch	Part of Lot 24 on CP901151	1000
Gross Glockner	Part of Lot 24 on CP901151	1000
Three Twos	Part of Lot 24 on CP901151	1000
Sonnblick	Part of Lot 24 on CP901151	1000
Lodestar Two	Part of Lot 24 on CP901151	1000
Feathers	Part of Lot 24 on CP901151	1000
Day Dawn	Part of Lot 24 on CP901151	1000

Mining Tenure/ Extractive Industry	Resource Property	Separation Distance (metres)
The Fault	Part of Lot 24 on CP901151	1000
Aivu	Part of Lot 24 on CP901151	1000
All Together Now	Part of Lot 24 on CP901151	1000
Peter Pan 2	Part of Lot 24 on CP901151	1000
Opalite	Part of Lot 24 on CP901151	1000
RSF	Part of Lot 24 on CP901151	1000
T.E.R.	Part of Lot 24 on CP901151	1000
Rising Sun	Part of Lot 24 on CP901151	1000
Cecil	Part of Lot 24 on CP901151	1000
Booloocooroo	Part of Lot 24 on CP901151	1000
U-Elver	Lot 23 on DC172	1000
Hill 266	Part of Lot 7 on BL36	1000
Byjingo	Part of Lot 10 on BL58	1000
Red Gum	Part of Lot 10 on CLM109	1000
Freedom	Part of Lot 10 on CLM109	1000
Maybee	Part of Lot 10 on CLM109	1000
Eastern River	Part of Lot 6 on FTY 1712	1000
Mineral Development Licences		
MDL28	Part of Lot 11 on CLM130	1000
MDL103	Part of Lot 12 on CLM131	1000
	Part of Lot 11 on CLM107	1000
MDL106	Part of Lot 11 on CLM130	1000
	Part of Lot 13 on CLM806571	1000
MDL135	Part of Lot 3 on GV252	1000
	Part of Lot 4 on CP403281	1000
	Part of Lot 6 on RP884515	1000
	Part of Lot 2 on RP904445	1000
	Part of Lot 3 on GV252	1000
	Lot 2 RP616987	1000
	Part of Lot 28 on SP133553	1000
	Part of Lot 25 on SP133553	1000
	Lot 6 on RP853653	1000
	Part of Lot 1 on SP117775	1000
	Part of Lot 5 on RP853653	1000
	Part of Lot 7 on RP908436	1000
	Lot 70 on RP908436	1000
	Part of Lot 5 on SP135741	1000
	Lot 1 on RP614378	1000
	Part of Lot 1 on RP614378	1000
	Lot 37 on GV179	1000
MDL 137	Part of Lot 3 on GV252	1000
	Part of Lot 4 on CP403281	1000
MDL143	Part of Lot 13 on CLM806571	1000
MDL166	Lot 3 on CP907954	1000
	Part of Lot 2 on CP907954	1000
	Part of Lot 3390 on CP907952	1000
	Part of Lot 2 on RP904445	1000
MDL274	Lot 6 on GV324	1000
	Part of Lot 3390 on CP907952	1000
	Lot 16 on GV133	1000
	Part of Lot 19 on SP106040	1000
	Lot 15 on GV133	1000
	Lot 20 on SP102355	1000

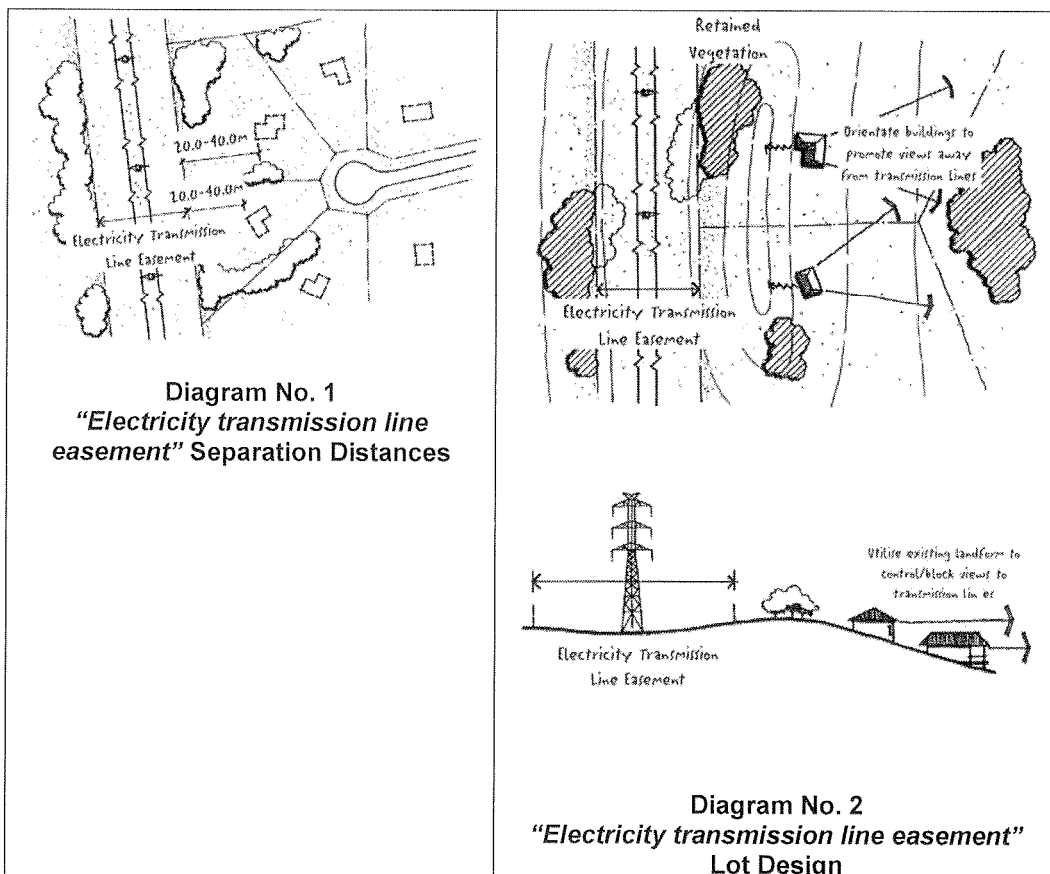
Mining Tenure/ Extractive Industry	Resource Property	Separation Distance (metres)
MDL183	Part of Lot 6 on SP110795	1000
MDL277	Part of Lot 6 on RP884515	1000
	Part of Lot 17 on GV130	1000
	Part of Lot 4 on RP884695	1000
	Lot 1 on RP818135	1000
	Lot 11 on SP135741	1000
	Lot 6 on RP615647	1000
	Part of Lot 7 on RP615647	1000
	Part of Lot 8 on RP615647	1000
	Part of Lot 9 on RP615647	1000
	Part of Lot 10 on RP615647	1000
	Lot 23 on GV148	1000
	Lot 5 on GV148	1000
	Lot 13 on GV225	1000
	Part of Lot 14 on GV116	1000
	Part of Lot 6 on SP110795	1000
MDL307	Part of Lot 1 on GV334	1000
	Part of Lot 6 on RP619487	1000
	Part of Lot 5 on GV13	1000
	Part of Lot 11 on SP147333	1000
MDL321	Part of Lot 6 on SP110795	1000

Division 4: Powerline/Electricity Easements

4.1 Separation from Powerline/Electricity Easements

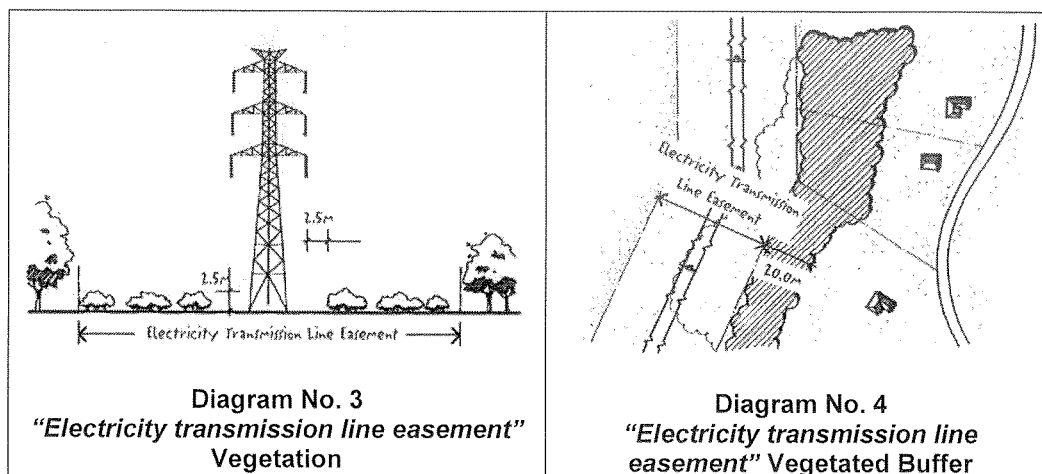
- (1) Separation to powerline/electricity easements in accordance with the following distances:

Separation or Buffer Distance	Transmission Line Size
20.0 metres	Up to 132kV
30.0 metres	33kV – 275kV
40.0 metres	Greater than 275kV



4.2 Powerline/Electricity Easements – Vegetation and Vegetated Buffers

- (1) Vegetation and vegetated buffers in accordance with the following:



Division 5: Separation Distances – Infrastructure Items

5.1 Separation Distances to Infrastructure Items

(1) Separation distances (metres) to infrastructure items are as follows:

Use, Infrastructure Item or Area	Minimum Separation Distance (metres)
Petroleum and Gas Pipeline*	200
Refuse Tip **	500
Rail Corridor *	100
State-controlled Roads *	100

* Infrastructure item identified on Land Characteristics Map – Features Map 1

** Infrastructure item identified in Schedule 2, Division 6: Refuse Tips, Section 6.1

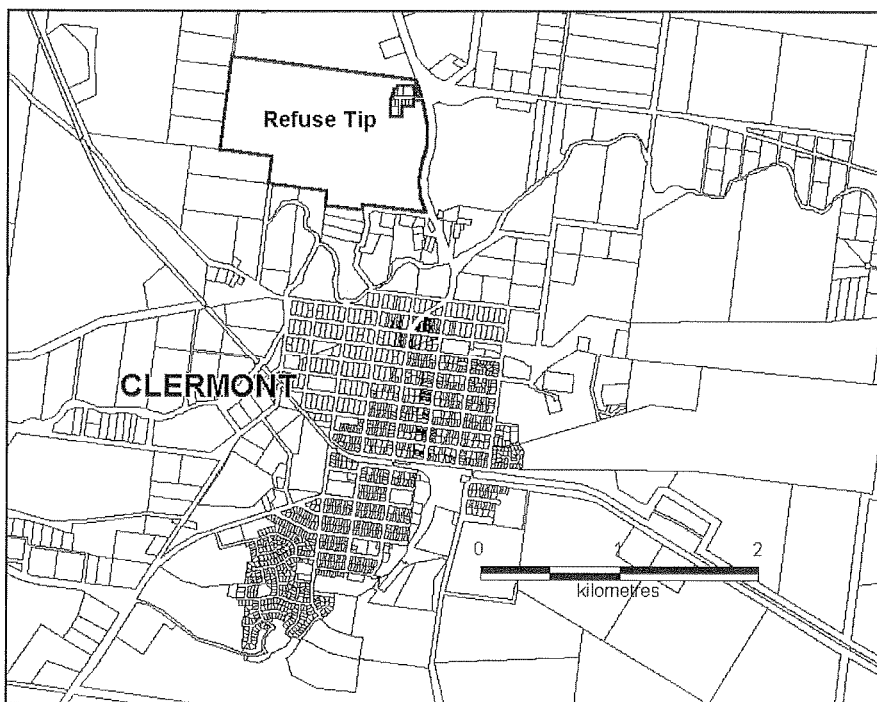
Division 6: Refuse Tips

6.1 Location of Refuse Tips

(1) Refuse tip locations are as follows:

Location	Real Property Description
Moranbah	Lot 24 on SP158749
Clermont	Part of Lot 201 on CLM643. See Figure 1

Figure 1



Division 7: Places and Items of Cultural Heritage

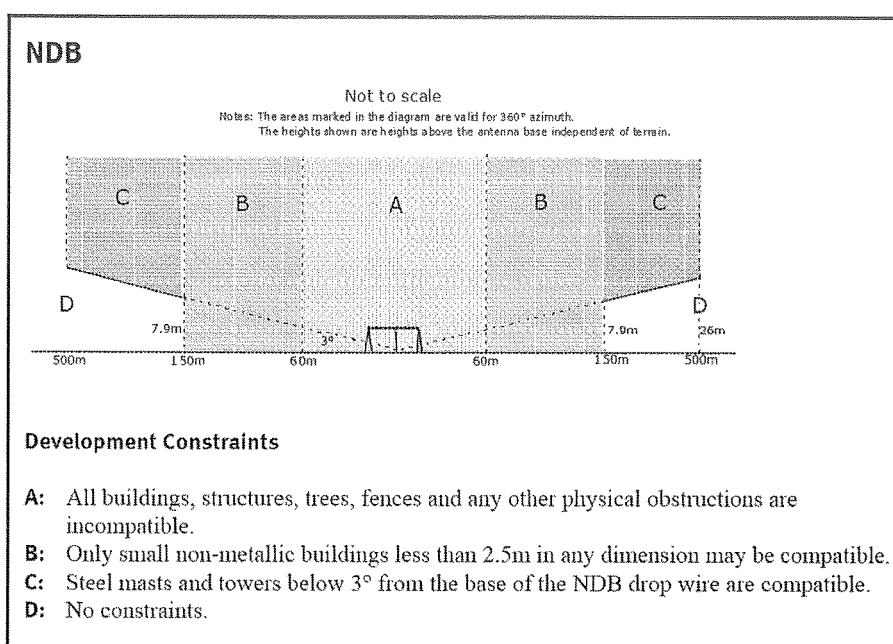
7.1 Known Cemeteries and Burial Sites

(1) Location of known cemeteries and burial sites are as follows:

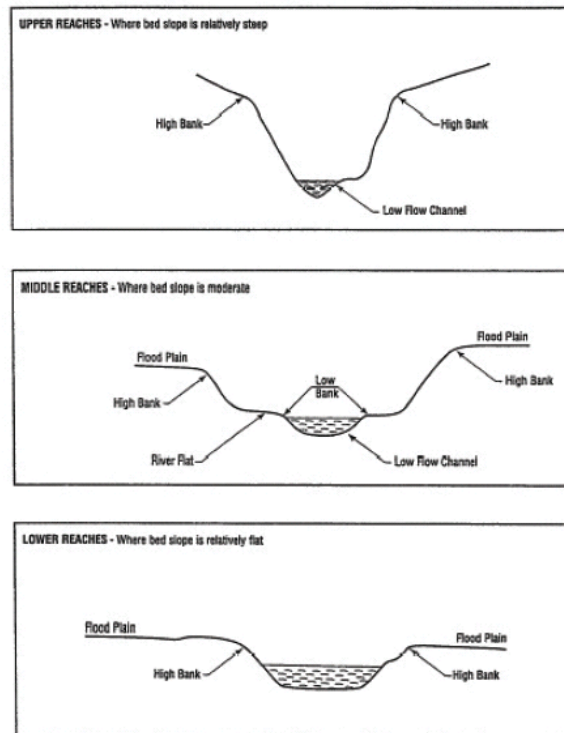
Location	Real Property Description
Cemeteries	
Moranbah	Lot 310 on USL39908
Clermont	Lot 185 on C8166
Copperfield	Lot 28 on CLM119
Blair Athol	Lot 5 on CLM643

Division 8: Sensitive Areas for Aviation Facilities

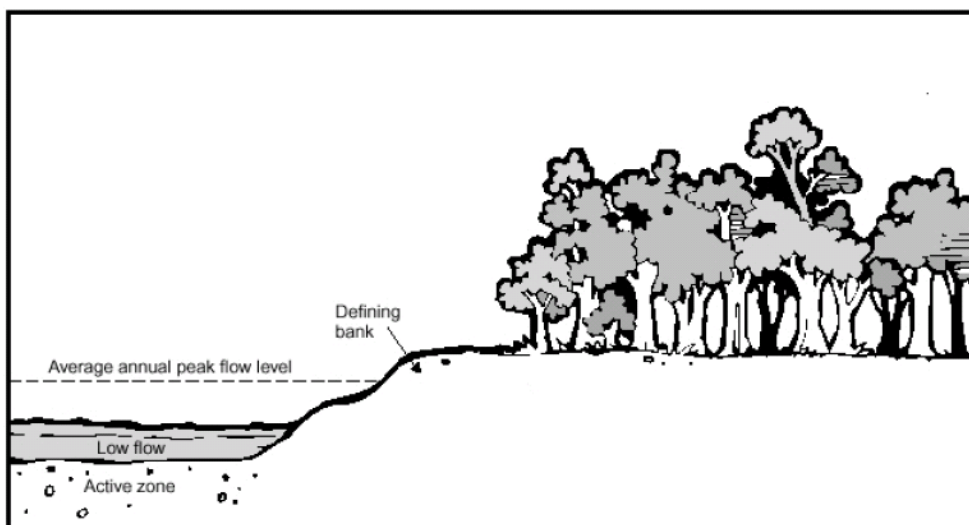
Diagram 1



SCHEDULE 3 – DEFINING BANK DIAGRAM



Where there is any doubt, the defining bank is the terrace or bank or, if no bank is present, the point on the active zone, which confines the average 2 year ARI flows, as illustrated below.



PLANNING SCHEME POLICY 1 – INFORMATION COUNCIL MAY REQUEST

1.0 Purpose

- (1) To ensure “Council” has appropriate information to assist with development assessment.
- (2) To ensure applicants are aware of the information “Council” may request during the development application process ⁷⁸.

2.0 Information Requirements

2.1 Plans

- (1) Plans should contain sufficient information to enable an accurate assessment of the proposal. Appropriate plans include:
 - (a) a site analysis plan identifying and describing all existing site features, such as the cadastral boundaries of the site, “buildings”, structures”, Roads, vehicle and pedestrian access, car parking, servicing areas, vegetation, topographic, hydraulic and geological features;
 - (b) a proposal plan identifying and describing the extent of modification of site features, such as, the cadastral boundaries of the site, “buildings”, “structures” , roads, vehicle and pedestrian access, car parking, servicing areas, vegetation, topographic, hydraulic and geological features; and
 - (c) a landscaping plan detailing the location, extent, densities and species of proposed plantings and other external treatments.
- (2) Plans should be drawn to scale and observe recognised drafting conventions.

2.2 Existing “Use” and Site Details

- (1) Sufficient detail should be provided to enable “Council” to accurately determine the nature and extent of the current “use” of the site as well as the extent of built and natural features on the site. The following details should be provided:
 - (a) existing and previous “use” of the site;
 - (b) existing and previous “use” of adjoining or adjacent sites;
 - (c) floor areas of “buildings” and other external activity areas, including car parking, storage areas and the like;
 - (d) site characteristics eg. levels and contours;
 - (e) descriptions of surrounding land uses, including the height and appearance of “buildings”; and
 - (f) the nature and location of all services and infrastructure, including easement details.

2.3 Proposed “Use” and Site Details

- (1) Sufficient detail should be provided to enable “Council” to accurately determine the nature of the proposed “development”. The following details should be provided:
 - (a) details of the proposed “use”, including floor area of “buildings”, external materials, treatments and colours of “buildings” and “structures” ; and
 - (b) details of external activity areas, including car parking, storage areas and the like.

2.4 Amenity

- (1) Sufficient detail should be provided to enable “Council” to accurately determine the likely impact of the proposal on the amenity of the locality. The following details should be provided:
 - (a) hours of operation;
 - (b) deliver times of goods;

⁷⁸ An information request may be made pursuant to section 3.3.6 of IPA.

- (c) heights of “buildings” and structures”;
- (d) setbacks and boundary clearances of all “buildings” and structures”;
- (e) external lighting arrangements.

2.5 Infrastructure

- (1) Sufficient detail should be provided to enable “Council” to accurately assess infrastructure requirements. The following information should be provided:
 - (a) known or determined flood levels;
 - (b) proposed water supply;
 - (c) proposed effluent disposal;
 - (d) proposed stormwater disposal;
 - (e) proposed method of liquid and solid waste disposal;
 - (f) proposed electricity supply; and
 - (g) proposed telecommunication.

2.6 Traffic and Servicing

- (1) Sufficient information should be provided to enable “Council” to accurately assess traffic related matters. The following information should be provided:
 - (a) traffic likely to be generated by the proposal;
 - (b) the number, type and frequency of vehicles likely to service the proposal;
 - (c) the times and arrangements for servicing of the “premises”;
 - (d) anticipated carparking requirements; and
 - (e) the extent of car parking, vehicle manoeuvring areas, crossover/access details, loading/unloading areas, service areas.

2.7 Emissions

- (1) Sufficient details should be provided to enable “Council” to accurately determine the extent and nature of likely impacts arising from emissions. The following information should be provided:
 - (a) the nature of any anticipated emissions (including odour, noise, dust, run-off and the like);
 - (b) measures proposed for the control of emissions;
 - (c) the location and methods of containment and control of waste disposal and waste storage areas;
 - (d) types, quantities, storage methods, and protection measures relating to storage and use of chemicals; and
 - (e) emergency equipment and procedures to be utilised.

2.8 Environmental

- (1) Sufficient details should be provided to enable “Council” to accurately determine the likely environmental impact of the proposal. The following information should be provided:
 - (a) location of ridgelines and escarpments;
 - (b) location of “watercourses” and “lakes” and the extent of associated riparian buffers;
 - (c) location of effluent disposal areas;
 - (d) location and extent of existing vegetation;
 - (e) location and extent of vegetation to be retained; and
 - (f) location of any known sites of indigenous, cultural or natural heritage.

2.9 Constraint Areas

- (1) Sufficient detail should be provided to enable “Council” to accurately determine the likely impact of the proposal on constraint areas, as identified in the Planning Scheme.

2.10 Reconfiguring a Lot

- (1) Sufficient details should be provided to enable “Council” to accurately assess proposed reconfiguration of a lot. The following information should be provided:
 - (a) existing “use” of the land;
 - (b) proposed “use” of the land after the subdivision;
 - (c) details of all proposed lots and of areas proposed for roads, parks or other public spaces;
 - (d) details of any proposed filling or excavation;
 - (e) details of any encumbrances (for example, easements, leases and the like);
 - (f) contours and levels of the land;
 - (g) location of all services and infrastructure on or adjacent to the land;
 - (h) details of any areas of land subject to subsidence, slip or erosion;
 - (i) location of any “watercourse” or waterhole;
 - (j) details of any known flood levels;
 - (k) location and size of existing “buildings” and structures” ;
 - (l) location of existing parking and vehicle manoeuvring areas;
 - (m) preliminary design details of proposed infrastructure, including water supply, sewerage, and stormwater drainage;
 - (n) preliminary design details of proposed site access and of proposed new roads or upgrading of existing roads; and
 - (o) details of any proposed easements for access or other purposes.

- (2) Details of the suitability of the proposed reconfiguration (subdivision) should be provided. Appropriate information would include:
 - (a) existing subdivision pattern in the locality;
 - (b) the nature of the proposed subdivision within the context of that existing subdivision pattern;
 - (c) anticipated effect of the proposed subdivision on the future use and “development” of land in the locality;
 - (d) potential for the creation of ribbon “development”; and
 - (e) potential for the need to upgrade infrastructure and services.

- (3) For reconfiguration (subdivision) within the Rural “Zone” additional information should be provided in relation to:
 - (a) details of existing or likely future rural “development” in the locality involving “intensive animal industry” or activities such as aerial spraying the like.
 - (b) potential for the subdivision to detrimental affect the preservation of good quality agricultural land;
 - (c) economic viability of proposed lots for “agriculture” or “grazing”;
 - (d) availability of water and the capacity of the soils to support crops or grow pasture; and
 - (e) sustainability of the new lots in relation to land degradation, including issues of slope/landslip, soil erosion and the like.

PLANNING SCHEME POLICY 2 – THIRD PARTY ADVICE OR COMMENT

1.0 Purpose

- (1) To describe the methods that may be used by “Council” to obtain third party advice or comment on a development application.

2.0 Requirements

2.1 Consultation

- (1) Council may seek third party advice or comment on any development proposal.
 - (a) advice may be sought from any individual, stakeholder or interest group.
 - (b) advice or comment may be sought in any appropriate way, including:
 - (i) public notification in a newspaper;
 - (ii) placing a notice on the premises;
 - (iii) placing a notice at a public place;
 - (iv) personal notification or contact;
 - (v) public meetings; and
 - (vi) meeting with a person having special interest.

2.2 Information

- (1) When seeking third party advice or comment, “Council” will provide appropriate information on the proposal including:
 - (a) a description of the proposal;
 - (b) details of where the development application may be inspected;
 - (c) details of where comments may be lodge; and
 - (d) the last day upon which “Council” will accept advice or comment.

PLANNING SCHEME POLICY 3 – STRUCTURE PLANNING GUIDELINES

1 Planning Framework

Council may adopt a structure plan by:

- preparing on its own initiative or in partnership with others, a structure plan that is incorporated into the planning scheme, or
- granting a preliminary approval to a development application that incorporates a structure plan.

1.3 When a Structure Plan is required:

A structure plan or demonstration of consistency with an adopted structure plan, will be requested to accompany all applications in the Emerging Community Area within the Urban “Zone”.

1.2 A preliminary approval incorporates a structure plan

Section 3.1.6 of the *Integrated Planning Act 1997* allows for preliminary approvals to override a planning scheme on the subject land. This process allows for the alteration of a local planning instrument for the assessment of development applications subsequent to the preliminary approval.

Specifically it allows for the following:

- alteration of the level of assessment; and
- the identification of applicable codes (derived from the planning scheme).

A structure plan will be an integral part of a preliminary approval for development, as it is Council’s formal mechanism for facilitating the process under Section 3.1.6 of the Act. A structure plan should indicate the following:

- type, scale and density of development;
- transport networks for vehicles, pedestrians and cyclists;
- balance achieved between development, buffering, floodways, conservation and other open space;
- servicing of the development; and
- connection to the development from the remainder of Moranbah.

To obtain a preliminary approval, the structure plan will need to contain the information outlined in Section 2 of this policy and address the relevant matters identified in the desired environment outcomes and Urban “Zone” code within the planning scheme. Where it is intended that the preliminary approval will enable a less onerous level of assessment for particular development in subsequent applications, sufficient information to enable the future assessment of self assessment of such development will be required.

2 The Structure Plan

A structure plan must identify the major elements of the locality surrounding a development that can impact on the planning and design of the site. It does not constitute an approval for land outside the development site, but ensures the continuation of buffering, corridors, networks and linkages and allows for these to occur on the adjoining sites. The major components of the development are to be designed with consideration of this broader context. It must be clear how the proposed development will integrate with the surrounding community and with the existing parks, service and infrastructure networks and the movement system (road network, public transport facilities and pedestrian and cyclist paths) in the area.

2.1 Preparing a Structure Plan

The steps that should be followed and information provided when preparing a structure plan are outlined below. Separate map/s and report/s should be provided demonstrating the assessment undertaken for each step. When in map form the information is to be provided at an appropriate scale.

2.1.1 Step 1—Site and context assessment

Prior to preparing the structure plan an assessment of the site and its context should be undertaken and a site description of the land prepared, supported by a map containing the following features (as a minimum):

- topography and flood liability – contours and levels;

- the existing road network and intersections, and their treatments;
- any existing residences and structures, land uses and approvals within the development area or on surrounding sites; and
- location of existing and proposed park network and pedestrian and cyclist paths, in the locality.

2.1.2 Step 2—Identification of constraints

Land in an the Emerging Community Area is generally suitable for development. However some land may have environmental, scenic or other constraints that will influence the location, form and density of development. As a minimum, land with the following constraints must be identified, mapped and considered in the design of the overall development.

- views and vistas internal and external to the area that should be retained;
- buffer zones around any “watercourses” or “lakes” to ensure environmental and cultural values are protected;
- existing vegetation that is to be retained for conservation and amenity purposes;
- details of local water quality from possible acid sulfate soil run-off and contamination;
- flood affected land;
- major stormwater flow paths;
- the location of any gas or oil pipelines;
- land with the potential for acid sulphate soil, dispersive or erosion prone soil;
- any contaminated land; and
- desirable buffering to existing or future mining or rail operations.

2.1.3 Step 3—Structure plan development

The structure plan design, including land use allocation, movement system design, and open space and park network provision, must actively promote achievement of the purpose and performance criteria/acceptable solutions of the Reconfiguring a Lot Code and the Urban “Zone” Code.

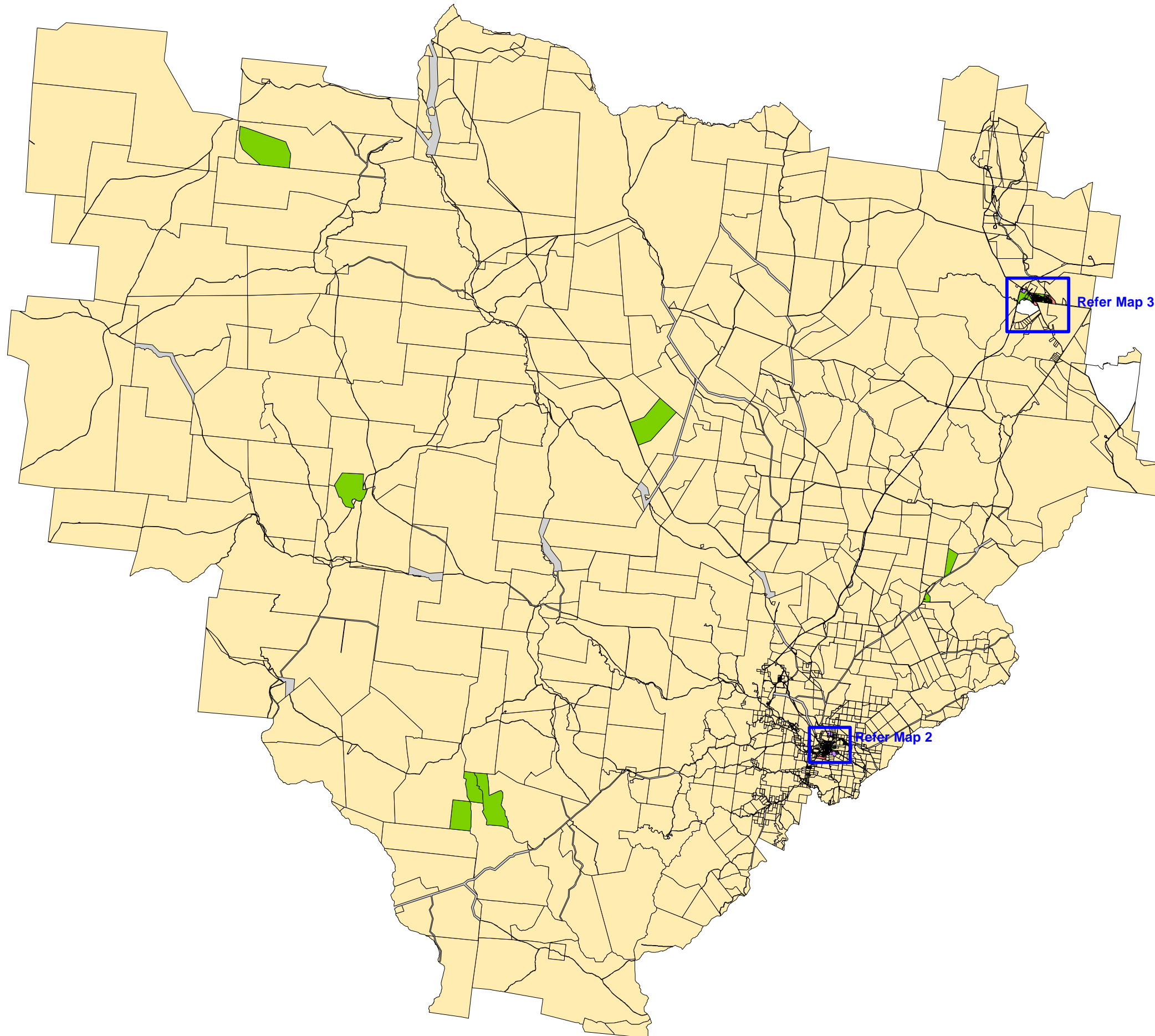
The structure plan should demonstrate:

- residential mix and approximate lot or dwelling yield for each part of the site (density);
- location and size of each proposed land use, including the extent of facilities proposed such as “commercial activities” and “community oriented activities”;
- how and where broad physical infrastructure is to be provided e.g. water, sewerage and stormwater;
- general location and size of parks including corridor linkages and networks;
- proposed pedestrian and cyclist paths;
- existing and proposed road network, including level in the hierarchy; and
- proposed staging of the development.

Where the structure plan, in association with a preliminary approval application, proposes to alter the level of assessment for subsequent development, a schedule or table must be provided to clearly indicate the proposed land use, the proposed precinct on the structure plan map, the proposed level of assessment, and the proposed criteria for use in future assessment, in a form consistent with the planning scheme.










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Legend:

ZONING

-  Commercial
-  Industry
-  Open Space and Recreation
-  Rural
-  Urban

-  Road
-  Waterway



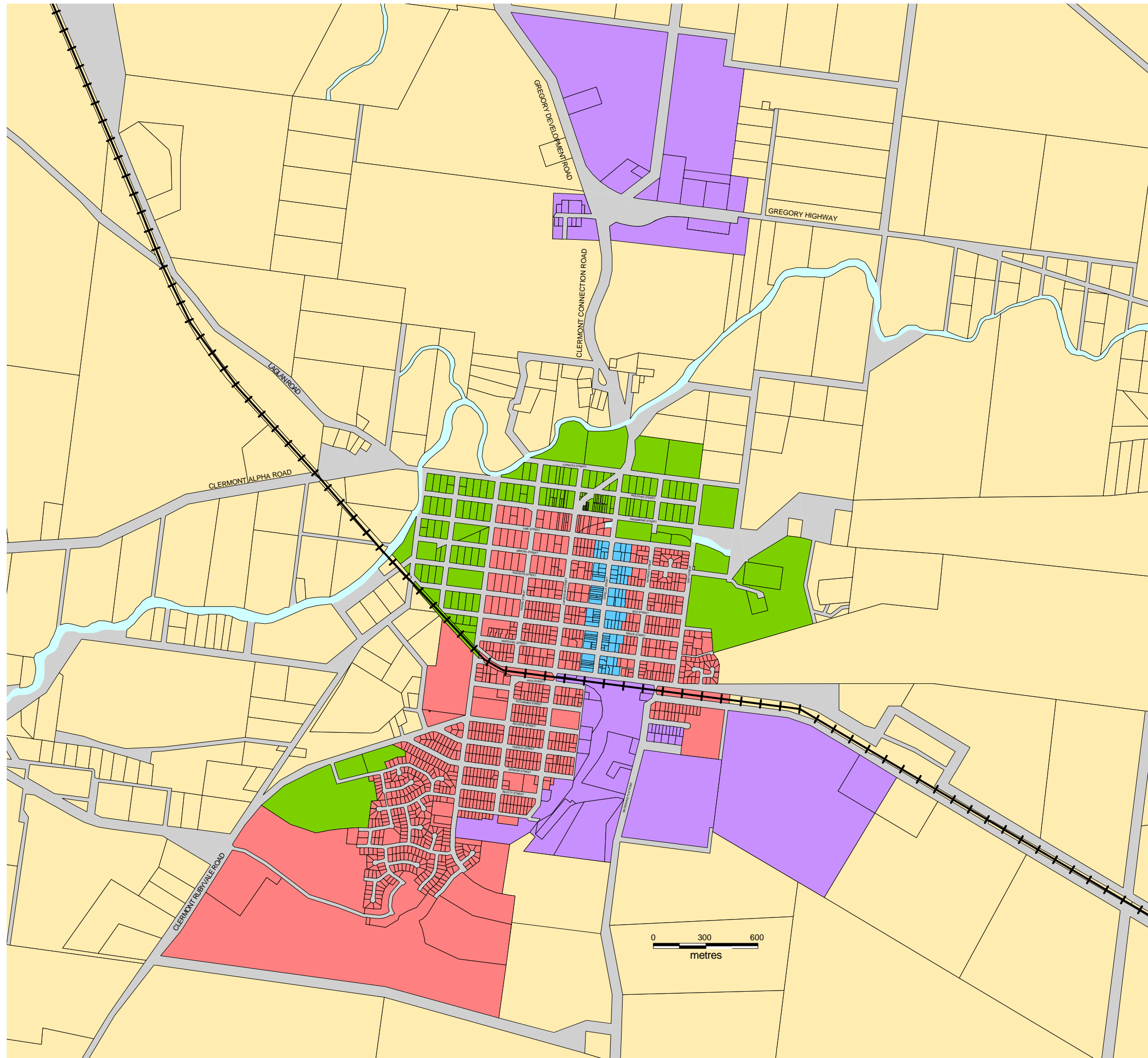
Amendments:

**BELYANDO SHIRE COUNCIL
PLANNING SCHEME
ZONING MAP**

**BELYANDO SHIRE
LOCAL GOVERNMENT AREA**

Drawing No:

SHEET 1 OF 3



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Legend:

Zoning

- Commercial
- Industry
- Open Space and Recreation
- Rural
- Urban

- Road
- Waterway
- Railway



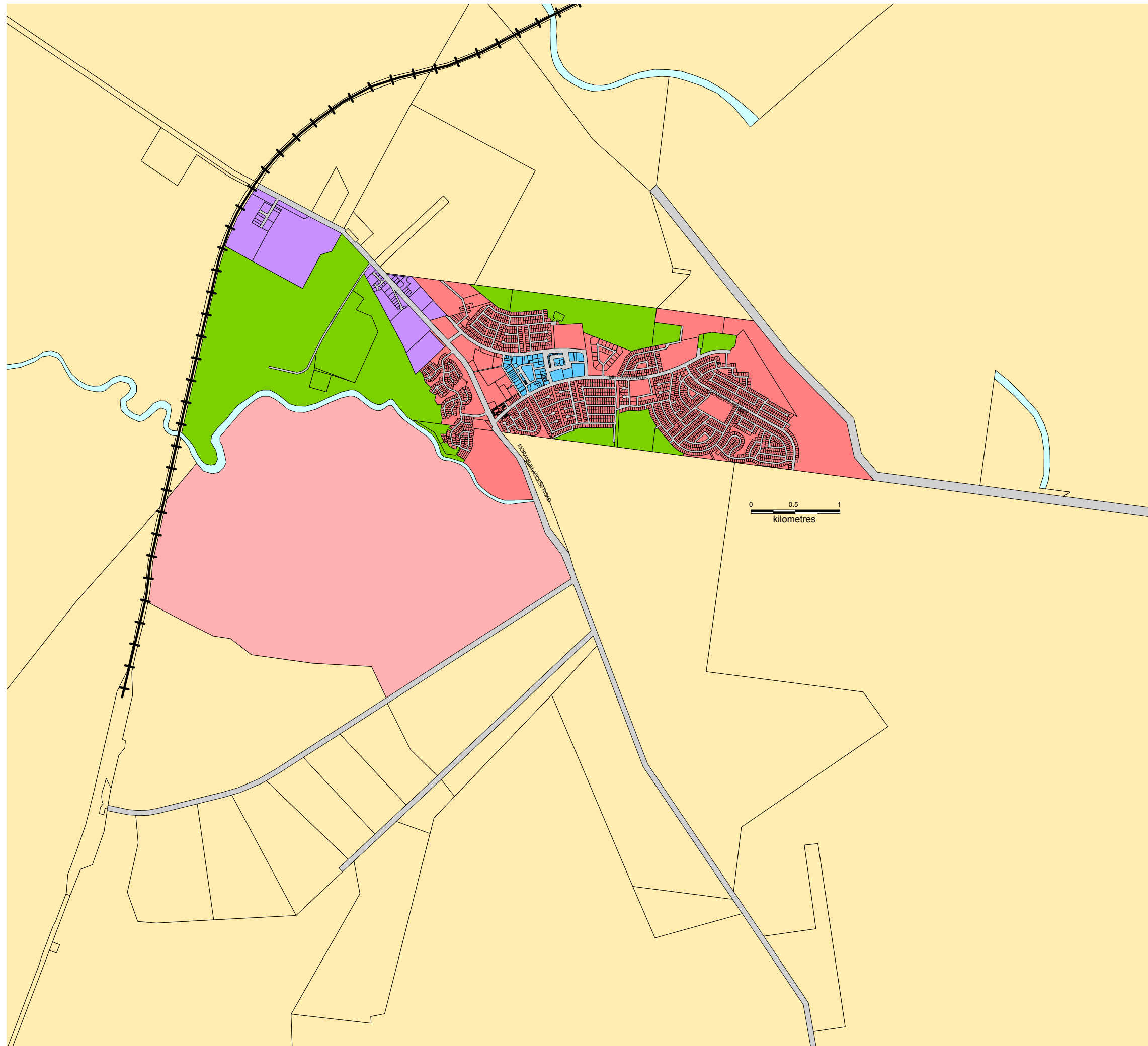
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**BELYANDO SHIRE COUNCIL
 PLANNING SCHEME
 ZONING MAP**

TOWN OF CLERMONT

Drawing No:

SHEET 2 OF 3




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Legend:

ZONING

- Commercial
- Industry
- Open Space and Recreation
- Rural
- Urban
- Urban - Emerging Community Area
- Road
- Waterway
- Railway



Amendments:

**BELYANDO SHIRE COUNCIL
PLANNING SCHEME
ZONING MAP**

**TOWN OF MORANBAH
& ENVIRONS**

Drawing No:

SHEET 3 OF 3

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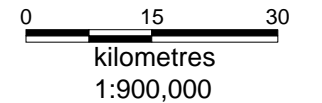
Legend:

Shire Features

-  Rail Line
-  State Controlled Road
-  Watercourse
-  High Voltage Electricity Line
-  Mineral Development License
-  Mining Lease
-  Declared Catchment
-  State Forest
-  Directory of Important Wetlands
-  Northern Hairy Nosed Wombat Habitat Area

Protected areas

-  Conservation Park (CP)
-  National Park (NP)
-  National Park Scientific (NS)
-  Waterbody - Lake
-  Waterbody - Swamp



Amendments:

**BELYANDO SHIRE COUNCIL
PLANNING SCHEME
LAND CHARACTERISTICS MAP
- FEATURES MAP -**

**BELYANDO SHIRE
LOCAL GOVERNMENT AREA**

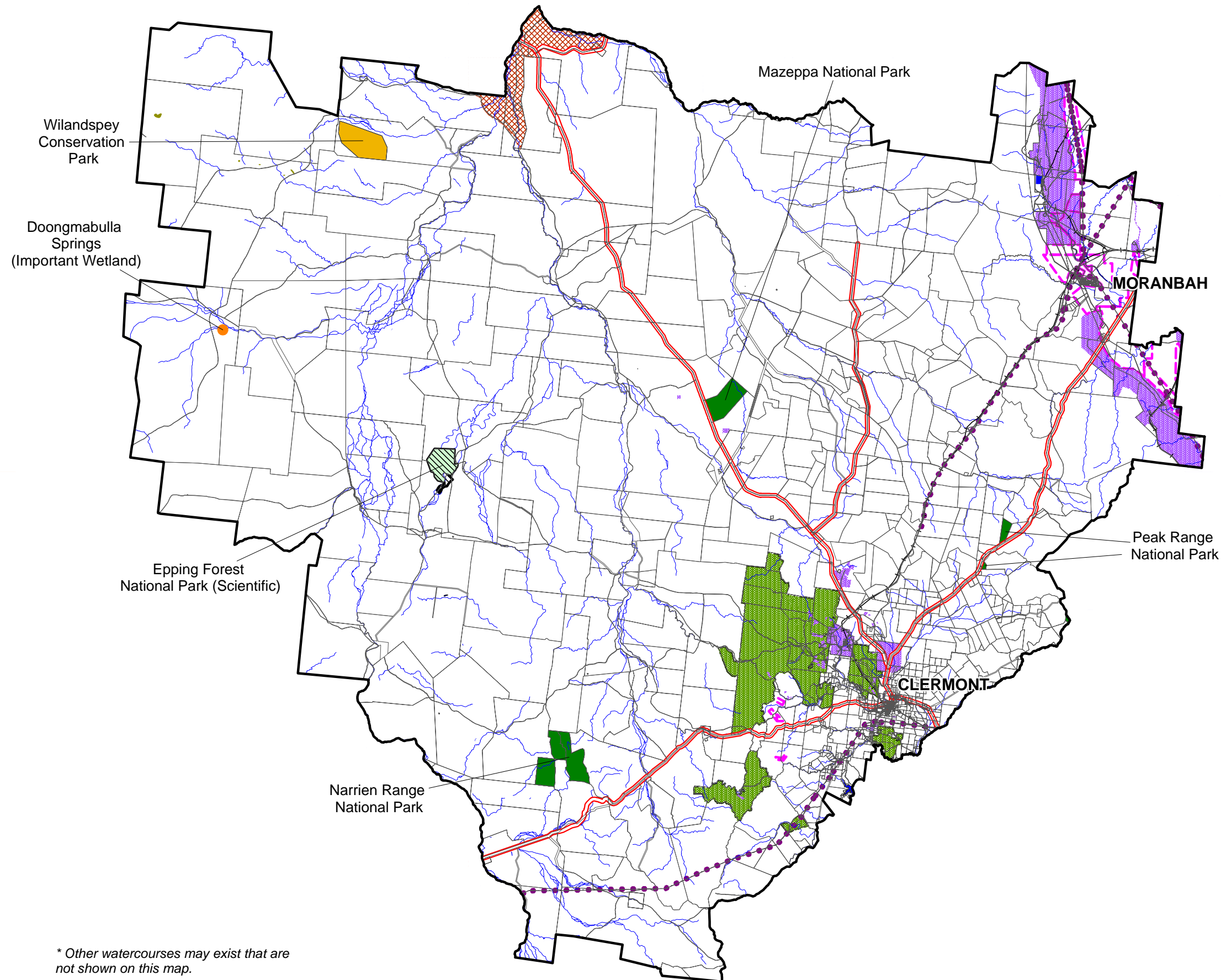
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Drawing No:

SHEET 1 OF 3



* Other watercourses may exist that are not shown on this map.

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The Good Quality Agricultural Land data has been provided by the Department of Natural Resources and Mines and this Department should be contacted for an accurate interpretation of the data.

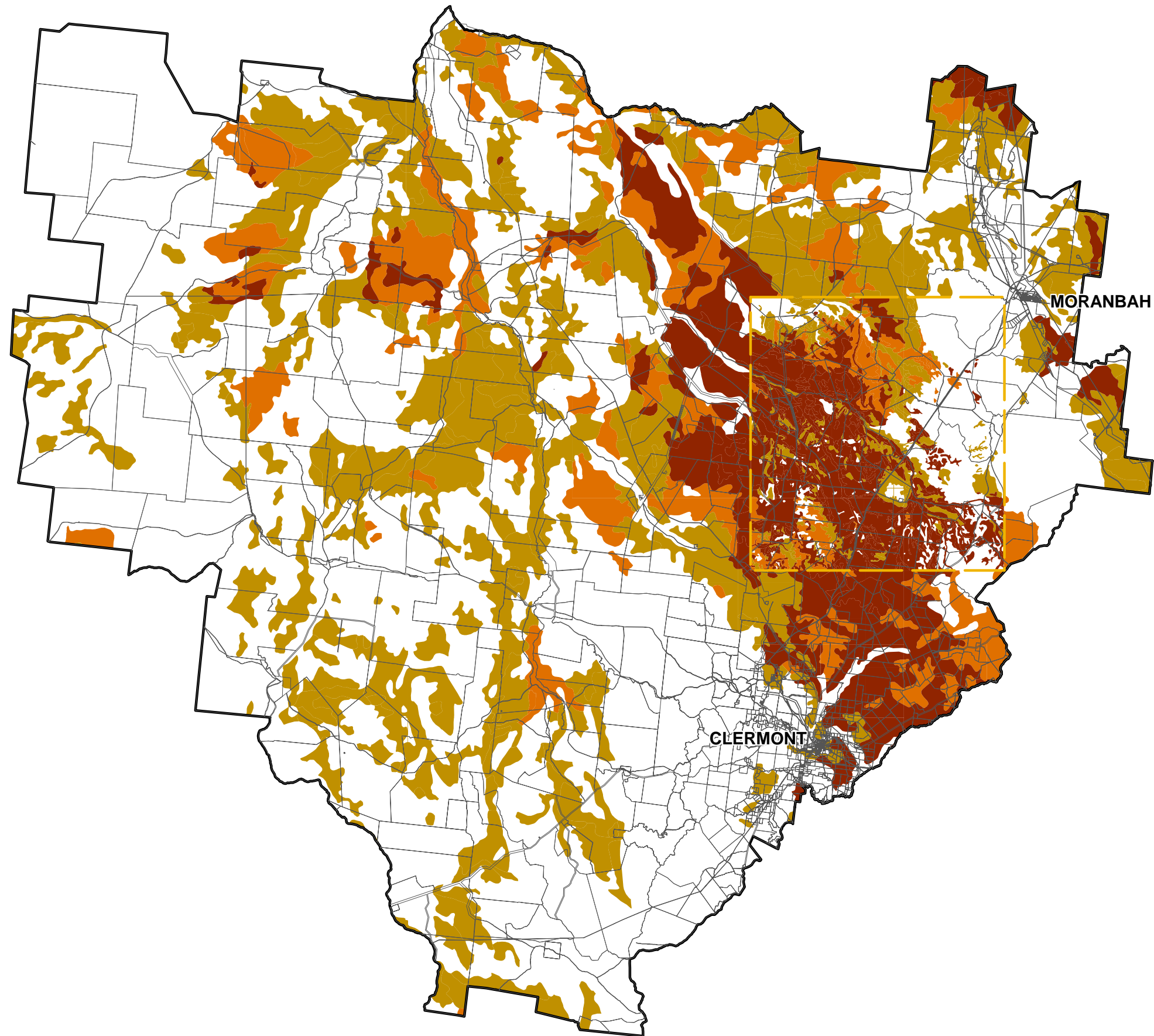
Legend:

- Class A
- Class B
- Class C1

Areas with more detail in 1:100,000



0 15 30
kilometres
1:900,000



Amendments:

**BELYANDO SHIRE COUNCIL
PLANNING SCHEME
LAND CHARACTERISTICS MAP
- GOOD QUALITY AGRICULTURAL LAND -**

**BELYANDO SHIRE
LOCAL GOVERNMENT AREA**

Drawn by: **S.L.B.**

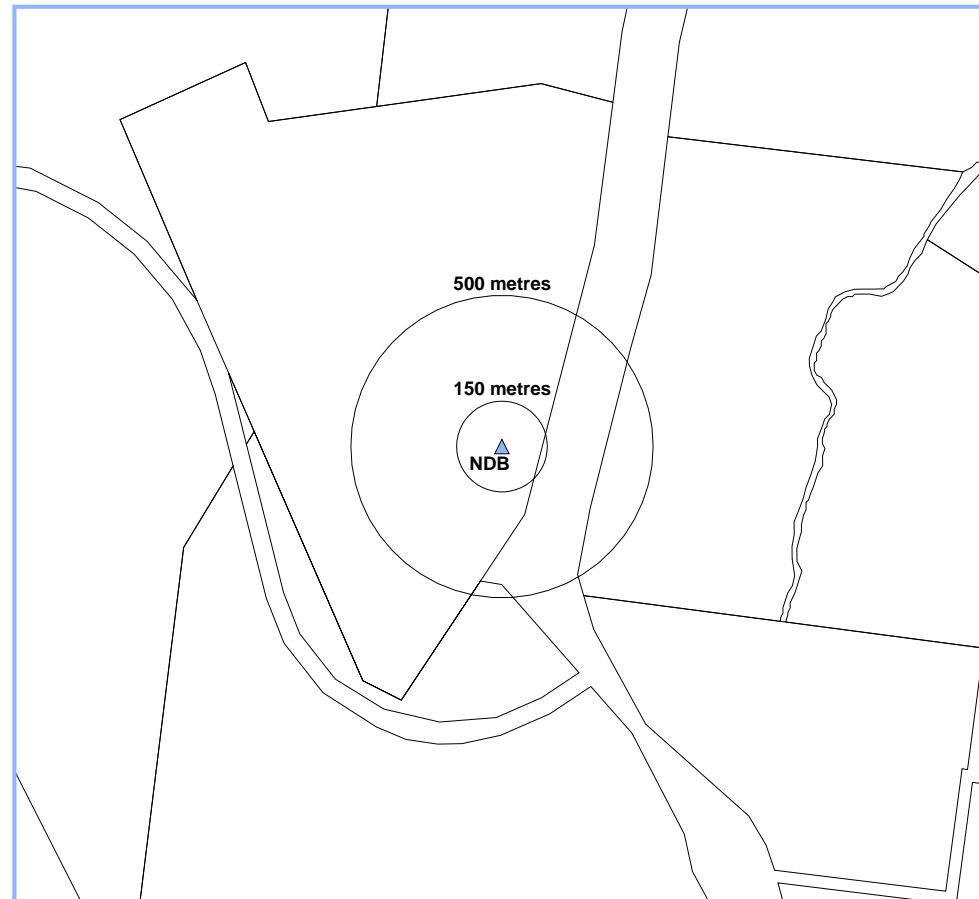
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Drawing No:

SHEET 2 OF 3

INSET 1: CLERMONT TOWN AREA

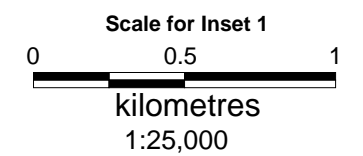
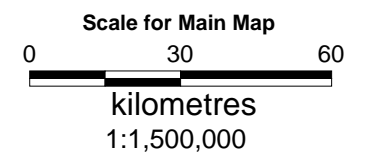


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Legend:

▲NDB



Amendments:

**BELYANDO SHIRE COUNCIL
PLANNING SCHEME
LAND CHARACTERISTICS MAP
- AVIATION FACILITIES -**

TOWN OF CLERMONT

Drawn by: **S.G.K.**

Date: **07 - 05 - 04**

Ref: **W599_070504**

Drawing No:

SHEET 3 OF 3