

BROADSOUND SHIRE COUNCIL

Planning Scheme



THE BROADSOUND PLAN

Planning Scheme for Broadsound Shire

Adoption

The local government for Broadsound Shire adopted this planning scheme on 21st September 2005.

Commencement

This planning scheme took effect on 30th September 2005.

Signature of Chief Executive Officer

<i>Scanned Signature G F Webley Chief Executive Officer</i>
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State planning policies

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

- (a) State Planning Policy 1/92 – Development and the Conservation of Agricultural Land; and
- (b) State Planning Policy 1/02 – Development in the Vicinity of Certain Airports and Aviation Facilities; and
- (c) State Planning Policy 2/02 - Planning and Managing Development Involving Acid Sulfate Soils; and
- (d) State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide (Bushfire and Landslide only); and
- (e) State Coastal Management Plan—Queensland’s Coastal Policy.

Integrated Planning Act 1997, section 6.1.54 (provisions applying for State-controlled roads)

- (1) The Minister for Local Government and Planning has given notice that *Integrated Planning Act 1997*, section 6.1.54 applies to the planning scheme.
- (2) Accordingly, item 9 in the Integrated Planning Regulation, schedule 2 applies for a referral for development that is not contiguous to a State-controlled road.

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PART 1—INTRODUCTION

Division 1—Relationship to Integrated Planning Act

1.1 Purpose of planning scheme

In accordance with the *Integrated Planning Act 1997* (IPA), the local government for Broadsound Shire has prepared this planning scheme as a framework for managing development in a way that advances the purpose of the IPA by—

- (a) identifying assessable and self assessable development; and
- (b) identifying outcomes sought to be achieved in the local government area as the context for assessing development.

Note—

The purpose of the IPA is to seek to achieve ecological sustainability by—
(a) coordinating and integrating planning at the local, regional and State levels and
(b) managing the process by which development occurs and
(c) managing the effects of development on the environment (including managing the use of premises).

1.2 Planning scheme functions as part of IDAS

The planning scheme functions as part of IDAS and must be read together with the IPA.

Note—

IDAS (integrated development assessment system), which is the system established under the *Integrated Planning Act 1997* for integrating all State and local government assessment and approval processes for development.

Division 2—Planning scheme structural elements

1.3 Local government area divided into twelve (12) preferred use areas

The planning scheme divides the local government area into 12 preferred use areas that cover the entire local government area—

- (a) the Rural preferred use area, identified on planning scheme maps Nos. 3 to 12; and
- (b) Residential preferred use areas, identified on planning scheme maps Nos. 13 & 14; and
- (c) a Rural Residential preferred use area, identified on planning scheme map No. 20; and
- (d) Business preferred use areas, identified on planning scheme maps Nos. 13 & 14; and
- (e) Industry (Light) preferred use areas identified, on planning scheme maps Nos. 13 & 14; and
- (f) Industry (General) preferred use areas, identified on planning scheme maps 13 & 14; and
- (g) Barracks and quarters preferred use areas, identified on planning scheme maps Nos. 13 & 14; and
- (h) Outdoor Sport and Recreation preferred use areas, identified on planning scheme maps Nos. 13 & 14; and
- (i) Village (Rural Centre) preferred use areas, identified on planning scheme maps Nos. 15 & 17; and
- (j) Village (Holiday and Residence) preferred use areas, identified on planning scheme maps Nos. 16, 18 & 19; and
- (k) Open Space preferred use areas, identified on planning scheme maps Nos. 13, 14, 16, 18 & 19.
- (l) Conservation preferred use areas, identified on planning scheme map No. 21

1.4 Assessment categories

The second column of the assessment tables identifies assessment categories for development in—

- (a) table 1—making a material change of use for a defined use, listed in column 1; or
- (b) table 2—other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use; and
 - (ii) carrying out operational work—excavating, filling; and
 - (iii) carrying out operational work—placing objects on premises for use for a purpose to which a building is properly or usually put; and
 - (iv) reconfiguring a lot; and
 - (v) carrying out operational work for reconfiguring a lot.

1.5 Determining if development is assessable or self assessable and the relevant assessment criteria

- (1) Assessment tables 1 and 2 identify development that is assessable, or exempt under the planning scheme [Part 3—Assessment Tables].
- (2) The assessment tables also identify assessable development under the planning scheme that requires code assessment or impact assessment.
- (3) Code assessable development is assessed against the Broadsound Development Code [Part 4].

1.6 House provisions, the Standard Building Regulation 1993 and the Queensland Development Code

- (1) The *Standard Building Regulation 1993* part 3 and the *Queensland Development Code (QDC)* parts 11 & 12, apply to the extent that a planning scheme does not identify alternative provisions in respect of 'house'.
- (2) This planning scheme does NOT identify alternative provisions in respect of the following matters, which are covered in the QDC—
 - *boundary clearances*
 - *site cover.*
- (3) This planning scheme DOES identify the following elements of the QDC as applying to 'house', which is **generally exempt under the planning scheme (see Assessment Tables)**—

<u>Matter</u>	<u>QDC elements</u>
<i>Building height</i>	<i>Element 1, performance criterion 4 and acceptable solution A4</i>
<i>Visual privacy</i>	<i>Element 1, performance criterion 5 and acceptable solution A5</i>
<i>Building maintenance for walls close to side and rear boundaries</i>	<i>Element 1, performance criterion 6 and acceptable solution A6</i>
<i>On-site car parking</i>	<i>Element 1, performance criterion 8 and acceptable solution A8</i>
<i>Outdoor living space for lots less than 450m²</i>	<i>QDC part 11 only. Element 1, performance criterion 9 and acceptable solution A9</i>

1.7 Roads, watercourses and reclaimed land

- (1) If a road, watercourse or reclaimed land in the local government area is not shown as being covered by a preferred use area on the planning scheme maps, the following applies—
 - (a) if the road, watercourse or reclaimed land is adjoined on both sides by land in the same preferred use area—the road, watercourse or reclaimed land has the same requirements for development as the adjoining land;
 - (b) if the road, watercourse or reclaimed land is adjoined on one side by land in a preferred use area and adjoined on the other side by land in another preferred use area—the road or watercourse has the same requirements for development as the adjoining land and the centreline of the road or watercourse is the boundary between the two preferred use areas;
 - (c) if the road, watercourse or reclaimed land is adjoined on one side only by land in a preferred use area—the entire road or watercourse has the same requirements for development as the adjoining preferred use area land;
- (2) To remove any doubt, it is declared that the preceding subsection applies, as well, to a closed road if the road is closed after the commencement of the planning scheme.

1.8 Definitions—defined uses in assessment tables: administrative terms in dictionary

- (1) Definitions for defined uses are shown below the defined use in the assessment table for a material change of use of premises.
- (2) The dictionary in schedule 1 defines administrative terms used in this planning scheme.

1.9 Terms defined in the IPA

Terms defined in the IPA have the same meaning as in the IPA.

1.10 Explanatory Notes assist interpretation of planning scheme

The Broadsound Shire Council Planning Scheme Explanatory Notes are declared to be extrinsic material under the *Statutory Instruments Act 1922*, section 15, that assist the interpretation of provisions of this planning scheme.

1.11 Types and names of codes—Broadsound Development Code

The Broadsound Development code applies to assessable development for the whole of the local government area.

1.12 Codes applicable to ongoing use

A code that is applicable to a material change of use is also applicable to the ongoing use that results from that change.

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

1.13 Planning scheme seeks to achieve outcomes

The planning scheme seeks to achieve outcomes that are identified according to the following levels—

- (a) desired environmental outcomes;
- (b) overall outcomes for the purpose of the Broadsound development code;
- (c) specific outcomes for the Broadsound development code;
- (d) probable solutions for the Broadsound development code.

1.14 Desired environmental outcomes

- (1) The desired environmental outcomes describe the results or end-states that the planning scheme seeks to achieve for the whole of Broadsound Shire.
- (2) Desired environmental outcomes deal with matters and conditions relating to the natural, built and human environments, which the *Integrated Planning Act 1997* defines broadly as 'the environment'.
- (3) The desired environmental outcomes are the basis for the measures of the planning scheme and they relate to the whole of the Broadsound local government area.
- (4) The planning scheme seeks to achieve each desired environmental outcome to the extent practicable having regard to each of the other desired environmental outcomes.
- (5) The desired environmental outcomes are grouped under topics reflecting the three strands of ecological sustainability identified by the *Integrated Planning Act 1997*—
 - ecological processes and natural systems
 - economic development
 - cultural, economic, physical and social well being of people and communities.

1.15 Overall outcomes for the purpose of a code

- (1) The overall outcomes in a code are statements of the desired outcomes in respect of a place or an area or for particular kinds of development. These overall outcomes are the purpose of the code.
- (2) The overall outcomes of a code provide a broad and comprehensive basis for assessing the suitability of proposed development, including assessing the suitability of proposed development that is not consistent with the specific outcomes of a code.

1.16 Specific outcomes for codes

- (1) Specific outcomes are statements of desired outcomes that contribute to the achievement of the overall outcomes of a code. Development that is consistent with the specific outcomes in sections 4.4 to 4.17 complies with the Broadsound Development code.
- (2) Specific outcomes focus on specific effects or consequences from development, such as particular effects from use, works or reconfiguration. A development proposal is assessed to determine whether what is proposed is consistent and therefore compliant with the code.
- (3) The assessment manager's decision may conflict with an applicable code if there are sufficient grounds to justify the decision, having regard to the purpose of the code (see IPA s 3.5.13).

Note-

See section 3.5.13 of IPA **Decision if application requires code assessment**, which deals with assessment if the assessment manager's decision is to conflict with an applicable code—

- (1) This section [3.5.3] applies to any part of the application requiring code assessment.
- (2) The assessment manager's decision may conflict with an applicable code if there are sufficient grounds to justify the decision, having regard to the purpose of the code.
- (3) However—
 - (a) if the application is for building work—the assessment manager's decision must not conflict with the *Building Act 1975*; and
 - (b) for assessment against a code in a planning scheme—the assessment manager's decision must not compromise the achievement of the desired environmental outcomes for the planning scheme area.
- (4) The assessment manager may refuse the application only if the assessment manager is satisfied—
 - (a) the development does not comply with the applicable code; and
 - (b) compliance with the code cannot be achieved by imposing conditions.
- (5) Subsection (3)(b) applies only to the extent the decision is consistent with any State planning policies not identified in the planning scheme as being appropriately reflected in the planning scheme.

1.17 Probable solutions for code assessable development

- (1) A probable solution for a specific outcome provides a guide for achieving that outcome completely or partially, and does not limit the assessment manager's discretion under the IPA to impose conditions on a development approval.
- (2) For avoidance of doubt, compliance with a stated probable or stated partial solution does not necessarily constitute compliance with the specific outcome.

PART 2—DESIRED ENVIRONMENTAL OUTCOMES

2.1 *Desired environmental outcomes*

The desired environmental outcomes for the Broadsound local government area are as follows—

Ecological processes and natural systems

- (a) Adverse effects on the qualities and life supporting functions of Broadsound's natural systems are minimised. Air and water quality, the soil, biological diversity and ecosystems are protected and enhanced.
- (b) The effects of development on the multiple attributes of the nearby Great Barrier Reef World Heritage Area, coastal and other wetlands and foreshores are minimised.

Economic development

- (c) Broadsound has a diverse, prosperous local economy with farming and grazing and mining the most prominent activities in the rural area and industry and business primarily in towns and villages. Tourism, rural and mining based business and industries are established in locations throughout the Shire where there is a strong nexus to the resources on which they rely.
- (d) The Shire's extensive natural economic resources, including good quality agricultural land, substantial coal reserves, forestry resources, fisheries and the declared fish habitat areas along much of Broadsound's coast are available and protected from incompatible development.
- (e) Urban development facilitates the efficient use of infrastructure, which is used efficiently and safely, protected from incompatible use and provided equitably and affordably.
- (f) The standards for the built environment reflect economic constraints and expectations.
- (g) Places and works are designed to use energy and natural resources efficiently and economically, including by on-site power generation from natural energy and re-using wastewater. Urban design facilitates walking and cycling rather than having always to use a car.
- (h) Land allocated to urban uses is no greater than that necessary to satisfy demand for land for future uses that reflect community need.

Maintenance of cultural, economic, physical and social well being of people and communities

- (i) The Broadsound community has access to services that meet its needs, including the broad range of services usual to rural Queensland.
- (j) Towns and villages provide strong social and economic focal points for their respective communities, where residents have access to urban and community services, infrastructure and employment opportunities.
- (k) High standards of public health and safety are maintained, avoiding or minimising adverse effects associated with the natural and built environments, including erosion, flood, storm tide inundation, fire and traffic hazards, together with safe domestic water supply and responsible waste disposal practice.
- (l) Areas and places of special aesthetic, architectural, cultural, historic, scientific, social or spiritual significance and their values are conserved or enhanced.
- (m) Residents have access to integrated networks of pleasant and safe public areas for aesthetic enjoyment and cultural, recreational and social interaction, including beaches and natural bushland.
- (n) Adverse effects for scenic values in coastal areas, bushland and the rural countryside are minimised.
- (o) Local and neighbourhood amenity is maintained and enhanced, including by minimising effects from incompatible land uses.
- (p) A sense of community and community harmony is maintained and reinforced, including by minimising conflict between proposed buildings and works and the design, height and external appearance of existing buildings and works in Broadsound's towns and villages or with the rural landscape.

PART 3—ASSESSMENT TABLES

3.1—Table 1 Assessment Category—Making a Material Change of Use

<u>Defined use</u>	<u>Assessment category</u>
<p><u>Aquaculture</u> <i>Aquaculture</i> means cultivating or holding marine, estuarine or freshwater organisms (other than molluscs) in ponds or tanks or in enclosures in waters</p> <p><u>Aquaculture (Major)</u> <i>Aquaculture (Major)</i> means using premises for aquaculture other than what is defined as <i>Aquaculture (Minor)</i></p> <p><u>Aquaculture (Minor)</u> <i>Aquaculture (Minor)</i> means using premises for any aquaculture comprising an area of ponds, tanks and the like less than five (5) hectares in surface area where no discharges to water occur.</p>	<p>Exempt, if—</p> <ul style="list-style-type: none"> • Aquaculture (Minor); and in a Rural preferred use area and the site area does NOT contain Good Quality Agricultural Land (which is shown on planning scheme maps); or • Aquaculture (Minor); and in an Industry (Light) preferred use area. <p>Code assessable against the Broadsound Development Code if not exempt.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Note— Although exempt under the planning scheme, IDAS or non-IDAS assessment may be required against other statutory instruments.</p> <p>See also <i>cultural heritage duty of care</i> under <i>Aboriginal Cultural Heritage Act 2003</i>.</p> </div>
<p><u>Barracks and quarters</u> <i>Barracks and quarters</i> means using premises to provide lodging for 20 or more persons in rooms or suites when the persons using the accommodation are employed or working in or in association with a particular industry such as, for example, mining or construction and often work shift-work.</p> <p><i>Barracks and quarters</i> includes any associated managers' residences, offices, storage or maintenance buildings, food preparation or dining facilities, recreational facilities such as, for example, swimming pools, sports areas and kiosks.</p> <p><i>Barracks and quarters</i> does not include <i>multi-unit dwelling</i> or <i>caravan park</i>.</p>	<p>Exempt, if using an existing building in a Barracks and quarters preferred use area, and not involving building work other than minor building work.</p> <p>Code assessable against the Broadsound Development Code if not exempt.</p>

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<u>Defined use</u>	<u>Assessment category</u>
<p><u>Business</u></p> <p>Business means using premises for buying and selling goods and services, including intellectual, educational and financial services or goods.</p> <p><i>Business</i> includes bank, post office shop, department store, hardware shop, supermarket, detached bottle shop, hotel, restaurant, café, local store, hairdresser, pharmacy, medical clinic, veterinary clinic, professional offices, studio; salon; gallery; cinema; theatre and retail nursery.</p> <p><i>Business</i> does not include—</p> <ul style="list-style-type: none"> • using premises as a place of entertainment that is open beyond normal business hours, offering food, drink, cabaret or dancing, for example, a night club; • using premises to display or sell any article or thing associated with or used in a sexual practice or activity, for example, adult shops. 	<p>Exempt, if using an existing building in a Business preferred use area, and not involving building work other than minor building work.</p> <p>Code assessable against the Broadsound Development Code if not exempt.</p>
<p><u>Caravan Park</u></p> <p>Caravan park means using premises to park caravans, place relocatable homes and to pitch tents and use cabins, for travellers or long-term residents.</p> <p><i>Caravan park</i> includes using buildings, structures, facilities and places on the premises for recreation and sport, washing vehicles and for selling goods used principally by caravan park residents, such as a kiosk or shop, as well as manager's office and residence and storage facilities that cater primarily for occupants of the caravan park.</p> <p><i>Caravan park</i> does not include <i>Barracks and quarters</i>.</p>	<p>Code assessable against the Broadsound Development Code.</p>

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<u>Defined use</u>	<u>Assessment category</u>
<p><u>Community facility</u></p> <p>Community facility means using premises for educational, medical, social or community purposes, including—</p> <ul style="list-style-type: none"> • ambulance station, fire brigade, police station, emergency services depot; • child care centre, school, college, university or other learning facility; • hospital, • cemetery: crematorium • place of worship. • social and community workers rooms; local and tourist information rooms or places, community hall or centre, senior citizens centre, youth centre. <p><i>Community facility</i> does not include using premises for facilities where persons are detained or confined in accordance with Commonwealth or State legislation, such as a jail, reformatory or detention centre.</p>	<p>Impact assessable, if cemetery or crematorium;</p> <p>Code assessable against the Broadsound Development Code if not impact assessable.</p>
<p><u>Farming and grazing</u></p> <p>Farming and grazing means using premises for viable, commercial or other non-domestic operations involving the cultivation of plants and trees or the raising or handling of animals.</p> <p>To avoid doubt, farming and grazing includes forestry.</p> <p>Farming and grazing includes packing or processing produce grown on the premises.</p> <p>Farming and grazing does not include using premises for aquaculture.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Note—Although farming and grazing is often exempt under the planning scheme, IDAS or non-IDAS assessment may be required against other statutory instruments.</p> </div>	<p>Exempt, if—</p> <ul style="list-style-type: none"> • in a Rural preferred use area; and • not involving an Environmentally Relevant Activity (ERA) under the <i>Environmental Protection Regulation 1998</i>. <p>Impact assessable, if—</p> <ul style="list-style-type: none"> • involving an ERA; and <ul style="list-style-type: none"> ○ within an Urban preferred use area or within 2000m of an Urban preferred use area. • involving an ERA—cattle feedlotting; pig farming poultry farming and more than— <ul style="list-style-type: none"> ○ 500 standard cattle units; or ○ 5000 standard pig units; or ○ 200,000 birds. <p>Code assessable against the Broadsound Development Code if not exempt or impact assessable.</p>

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<u>Defined use</u>	<u>Assessment category</u>
<p><u>House</u></p> <p>House means using premises on one lot for one (1) dwelling and domestic outbuildings.</p> <div style="border: 1px solid black; padding: 5px; margin-left: 20px;"> <p>Note—See the definition of ‘use’ in the IPA. A house may be incidental to and necessarily associated with the use of premises for farming and grazing, for example, and not therefore a separate use in its own right.</p> </div>	<p>Exempt if in a Residential preferred use area, Village (Holiday and Residence) preferred use area, Village (Rural Centre) preferred use area or a Rural Residential preferred use area.</p> <p>Code assessable against the Broadsound Development Code, if not exempt.</p> <div style="border: 1px solid black; padding: 5px; margin-left: 20px;"> <p>Note—However, see s1.6, which identifies that certain QDC provisions apply to ‘house’.</p> </div>
<p><u>Industry</u></p> <p>Industry means making or extracting goods or materials, altering, repairing, cleaning, packing, storing, and processing them. It includes the sale of goods resulting from the industry, associated administration and staff amenities, when these activities are carried out on the same premises.</p> <p><i>Industry</i> includes extracting materials from land other than by mining.</p> <p>Industry (Extractive) means using premises for industry that extracts sand, gravel, clay, soil, rock, stone or similar material from land.</p> <p>Industry (General) means using premises for industry that is not <i>Industry (Light)</i> or <i>Industry (Extractive)</i>.</p> <p>Industry (Light) means using premises for any industry that—</p> <ul style="list-style-type: none"> • does not adversely affect the amenity of neighbouring premises due to noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil or waste products; • does not involve the generation of heavy vehicular traffic; • does not impose any greater load on a public utility than that imposed by other uses in the locality in which the industry is carried on. <p><i>Industry (Light)</i> includes using premises for activities such as bulk storage, panel beating and spray painting, equipment and vehicle depot and depots for the hire of builders’ and contractors’ equipment and equipment for home or garden renovation.</p>	<p>Industry (Extractive) is Code assessable against the Broadsound Development Code, when involving 4500 tonnes a year or less and not in an urban preferred use area.</p> <p>Industry (Extractive) is Impact assessable, if not code assessable.</p> <p>Industry (Light) and Industry (General) are Code assessable against the Broadsound Development Code in all preferred use areas.</p>

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<u>Defined use</u>	<u>Assessment category</u>
<p><u>Motel</u></p> <p>Motel means using premises for roadside lodging for travellers in self-contained rooms or suites, with associated parking for their motor vehicles.</p> <p>Motel may include using premises for restaurants, bars, meeting and function facilities, dining room, and facilities for the provision of meals to guests, recreational facilities such as, for example, swimming pools, and a manager's unit and office when these facilities are an integral part of the use.</p>	<p>Code assessable against the Broadsound Development Code</p>
<p><u>Multi unit dwelling</u></p> <p>Multi-unit dwelling means using premises on one lot as the principal place of residence by two or more discrete households, domestic groups or individuals.</p> <p><i>Multi-unit dwelling</i> includes—</p> <ul style="list-style-type: none"> • aged care accommodation • apartment • boarding house • community dwelling, where unrelated people live and maintain a common discipline or religion • duplex • flats • hostel • nursing home • orphanage or children's home • residence for persons with special needs • retirement village • townhouse. <p><i>Multi-unit dwelling</i> does not include <i>Barracks and quarters</i>.</p> <p><i>Multi-unit dwelling</i> does not include using premises for facilities where persons are detained or confined in accordance with Commonwealth or State legislation, such as a jail, reformatory or detention centre.</p>	<p>Code assessable against the Broadsound Development Code.</p>

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<u>Defined use</u>	<u>Assessment category</u>
<p><u>Open space</u></p> <p>Open Space means using premises within urban preferred use areas to conserve and protect natural values, including—</p> <ul style="list-style-type: none"> • maintaining natural processes • protecting environmentally sensitive areas • providing a visually pleasant landscape • protecting culturally significant places • setting apart areas that are hazardous because they are, for example, erosion prone areas • providing a pleasant outdoor area that the community may enjoy—a park, for example. <p><i>Open Space</i> may include educational and interpretive places and works and such ancillary facilities such as shelters, car parking areas, barbecue and picnic facilities, seats, toilets, showers and lighting when subordinate to and compatible with conserving and protecting the site's natural values.</p>	<p>Code assessable against the Broadsound Development Code.</p>
<p><u>Outdoor sport and recreation</u></p> <p>Outdoor sport and recreation means using premises for playing a game, recreation, instruction, athletics, sport or entertainment, where these activities take place primarily outdoors, and include only using minor ancillary buildings such as clubhouses and change rooms at the premises.</p> <p>Outdoor sport and recreation includes using premises for recreational facilities, swimming pools, playing fields or courts, rodeo grounds, trail bike riding facilities and racecourses.</p>	<p>Impact assessable, if shooting, motor sport or recreation involving amplified music or sounds.</p> <p>Code assessable against the Broadsound Development Code, if not impact assessable.</p>
<p><u>Second House</u></p> <p>Second house means using premises for a house that is additional to an existing house on the lot, so that there are 2 houses on the one lot.</p>	<p>Code assessable against the Broadsound Development Code.</p>

Broadsound Shire Planning Scheme

<u>Defined use</u>	<u>Assessment category</u>
<p><u>Service station</u></p> <p>Service station means using premises primarily for refuelling cars and other small motor vehicles and includes ancillary use of the premises for—</p> <ul style="list-style-type: none"> ▪ retail sale to the travelling public of motoring requirements such as fuels, lubricants, oils and greases, batteries, tyres, spare parts and car accessories, convenience shopping items and fast food ▪ maintenance, service and mechanical repair of motor vehicles ▪ hire of trailers or vehicles ▪ cleaning of motor vehicles (eg car-wash). 	<p>Code assessable against the Broadsound Development Code.</p>
<p><u>Telecommunications facility</u></p> <p>Telecommunications facility means using premises to provide telecommunication services. The use excludes low impact telecommunications facilities as defined by the <i>Telecommunications (Low Impact Facilities Determination) 1997</i> under the <i>Telecommunications Act 1997</i>.</p>	<p>Code assessable against the Broadsound Development Code.</p>
<p><u>Tourist resort</u></p> <p>Tourist resort means using premises as a place for accommodation, relaxation, recreation or entertainment frequented by people who travel.</p> <p><i>Tourist resort</i> does not include using premises for—</p> <ul style="list-style-type: none"> ▪ <i>caravan park</i> ▪ <i>motel</i>. 	<p>Code assessable against the Broadsound Development Code, if—</p> <ul style="list-style-type: none"> (a) fewer than 40 persons usually on site, including proprietors and staff; and (b) less than 4 hectares are used for buildings and resort facilities. <p>Impact assessable if not code assessable.</p>

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<u>Defined use</u>	<u>Assessment category</u>
<p><u>Truck-stop</u></p> <p><i>Truck-stop</i> means using premises primarily for refuelling trucks and heavy motor vehicles and includes ancillary use of the premises for—</p> <ul style="list-style-type: none"> ▪ dining rooms for truck drivers and others; ▪ on-site parking for trucks and heavy vehicles where drivers may rest in their vehicle; ▪ on-site accommodation for travellers, primarily truck and heavy vehicle drivers; ▪ retail sale to the travelling public of motoring requirements such as fuels, lubricants, oils and greases, batteries, tyres, spare parts and car accessories, convenience shopping items and fast food. 	<p>Code assessable against the Broadsound Development Code.</p>
<p><u>Utility (Local)</u></p> <p><i>Utility (Local)</i> means using premises for an undertaking for the supply of water, gas or electricity (through the electricity supply network) or the provision of telecommunication cable networks, sewerage systems, water supply systems or drainage systems. This does not include the erection and operation of any building or structure (other than a pole or mast supporting electricity or telecommunication lines) having a gross floor area greater than twenty (20) square metres.</p> <p><i>Utility (Local)</i> does not include Utility (Public).</p>	<p>Code assessable against the Broadsound Development Code, if within a—</p> <ul style="list-style-type: none"> • Conservation preferred use area; or • Open Space preferred use area; or • Outdoor Sport and Recreation preferred use area. <p>Exempt, if not code assessable.</p>

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<u>Defined use</u>	<u>Assessment category</u>
<p>Utility (Public)</p> <p><i>Public Utility</i> means using premises for the provision of public facilities and services such as water storage and treatment works, sewerage works and treatment, electricity, gas, telecommunications, transport, drainage and refuse collection and disposal.</p>	<p>Impact assessable, if—</p> <ul style="list-style-type: none"> • waste management facility; or • sewerage works and treatment plant. <p>Exempt, if within identified corridors (shown on planning scheme maps) or within easements in favour of the electricity authority that existed on the date this planning scheme was adopted.</p> <p><i>(These easements are adjacent to the identified corridors mentioned earlier).</i></p> <p>Code assessable against the Broadsound Development Code otherwise.</p>

<u>Other (not defined)</u>	<u>Assessment Category</u>
<p>All, except use for a road.</p> <div style="background-color: #e0e0e0; padding: 5px;"> <p>Note— See 'Users' Guide'. To use premises for certain activities may not always necessarily involve 'material change of use'.</p> <p>Examples—</p> <ul style="list-style-type: none"> ▪ A house on premises used for farming and grazing or for aquaculture (ancillary use). ▪ Night watch quarters or caretaker's flat at premises used for industry (ancillary use). ▪ Using a small part of a house for an office when there are no client's visits to the premises (not generally a Material Change of Use). </div>	<p>Impact assessable.</p> <div style="background-color: #e0e0e0; padding: 5px;"> <p>Note— Roads are included in a preferred use area but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.</p> </div>

**3.2—Table 2 Assessment Category and Applicable Code—
Other Development**

<u>Type of development</u>	<u>Assessment category</u>
<p><u>Carrying out building work not associated with a material change of use</u></p>	<p>Exempt, if the building work is for <i>Farming and grazing</i> in the Rural preferred use area or for <i>Aquaculture (Minor)</i> in the Rural preferred use area and the site area does not contain Good Quality Agricultural Land (<i>shown on planning scheme maps</i>).</p> <p>Exempt, if minor building work, except when involving a place identified as '<i>Cultural Heritage Feature</i>' on planning scheme maps, other than places listed on the Queensland Heritage Register (which are regulated under the <i>Queensland Heritage Act 1992</i>) or if involving external minor building work at premises adjacent to a place identified as '<i>Cultural Heritage Feature</i>' on planning scheme maps.</p> <p>Exempt, if for House and in a Residential, Village (Rural Centre), Village (Holiday and Residence) or a Rural Residential preferred use area.</p> <p>Code assessable against the Broadsound Development Code, if not exempt.</p> <div data-bbox="1182 409 1348 683" style="background-color: #e0e0e0; padding: 5px;"> <p>Note—Although exempt under the planning scheme, IDAS or non-IDAS assessment may be required.</p> </div> <div data-bbox="1182 705 1348 907" style="background-color: #e0e0e0; padding: 5px;"> <p>See also <i>cultural heritage duty of care</i> under <i>Aboriginal Cultural Heritage Act 2003</i>.</p> </div> <div data-bbox="1182 1070 1348 1406" style="background-color: #e0e0e0; padding: 5px;"> <p>Note—See Part 1 s 1.6, which contains the SBR alternative provisions that apply to houses under the <i>Standard Building Regulation 1993</i> part 3.</p> </div>

<u>Type of development</u>	<u>Assessment category</u>
<p><u>Carrying out operational work not associated with a material change of use</u>—excavating, filling.</p> <p>Note 1—Schedule 9, table 4 of IPA identifies certain operational works that this planning scheme cannot make assessable such as, for example operational works for conducting an agricultural use.</p> <p>Further, Schedule 8 Table 4 of IPA identifies other operational works that are assessable development.</p> <p>Note 2—Planning scheme policy 1 indicates that the local government may request specific information for applications involving land identified as (probably) containing acid sulfate soils, in accordance with the annexes to State Planning Policy 2/02.</p> <p>Note 3—See <i>Electricity Act 1994</i>, <i>Electricity Safety Act 2002</i> and <i>Electricity Safety Regulation 2002</i> if filling or excavating on land contiguous to electricity works. See also planning scheme policy 2—the local government may request seek advice or comment from Ergon Energy if specialised technical advice is required to assess the development or the development may affect premises being of special interest to a person.</p>	<p>Code assessable against the Broadsound Development Code, if within or adjacent to a place, other than a place listed on the Queensland Heritage Register (regulated under the <i>Queensland Heritage Act 1992</i>) identified as 'Cultural Heritage Feature' on planning scheme maps.</p> <p>Code assessable (Acid Sulfate Soil) against the Broadsound Development Code if—</p> <ul style="list-style-type: none"> (a) the site area is located within an area below 5 metres AHD and involving— <ul style="list-style-type: none"> (i) excavating or otherwise removing more than 100 m³ of soil or sediment; or (ii) filling of land with 500 m³ or more of material with an average depth of 0.5m or greater. (b) the site area is located within an area below the 40 metre contour and involving or otherwise removing 100m³ or more of soil or sediment below 5 metres AHD. <p>Code assessable [coastal and freshwater wetlands: watercourses] against the Broadsound Development Code if—</p> <ul style="list-style-type: none"> (a) the site area is within 100 m of an identified coastal wetland, (shown on planning scheme maps); or (b) the site area is within 50 m of the upper bank or edge of a freshwater wetland; or (c) the site area is within 100m of a declared fish habitat area (identified on planning scheme maps). <p>Code assessable [quantity of material used] against the Broadsound Development Code if more than 750m³ of material is used to fill or is excavated.</p> <p>Exempt, if not Code assessable.</p>

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<u>Type of development</u>	<u>Assessment category</u>
<p><u>Carrying out operational work not associated with a material change of use</u>—placing objects on premises for use for a purpose to which a building is properly or usually put.</p> <p><i>Examples—</i></p> <ul style="list-style-type: none"> ▪ <i>placing a shipping container on premises for use as storage</i> ▪ <i>placing a shipping container on premises for use as an office</i> ▪ <i>placing a railway carriage or immobilized bus on premises for recreation purposes</i> 	<p>Code assessable against the Broadsound Development Code.</p>
<p><u>Reconfiguring a lot.</u></p>	<p>Code assessable against the Broadsound Development Code.</p>
<p><u>Carrying out operational work for reconfiguring a lot.</u></p>	<p>Code assessable against the Broadsound Development Code, if the reconfiguring is assessable development.</p>
<p>Other.</p>	<p>Exempt.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><i>Note—Placing advertising devices on premises is regulated under the local government's local laws.</i></p> </div>

Part 4—Assessment Criteria for Code Assessment— the Broadsound Development Code

4.1 Broadsound Development code

- (1) The provisions in this division comprise the Broadsound Development code.
- (2) The provisions are as follows—
 - overall outcomes for the Broadsound Development code (section 4.3);
 - specific outcomes and probable solutions—
 - consistent and inconsistent defined uses within preferred use areas (section 4.4)
 - nature conservation (section 4.5)
 - land maintenance (section 4.6)
 - water quality (section 4.7)
 - economic activity (section 4.8)
 - resource availability (section 4.9)
 - resource usage (section 4.10)
 - affordability (section 4.11)
 - community needs (section 4.12)
 - infrastructure efficiency (section 4.13)
 - public safety (section 4.14)
 - heritage conservation (section 4.15)
 - public spaces (section 4.16)
 - amenity, community harmony and the sense of community (4.17).

4.2 Compliance with the Broadsound Development code

Development that is consistent with the specific outcomes in sections 4.4 to 4.17 complies with the Broadsound Development code.

4.3 Overall outcomes for the Broadsound Development code

- (1) The overall outcomes constitute the purpose of the Broadsound Development Code.
- (2) The overall outcomes are the following—

Ecological processes and natural systems

- (a) Areas of ecological significance, areas important to natural processes and areas with significant natural values, including scenic value, are conserved.
- (b) Water quality, both surface and ground water, is not significantly affected as a result of uses or works on a site or from the cumulative effect of uses and works in a locality or area.

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- (c) Wildlife corridors are protected, including those within and near rivers and watercourses, State forests, unallocated State land and other areas of remnant habitat.
- (d) Conservation preferred use areas, which include off-shore islands, unallocated state land with significant natural values and areas that are protected areas under the *Nature Conservation Act 1992*, are kept predominately in a natural state, conserved and protected.
- (e) Public or privately owned land is used and reconfigured, if necessary, for the conservation of natural values.

Economic development

- (f) Good Quality Agricultural Land, which is shown on planning scheme maps, is not fragmented or used for a purpose that lessens its usefulness unless overriding need in terms of public benefit at the particular location is demonstrated.
- (g) Farming and grazing and other defined uses, as follows, are located and lots are reconfigured for these defined uses in the Rural preferred use area—
 - Aquaculture (Major);
 - Aquaculture (Minor);
 - Industry (Extractive).
- (h) Business and industry are located primarily in urban preferred use areas. However, uses that are complementary to farming and grazing are located in the rural preferred use area. Other may also be located in the Rural preferred use area, if it is not practical to locate them within a town or village due to—
 - i. their nature; or
 - ii. scale; or
 - iii. the effects of the use; or
 - iv. a necessary spatial relationship, so that in order to operate effectively, the use has to be located close to a particular cultural heritage feature, natural feature or resource, infrastructure item or activity that occurs in the locality (tourist resort is an example).
- (i) Existing uses, including farming and grazing, and uses based upon natural resources such as mineral and extractive industry resources, forestry and fisheries take place without being constrained by future incompatible land uses.
- (j) The capacity of primary producers to diversify or expand, particularly producers engaged in farming and grazing or mining, is not constrained because of the creation of lots that are smaller than necessary for viable, commercial farming and grazing or by the establishment of residential uses, including 'house' in the Rural preferred use area.
- (k) The Rural preferred use area contains a limited number of blocks where persons live, permanently or occasionally,

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without always engaging in primary production. There is an ample supply of these blocks and reconfiguring to provide more is unlikely to be necessary during the life of this planning scheme.

- (l) Utilities, both public and local, are established as needed throughout the local government area.
- (m) Use, works or reconfiguration of land does not adversely affect the operation of infrastructure and identified corridors for infrastructure, including roads, railways, cane tramways, electricity transmission lines, airfields or pipelines.
- (n) Buildings, works and areas are designed to enhance the efficient use of energy and resources, including designing and locating gardens and sporting fields at, for example, tourist resorts, to re-use waste water and promote walking and cycling as alternatives to using private cars.
- (o) Infrastructure, appropriate to location and purpose, is provided affordably, safely and equitably to support land use or when land is reconfigured for new uses.
- (p) Reconfiguring of a lot or the location of new uses does not have adverse consequences or constrain the possible later expansion of existing towns and villages.

Maintenance of community wellbeing

- (q) Urban uses, including rural residential use, are consolidated within existing towns, villages and the rural residential preferred use area in order to—
 - use infrastructure efficiently
 - manage the social consequences for communities that may otherwise be located away from social and community infrastructure, public health facilities and employment opportunity.
- (r) The residential preferred use areas at Dysart and Middlemount provide predominately for single detached houses with a limited number of multiple dwellings, second houses and houses on small lots.
- (s) St Lawrence and Carmila provide for a harmonious mix of uses with a range of housing choices, including a limited number of multiple dwellings and houses on small lots. Business and industry is catered for, together with the social, cultural and recreational needs of residents, the nearby rural communities and travellers.
- (t) Greenhill and Clairview are predominately for detached houses used by holiday makers and longer-term residents.

Note—
Proximity to the railway and, at Carmila, the Bruce Highway, is long-standing and continuing aspect of community life.

Noise from these sources is an expected part of local conditions.

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- (u) A Rural residential preferred use area, which is located in the Ilbilbie - Greenhill area, provides for houses on allotments 2 hectares or more in size in a semi-rural environment.
- (v) Parking places and suitable access for people with disabilities is provided where appropriate, such as within parking areas serving shopping centres and places where people gather for recreation and entertainment.
- (w) Open Space preferred use areas and State designated reserves, other than those to which a more specific use is assigned under the *Land Act 1994* (such as 'Public Halls') are public land kept predominately in a natural state, for the benefit of the community and used to enhance, conserve and protect natural processes, environmentally sensitive areas and culturally significant places. Outdoor public recreation and enjoyment that is predominantly informal and sensitive to the places' values is also appropriate.
- (x) Use and the reconfiguration of lots takes place so that electricity supply or renewable energy generated on-site, reticulated or a local supply of water, telephone services and the means to dispose of wastes, sewage and wastewater is available or can be provided in a sustainable manner on-site.
- (y) Uses only occur where they are connected to road networks and urban areas by roads able to accommodate the volume and type of traffic generated by the use.
- (z) Uses and works, including roads and other works associated with reconfiguration of lots, are located, designed and managed so that they are safe. Safe evacuation routes are provided and exposure to natural hazards is managed, including by avoiding places subject to bushfire, erosion, flood or landslide; vulnerability to sea level rise and storm tide inundation.
- (aa) The generation or release of acid and metal contaminants from acid sulfate soils does not have significant adverse effects on the natural and built environments.
- (bb) Broadsound's buildings sites and things that reflect its past and its history, together with places and things of cultural heritage significance, Indigenous as well as those dating from after European settlement, are conserved and protected.
- (cc) Development maintains and enhances networks of pleasant and safe cultural, recreational and sporting facilities, parks and open spaces and ensures that the public has access to the coast and coastal waters, as well as to the Bicentennial Trail, which is protected from incompatible use.
- (dd) When lots are reconfigured and roads need to run parallel to the coast, they are set back from erosion prone areas and significant coastal resources, with only smaller access roads running to the coast.

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- (ee) When lots are reconfigured where there is need for public access to the coast, minor spur roads to the foreshore and associated car parks provide access to the foreshore at locations that are convenient to the public, have low environmental sensitivity avoiding locations that may increase storm tide hazard.
- (ff) Uses are of a type and scale appropriate to the character and sense of community identity of the Shire's towns, villages and localities to maintain amenity and harmony.
- (gg) Uses and works are located, designed and managed so that they do not adversely affect other uses or where they would be adversely affected by environmental factors, including noise, dust, odours, traffic movement and light.
- (hh) Uses that are about housing people, such as barracks and quarters, caravan parks, motels and multiple dwellings, establish and maintain a pleasant living environment, with open space, privacy, access to sunlight, good ventilation and design and provision for cooling and heating commensurate with the climate.

4.4 Consistent and inconsistent defined uses within preferred use areas

<u>Specific outcome—consistent and inconsistent defined use</u>	
<u>Rural preferred use area.</u>	
<p>(1) The following defined uses are CONSISTENT uses in the Rural preferred use area—</p> <ul style="list-style-type: none"> ▪ Farming and grazing ▪ Aquaculture (Major] ▪ Aquaculture (Minor) ▪ Industry (extractive) ▪ Telecommunications facility ▪ Utility (Local) ▪ Utility (Public). <p>(2) Uses other than those mentioned in section 4.4 (1), are inconsistent uses in the Rural preferred use area.</p>	<p>Note—See the definition of 'use' in the IPA. A house may be incidental to and necessarily associated with the use of premises for agriculture, for example, and not therefore a separate use in its own right.</p>
<u>Residential preferred use area</u>	
<p>(1) The following defined uses are CONSISTENT uses in a Residential preferred use area—</p> <ul style="list-style-type: none"> ▪ House ▪ Multi unit dwelling ▪ Second House ▪ Utility (Local) <p>(2) Uses, other than mentioned in (1) are INCONSISTENT uses in a Residential preferred use area</p>	
<u>Rural Residential preferred use area</u>	
<p>(1) The following defined uses are CONSISTENT uses in the Rural Residential preferred use area—</p> <ul style="list-style-type: none"> ▪ House ▪ Utility (Local) <p>(2) Uses, other than mentioned in (1) are INCONSISTENT uses in the Rural Residential preferred use area.</p>	
<u>Business preferred use area</u>	
<p>(1) The following defined uses are CONSISTENT uses in the Business preferred use area—</p> <ul style="list-style-type: none"> ▪ Business ▪ Community facility ▪ Motel ▪ Utility (Local) <p>Uses, other than mentioned in (1) are INCONSISTENT uses in the Business preferred use area.</p>	

Specific outcome—consistent and inconsistent defined use

Industry (Light) preferred use area

- (1) The following defined uses are CONSISTENT uses in the Industry (Light) preferred use area—
 - Aquaculture (Minor)
 - Industry (Light)
 - Utility (Local)
- (2) Uses, other than mentioned in (1) are INCONSISTENT uses in the Industry (Light) preferred use area.

Industry (General) preferred use area

- (1) The following defined uses are CONSISTENT uses in the Industry (General) preferred use area—
 - Aquaculture (Minor)
 - Industry (General)
 - Utility (Local)
- (2) Uses, other than mentioned in (1) are INCONSISTENT uses in the Industry (General) preferred use area.

Barracks and quarters preferred use areas

- (1) The following defined uses are CONSISTENT uses in the Barracks and quarters preferred use areas —
 - Barracks and Quarters
 - Utility (Local)
- (2) Uses, other than mentioned in (1) are INCONSISTENT uses in the Barracks and quarters preferred use areas.

Outdoor Sport and Recreation preferred use area

- (1) Outdoor Sport and Recreation is a CONSISTENT use in the Open Space preferred use area.
- (2) Uses, other than Outdoor Sport and Recreation, are INCONSISTENT uses in the Outdoor Sport and Recreation preferred use area.

Specific outcome—consistent and inconsistent defined use

Village (Rural Centre) preferred use area

- (1) The following defined uses are CONSISTENT uses in the Village (Rural Centre) preferred use area—
- Aquaculture (Minor)
 - Business
 - Caravan Park
 - Community facility
 - House
 - Industry (Light)
 - Motel
 - Multi unit dwelling
 - Open Space
 - Outdoor Sport and Recreation
 - Second house
 - Service station
 - Telecommunications facility
 - Utility (Local)
- (2) Uses, other than mentioned in (1) are INCONSISTENT uses in the Village (Rural Centre) preferred use area.

Village (Holiday and Residence) preferred use area

- (1) The following defined uses are CONSISTENT uses in the Village (Holiday and Residence) preferred use area—
- House
 - Open Space
 - Utility (Local)
- (2) Uses, other than mentioned in (1) are INCONSISTENT uses in the Village (Holiday and Residence) preferred use area.

Open Space preferred use area

- (1) Open Space is a CONSISTENT use in the Open Space preferred use area.
- (2) Uses, other than Open Space, are INCONSISTENT uses in the Open Space preferred use area.

Conservation preferred use areas

No uses are consistent uses in the Conservation preferred use areas.

Note—'Conservation' is not defined: it is used in the usual (dictionary) sense in this planning scheme.

4.5 Specific outcomes and probable solutions—nature conservation

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
<p>(a)</p>	<p><i>Adverse effects on areas of ecological significance, areas important to natural processes and areas with significant natural values are minimised, including adverse effects from loss of natural vegetation, land degradation and water pollution arising from, but not limited to—</i></p> <ul style="list-style-type: none"> <i>(i) disturbance of the land;</i> <i>or</i> <i>(ii) siting of buildings and other works, including paths or tracks that the public use to gain access to a beach or the coast;</i> <i>or</i> <i>(iii) waste disposal; or</i> <i>(iv) the introduction of an incompatible fire management regime; or</i> <i>(v) loss of habitat or linkages with other habitats; or</i> <i>(vi) altering landscape aesthetic quality; or</i> <i>(vii) threats to conservation values from invasive species; or</i> <i>(viii) unmanaged public access; or</i> <i>(ix) control measures for mosquitoes or other nuisance insects; or</i> <i>(x) effects from fencing, lighting or other things on nesting birds, turtles or to other animals and their natural activities; or</i> <i>(xi) the siting of works that generate electric or magnetic fields.</i> 	<p><i>No probable solution is suggested.</i></p> <div style="background-color: #e0e0e0; padding: 5px; margin-top: 10px;"> <p><i>Note 1—Planning scheme policy 2 indicates that the local government may seek advice or comment about managing development and its effect on areas of ecological significance (etc) from the Environment Protection Agency.</i></p> </div> <div style="background-color: #e0e0e0; padding: 5px; margin-top: 10px;"> <p><i>Note 2—The Fire and Rescue Act 1990 s69 has provisions about requisitions by the commissioner to reduce fire risk. See also IPA schedule 8 pt 3 (13 [b])) and (16)...use of fire & ...direction made under state law ...exempt.</i></p> </div> <div style="background-color: #e0e0e0; padding: 5px; margin-top: 10px;"> <p><i>Note 3—The Land Protection (Pest and Stock Route Management) Act 2002 and Regulations under that Act address pests and invasive species. Planning scheme policy 2 indicates that the local government may seek advice or comment from Department of Natural Resources and Mines in circumstances in which this legislation may apply.</i></p> </div>

4.6 Specific outcomes and probable solutions—land maintenance

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
<p>(a)</p>	<p><i>Uses and lots are located, reconfigured and designed to—</i></p> <ul style="list-style-type: none"> • <i>minimise soil degradation</i> • <i>maintain the efficacy of an approved property plan for soil conservation made under Soil Conservation Act 1986.</i> 	<p><i>No probable solutions are suggested.</i></p> <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;"> <p><i>Note 1—Under the Soil Conservation Act 1986, a regulation may be drafted to require a local government to refuse development approval in respect of land within that regulation without the consent of the Chief Executive, Department of Natural Resources and Mines. No Regulation has been made at the date this planning scheme was made.)</i></p> <p><i>Note 2—Planning Scheme Policy 2 indicates that the local government may seek advice from Natural Resources and Mines when development is proposed when soil conservation works are likely to have been made on the lot or separate part of a lot.</i></p> </div>

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	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution'.)
(b)	<i>Filling or excavation does not cause land to become unstable nor does it adversely affect adjacent land.</i>	<p>(1) <i>Land with a slope greater than 1 in 5 is not filled or excavated.</i></p> <p>(2) <i>The fill or excavation is no higher or deeper than 1.5m.</i></p> <p>(3) <i>The extent of filling or excavation is no more than 500 m², or 40% of the site area, whichever is less.</i></p> <p>(4) <i>Filling or excavation does not occur within 2m of the site boundary.</i></p>
(c)	<i>Filling or excavation does not change the water run off characteristics of a site to its detriment or to adversely affect nearby land.</i>	<p>(1) <i>The filling or excavation does not cause water to lie on the site or on adjacent land.</i></p> <p>(2) <i>The filling or excavation does not increase the quantity or velocity of water flowing across the site or to other land, including to overland flow paths and watercourses.</i></p>

4.7 Specific outcomes and probable solutions—water quality

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
<p>(a)</p>	<p><i>Use, reconfiguration of lots or operational works have no significant adverse effects on The Great Barrier Reef World Heritage Area, coastal wetlands (shown on planning scheme maps), freshwater wetlands, watercourses and groundwater arising from, but not limited to—</i></p> <p><i>(a) altering wetland functions, particularly flow rates and the timing of flows that are important to breeding and reproductive cycles; or</i></p> <p><i>(b) changing water levels in wetlands, which should be maintained at natural levels; or</i></p> <p><i>(c) changing water quality, including the release of stormwater and how it is treated before it flows into natural wetland; or</i></p> <p><i>(d) surface run-off containing nutrients, sediment or other things that may affect wetlands; or</i></p> <p><i>(e) seeping and leaching into groundwater including effects from waste water and sewage disposal systems; or</i></p> <p><i>(f) excavating or filling within 100 metres if coastal wetland or 50m if freshwater wetland; or</i></p> <p><i>(g) constraining the natural movement of wetlands, including those</i></p>	<p><i>As partial solutions—</i></p> <ul style="list-style-type: none"> • <i>buffer areas 100m wide are provided between the limit of development and Highest Astronomical Tide (HAT) in all tidal areas.</i> • <i>buffer areas 50m wide are provided between the site area and the upper bank or edge of all freshwater wetlands.</i> • <i>a lot is created where it can be connected to the local government's sewerage system; or where on-site waste water treatment and disposal is required, the lot is big enough and with soil and slope characteristics to permit demonstration that waste water and sewage can be treated safely and effectively on-site</i> • <i>use and reconfiguration for use, other than for farming and grazing, does not occur in localities where the cumulative effect of proposed and existing on-site waste water treatment systems in the locality will adversely affect ground or surface water in the locality</i> <div data-bbox="944 1608 1332 1937" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><i>Note—Planning scheme policy 2 indicates that the local government may seek advice from the Environmental Protection Agency when development is proposed within 100m of a coastal wetland or Department of Primary Industries when development is proposed within 50 m of a freshwater wetland or a watercourse. Advice may be sought from either or both.</i></p> </div>

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution.')</p>
	<p align="center"><i>related to sea level rises and climate change.</i></p>	<ul style="list-style-type: none"> • stormwater drainage is provided and constructed in accordance with Queensland Urban Drainage Manual.
<p>(b)</p>	<p><i>The release of acid and metal contaminants as a consequence of disturbing acid sulfate soils (ASS) is avoided or managed to minimise adverse effects.</i></p>	<p>Acid sulfate soils are not disturbed when—</p> <ul style="list-style-type: none"> • excavating or otherwise removing soil or sediment • extracting groundwater • filling land <p><u>Or</u></p> <p>The treatment and on-going management of disturbed acid sulfate soils—</p> <ul style="list-style-type: none"> • neutralises existing acidity and prevents the generation of acid and metal contaminants; and • prevents the release of surface or groundwater flows containing acid and metal contaminants into the environment. <div data-bbox="1150 577 1326 1249" style="border: 1px solid gray; padding: 5px; font-size: small;"> <p><i>If ASS are to be disturbed by proposed works, the applicant shall provide a detailed acid sulfate soil (ASS) investigation report. The content of the ASS investigation report should comply with the State Planning Policy 2/02 Guideline Planning and Managing Development Involving Acid Sulfate Soils.</i></p> </div>

4.8 Specific outcomes and probable solutions—economic activity

	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution'.)
(a)	<i>Lots are reconfigured so that they are large enough and with dimensions that are suited to intended use.</i>	<i>As a partial solution—</i> <ul style="list-style-type: none"> • <i>in an Industry (Light) preferred use area, lots are no smaller than 1000m²</i> • <i>in an Industry (General) preferred use area, lots are no smaller than 2000m².</i>

4.9 Specific outcomes and probable solutions—resource availability

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
(a)	<p>Good quality agricultural land is not alienated for other purposes and is kept for farming and grazing.</p> <p><i>Note—The local government may seek advice from Department of Natural Resources and Mines and Department of Primary Industries in respect of matters of interest. (Planning scheme policy 2).</i></p>	<p>(1) As a partial solution, lots are not reconfigured to produce lot sizes smaller than—</p> <ul style="list-style-type: none"> • 2000 hectares, if identified as suitable for broad scale cropping; or • 100 hectares if identified as suitable for cane. <p>(2) As a partial solution to demonstrate the temporary use will not reduce the productive capacity of the land—</p> <ul style="list-style-type: none"> • a rehabilitation plan is prepared demonstrating productivity for an agricultural use can be continued after the temporary use has ceased.
(b)	<p>Lots used for grazing or that have been used for grazing within the preceding 5 years are not put to other uses or reconfigured to be smaller than necessary for viable commercial farming and grazing.</p>	<p>No probable solution is suggested.</p> <p><i>Note—The local government may seek advice from Department of Natural Resources and Mines and Department of Primary Industries in respect of matters of interest. (Planning scheme policy 2).</i></p>
(c)	<p>Lot sizes within the Rural preferred use area facilitate the use of the land area for primary production and the conservation of natural values.</p>	<p>Lots within the Rural preferred use area are not reconfigured except at lot sizes commensurate with use for viable commercial farming and grazing or for conservation.</p> <p><i>Note—The local government may seek advice from Department of Natural Resources and Mines and Department of Primary Industries in respect of matters of interest. (Planning scheme policy 2).</i></p>

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	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
(d)	<p><i>The continuing or new use of mineral and extractive industry resources within mining tenements and Key Resource Areas, quarries gravel pits and other areas of mineral interest and their haul routes and access, identified on planning scheme maps is not constrained by development.</i></p>	<p><i>House, second house and uses that that are about housing people, including multi unit dwelling, tourist resort and motel as well as uses that will bring people to the premises, including community facility and outdoor recreation and sport are—</i></p> <ul style="list-style-type: none"> • <i>located more than 1 km from mineral and extractive industry resources within mining tenements and designated Key Resource Areas; that, when exploited, will blast, crush or screen</i> • <i>located 200m or more from use that does not involve blasting or crushing at mineral and extractive industry resources within mining tenements and designated Key Resource Areas</i> • <i>not located within 1 km of tracks or roads providing access to mineral and extractive industry resources within mining tenements and designated Key Resource Areas.</i> <div data-bbox="1107 663 1310 882" style="border: 1px solid gray; padding: 5px; margin-top: 10px;"> <p><small><i>Note—Mining tenements and Key Resource Areas are shown on planning scheme maps.</i></small></p> </div>
(e)	<p><i>Development has no significant adverse effects on the values and functions of declared fish habitat areas under the Fisheries Act 1994 (shown on planning scheme maps).</i></p>	<p><i>No probable solution is suggested.</i></p>

4.10 Specific outcomes and probable solutions—resource usage

	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution.')
(a)	<i>Wastewater and sewage is treated and re-used on-site safely and in a sustainable manner when possible, including for gardens and landscaped areas, golf courses and sporting fields.</i>	<i>No probable solution is suggested.</i>
(b)	<i>Buildings and structures are re-used when possible.</i>	<i>No probable solution is suggested.</i>

4.11 Specific outcomes and probable solutions—affordability

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
<p>(a)</p>	<p><i>Water supply, sewage disposal systems, stormwater drainage, roads, pedestrian and cycle paths as well as areas of open space are provided to—</i></p> <p><i>(a) meet appropriate standards whilst minimising overall life cycle costs, including avoiding unnecessary duplication; and</i></p> <p><i>(b) be robust and fit for the purpose and intended period of operation; and</i></p> <p><i>(c) be easily maintained without unnecessarily requiring specialist expertise or equipment; and</i></p> <p><i>(d) be comprised of components and materials that are as readily accessible and available as practicable; and</i></p> <p><i>(e) be readily integrated with existing systems and facilitate the orderly provision of future systems.</i></p>	<p><i>As a partial solution, water supply, stormwater drainage and, roads are constructed to standards as follows—</i></p> <ul style="list-style-type: none"> <i>• for roads (excluding State-controlled roads), and drainage - Institute of Public Works Engineers of Australia (IPWEA) Standard Drawings</i> <i>• where available, water supply is provided by connection to Council's reticulated system in accordance with Water Reticulation Code of Australia (WSA03-1999); or if the matter is not dealt with by WSA03-1999, the IPWEA Standard Drawings</i> <i>• where connection to the water reticulation system is not possible, no probable solution is suggested.</i> <i>• for stormwater drainage—the Queensland Urban Drainage Manual.</i> <p><small>Note—For State-controlled roads, design and construction must be in accordance with department of Main Roads' Road Planning and Design Manual and Standard Drawings and Specifications</small></p> <p><small>Note 2—In respect of sewerage and on-site sewerage systems see the Plumbing and Drainage Act 2002; Environment Protection Act 1994; Environmental Protection (Water) Policy 1997 and the assessment process under the Standard Building Regulation 1993</small></p>

4.12 Specific outcomes and probable solutions—community needs

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution.)</p>
<p>(a)</p>	<p><i>Uses are established and new lots are created where engineering infrastructure can be provided efficiently and social and community infrastructure including public health facilities and employment opportunity is available.</i></p>	<p><i>Lots within the Rural preferred use area are not reconfigured for uses that are residential, such as house or for 'lifestyle' blocks where persons live, permanently or occasionally, without necessarily engaging in primary production.</i></p> <div data-bbox="1059 434 1302 1032" style="border: 1px solid gray; padding: 5px; margin-top: 10px;"> <p><i>Note—See IPA 3.5.13, which sets details the decision rules within which an assessment manager must assess code assessable development.</i></p> <p><i>This probable solution should not be considered to preclude Council approving reconfiguration if there are sufficient grounds to justify that decision having regard to the purpose of the Broadsound Development Code. See Part 4.</i></p> </div>

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	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
<p>(b)</p>	<p><i>Each new lot or separate part of a lot intended for a house has adequate useable area and dimensions after allowing for any areas where normal use is constrained, including the exclusion zone specified in the Electrical Safety Regulation 2002, slope characteristics and dimensions to allow for—</i></p> <ul style="list-style-type: none"> • <i>access and parking</i> • <i>on-site services</i> • <i>buildings and structures</i> • <i>adequate useable open space</i> • <i>any buffer areas needed to separate incompatible uses</i> • <i>site or neighbourhood requirements, including due regard for site character and setting, topography, landmarks and views</i> 	<p><i>As a partial solution, lots have a site area of 450m² if in the Residential preferred use areas at Dysart and Middlemount; and, <u>subject to using a method of disposing of wastewater and sewage on site sufficient to achieve compliance with the Plumbing and Drainage Act 2002—</u></i></p> <ul style="list-style-type: none"> • <i>1000m² if at the Village (Rural Centre) preferred use areas at Carmila and St Lawrence</i> • <i>800m² if at the Village (Holiday and Residence) preferred use areas at Greenhill</i> • <i>450m² if at the Village (Holiday and Residence) preferred use areas at Clairview</i> • <i>2 hectares if at the Rural Residential preferred use area.</i> <p><i>Note 1—The lot sizes shown are not necessarily large enough to ensure that disposing of wastewater and sewage on-site and achieving the necessary compliance with the Plumbing and Drainage Act 2002 will not be technically difficult and possibly expensive.</i></p> <p><i>Note 2—See State Planning Policy 1/92 Planning Guidelines, Separating Agricultural and Residential land in relation to buffer areas need to separate incompatible uses.</i></p> <p><i>Note 3—See also 4.7 Specific outcomes and probable solutions—water quality.</i></p>

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
<p>(c)</p>	<p><i>When lots are reconfigured, each new lot or separate part of a lot is able to be connected to or can provide on-site for—</i></p> <ul style="list-style-type: none"> ▪ <i>water</i> ▪ <i>liquid waste disposal</i> ▪ <i>drainage</i> ▪ <i>electricity</i> ▪ <i>telecommunications.</i> 	<p><i>As partial solutions—</i></p> <ul style="list-style-type: none"> • <i>in Dysart and Middlemount urban preferred use areas, each new lot or separate part of a lot is served by the local government's reticulated water and sewerage systems</i> • <i>in Carmila and St Lawrence urban preferred use areas, each new lot or separate part of a lot is served by the local government's reticulated water system.</i> • <i>in all preferred use areas, electricity and telecommunications services are available already or are extended so that each new lot has a potential point of connection to those services.</i> • <i>in all preferred use areas where connection to sewerage systems is not available, on-site provision is made for water supply, drainage and liquid waste disposal.</i> <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;"> <p><small>Note—Ergon Energy Corporation Ltd may require an easement for electricity supply. It has legal capacity to acquire such easement.</small></p> <p><small>The local government may consult Ergon Energy Corporation Ltd when relevant (Planning scheme policy 2).</small></p> </div>

4.13 Specific outcomes and probable solutions—infrastructure efficiency

	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution'.)
(a)	<i>Uses are established and new lots are created where they have practical and lawful vehicular access to a constructed road that is suitable for the class of vehicle using it and the volume of traffic to be generated.</i>	<i>No probable solution is suggested.</i> <i>Note—The local government maintains a road register that identifies the roads that are 'constructed roads'.</i>
(b)	<i>Uses within the urban preferred use areas are of a type and scale that can be serviced by the water and sewerage infrastructure provided already within the preferred use area.</i>	<i>No probable solution is suggested</i>
(c)	<i>Uses are established and lots are reconfigured to maintain and enhance the safe and efficient operation of roads, pedestrian and cycle paths and networks of open space, having regard to all relevant matters, including—</i> <i>(i) the nature and volume of vehicles using the road; and</i> <i>(ii) design and measures to avoid industrial or commercial traffic in residential preferred use areas; and</i> <i>(iii) the location of uses that may be adversely affected by noise or dust generated from use of the road; and</i> <i>(iv) the design of stormwater drainage and the provision kerbs and channels, where warranted; and</i> <i>(v) the provision of</i>	<i>As partial solutions—</i> <ul style="list-style-type: none"><i>• for subsection (i), uses that involve the carting of bulky or heavy materials, such as aquaculture or extractive industry, minimise adverse effects on the road used for cartage by contributing to up-grading and improvement.</i> <i>• for subsection (ix), parking areas are provided—</i><ul style="list-style-type: none"><i>○ 1 car space for each accommodation unit, caravan park site and motel room; and</i><i>○ 1 additional car parking space for each person employed at any one time; and</i><i>○ 1 visitor parking space for each 10 accommodation units, caravan park sites or motel rooms</i><i>○ in proportion to scale and location otherwise</i>

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	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
	<p><i>unobstructed and efficient access to premises, including for emergency vehicle; and</i></p> <p><i>(vi) the location and design of vehicle accesses and cross-overs; and</i></p> <p><i>(vii) the need for a service road rather than direct access to a road from large scale use or from several lots; and</i></p> <p><i>(viii) the provision of sufficient, safe loading and servicing areas; and</i></p> <p><i>(ix) car parking provision within premises, including disabled access and provision for emergency vehicle parking; and</i></p> <p><i>(x) the provision of footpaths and cycle paths, when warranted.</i></p>	<ul style="list-style-type: none"> • <i>the location, design and construction of driveways, turning areas, parking spaces and vehicle standing areas is in accord with Australian Standards AS 2890.1 – 1993, AS 2890.3 - 1993 and Australian Standards AS 2890.2 – 1989.</i> <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;"> <p><i>Note 1—Department of Main Roads may be a concurrence agency if the site is near a State-controlled road.</i></p> <p><i>Note 2—In respect of (v), access to State-controlled roads must be approved by Department of Main Roads and designed and constructed to its standards.</i></p> <p><i>Note 3—In respect of (iii), placing noise sensitive uses adjacent to State-controlled roads must be in accordance with the Road Traffic Noise Management Code of Practice [DMR 2000].)</i></p> </div>
<p>(d)</p>	<p><i>Uses and works are located and designed to avoid significant adverse effects on the safe and efficient operation of electricity transmission and distribution infrastructure.</i></p>	<p><i>Development occurs outside land adjacent to electricity works.</i></p> <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;"> <p><i>Note—The local government may seek advice from Ergon Energy Corporation Ltd or Powerlink Queensland when there is prospect of electricity transmission and distribution infrastructure being affected (Planning scheme policy 2).</i></p> </div>

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	<u>Specific outcome</u>	<u>Probable solution</u> <small>(Refer to section 1.16 regarding the meaning of 'probable solution'.)</small>
(e)	<p><i>Uses and works are located and designed to avoid significant adverse effects on the safe and efficient operation of other public infrastructure, including—</i></p> <ul style="list-style-type: none"> <i>• airfields and landing grounds</i> <i>• railways,</i> <i>• cane tramways</i> <i>• pipelines</i> <i>• water quality and supply infrastructure and catchments</i> 	<p><i>No probable solution is suggested.</i></p> <div style="border: 1px solid gray; padding: 5px; margin: 10px 0;"> <p><i>Note 1—Queensland Rail (QR) is not a referral agency under the Integrated Planning Act 1997. QR has power under the Transport Infrastructure Act to develop guidelines that bind a local government to ensure the operational integrity of a railway but no guidelines have been developed (as at 31st October 2004).</i></p> <p><i>Planning scheme policy 2 indicates that the local government may consult with Queensland Rail in respect of development that may affect or be affected by proximity to a railway.</i></p> <p><i>Note 2—Section 77(4) of the Petroleum Act 1923 requires that prior permission of the licensee is required to “erect or place any building or structure whatsoever in, on or over the land the subject of the easement...”</i></p> <p><i>Note 3—See State Planning Policy 1/92 Planning Guidelines, Separating Agricultural and Residential land in relation to buffer areas need to separate incompatible uses (including cane tramways).</i></p> </div>
(f)	<p><i>Works associated with a material change of use or operational works do not affect the efficient functioning of local or public utilities.</i></p>	<p><i>No probable solution is suggested.</i></p>

4.14 Specific outcomes and probable solutions—public safety

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
<p>(a)</p>	<p><i>Uses are not established and lots are not reconfigured to expose people and works to natural or introduced hazards, including permanent or temporary occupation of, or access to, areas subject to—</i></p> <ul style="list-style-type: none"> • <i>erosion</i> • <i>flood</i> • <i>landslide</i> • <i>storm tide inundation</i> • <i>subsidence</i> 	<p><i>As partial solutions—</i></p> <ul style="list-style-type: none"> • <i>uses and works are not located within the erosion prone areas shown on erosion prone area plans established under the Coastal Protection and Management Act 1995.</i> • <i>uses and works are not located within an area subject to storm tide inundation, erosion, flood and subsidence, apart from uses that may be only temporarily affected, such as park or public utility, in an area that may be flooded.</i> • <i>lots are not located on slopes greater than 15%.</i> • <i>the floor level of a habitable room is 300 mm above the highest flood level recorded or expected by the local government.</i> • <i>the floor level of a habitable room is 300 mm above 6.45m AHD in areas within 1 kilometre of high watermark.</i> <div style="border: 1px solid gray; padding: 5px; margin-top: 10px;"> <p><i>Note—The local government keeps a copy of the erosion prone area plans available for public inspection.</i></p> <p><i>To establish whether a site area is within an erosion prone area or what the slope is or where the site is in relation to AHD may require a licensed surveyor to be engaged.</i></p> </div>

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
<p>(b)</p>	<p><i>Development maintains the safety of people and property by—</i></p> <p><i>(a) avoiding areas of High or Medium bushfire hazard (which are shown on planning scheme map 22); <u>or</u></i></p> <p><i>(b) mitigating the risk through—</i></p> <ul style="list-style-type: none"> • <i>lot design and the siting of buildings; <u>and</u></i> • <i>including firebreaks that provide—</i> <ul style="list-style-type: none"> – <i>adequate setbacks between buildings/structures and hazardous vegetation, <u>and</u></i> – <i>access for firefighting/other emergency vehicles;</i> • <i>providing adequate road access for firefighting/other emergency vehicles and safe evacuation; <u>and</u></i> • <i>providing an adequate and accessible water supply for fire-fighting purposes.</i> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><small>Note—The wording that the local government has been required to use in this section, 4.14 (b), is similar to that used in Appendix 5B to State Planning Policy 1/03 Guideline—Mitigating the Adverse Impacts of Flood, Bushfire and Landslide, June 2003.</small></p> </div>	<p>Development is located on land that is not subject to High or Medium bushfire hazard.</p> <p>OR</p> <p>FOR ALL DEVELOPMENT</p> <p>Buildings and structures—</p> <p>(a) on lots greater than 2,500 m²:</p> <ul style="list-style-type: none"> • <i>are sited in locations of lowest hazard within the lot; and</i> • <i>achieve setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater; and</i> • <i>10 metres from any retained vegetation strips or small areas of vegetation; and</i> • <i>are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard.</i> <p>(b) on lots less than or equal to 2,500 m², maximise setbacks from hazardous vegetation</p> <p>AND</p> <p>For uses involving new or existing buildings with a gross floor area greater than 50 m², each Lot has—</p> <ul style="list-style-type: none"> ▪ a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or ▪ an on-site water storage of not less than 5,000 litres (e.g. accessible dam or tank with fire brigade tank fittings, swimming pool).

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
		<p>AND</p> <p>FOR DEVELOPMENT THAT WILL RESULT IN MULTIPLE BUILDINGS OR LOTS</p> <p>Residential lots are designed so that their size and shape allow for—</p> <p>(a) efficient emergency access to buildings for firefighting appliances (e.g. by avoiding long narrow lots with long access drives to buildings); and</p> <p>(b) setbacks and building siting in accordance with (a) above.</p> <p>AND</p> <p>Firebreaks are provided by—</p> <p>(a) a perimeter road that separates lots from areas of bushfire hazard and that road has—</p> <ul style="list-style-type: none"> ▪ a minimum cleared width of 20 metres; and ▪ a constructed road width and weather standard complying with local government standards. <p>OR</p> <p>(b) where it is not practicable to comply with 1.5a), fire maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails—</p> <ul style="list-style-type: none"> • have a minimum cleared width of 6 metres; and ▪ have a formed width and gradient, and erosion control devices to local government standards; and ▪ have vehicular access at each end; and ▪ provide passing bays and turning areas for fire-fighting

	<p align="center"><u>Specific outcome</u></p>	<p align="center"><u>Probable solution</u></p> <p align="center">(Refer to section 1.16 regarding the meaning of 'probable solution'.)</p>
		<p>appliances; and</p> <ul style="list-style-type: none"> ▪ are either located on public land, or within an access easement that is granted in favour of the local government and QFRS; <p>AND</p> <p>(c) <i>sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (e.g. creek corridors and other retained vegetation) to allow burning of sections and access for bushfire response.</i></p> <p>AND</p> <p><i>Roads are designed and constructed in accordance with applicable local government and State government standards; and</i></p> <ul style="list-style-type: none"> (a) have a maximum gradient of 12.5%; and (b) exclude culs-de-sac, except where a perimeter road isolates the development from hazardous vegetation or the culs-de-sac are provided with an alternative access linking the cul-de-sac to other through roads. <p>AND</p> <p>FOR DEVELOPMENT IN HIGH BUSHFIRE HAZARD AREAS (EXCEPT SINGLE DWELLINGS ON EXISTING LOTS)</p> <p><i>Development complies with a Bushfire Management Plan for the premises.</i></p>

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	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution.)
(c)	<i>Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</i>	<i>Development complies with a Bushfire Management Plan for the premises.</i>

4.15 Specific outcomes and probable solutions—heritage conservation

	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution.)
(a)	<i>Adverse effects on the cultural heritage values of buildings, structures and places identified (on planning scheme maps) are minimised.</i>	<i>No probable solution is suggested.</i> <p><i>Note 1—See the Queensland Heritage Act 1992, which protects cultural heritage places.</i></p> <p><i>Note 2—The local government may seek advice from the Queensland Heritage Council in respect of development that may affect listed places. (Planning scheme policy 2).</i></p> <p><i>Note 3—See also Aboriginal Cultural Heritage Act 2003, which protects indigenous cultural heritage sites of State significance.</i></p>

4.16 Specific outcomes and probable solutions—public spaces

	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution.)
(a)	<i>When reconfiguration or material change of use for residential uses, such as multi unit dwelling, increases demand for infrastructure for local community purposes, provision is made for sufficient open space.</i>	<i>No probable solution is suggested.</i>
(b)	<i>Access to the Bicentennial Trail, beaches and other places that are frequented by the community is not impeded</i>	<i>No probable solution is suggested.</i> <p><i>Note: Planning scheme maps show the Bicentennial Trail.</i></p>

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	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution'.)
	<i>by development and recreational use of the natural environment, including waterways, is not diminished.</i>	

4.17 Specific outcomes and probable solutions—amenity, community harmony and the sense of community

	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution'.)
(a)	<i>Buildings and works are attractive and consistent with the scale and design of buildings and works in the neighbourhood or with the rural neighbourhood.</i>	<p><i>As partial solutions—</i></p> <ul style="list-style-type: none"> • <i>the maximum height of a building structure or object is 8.5 m above natural ground surface</i> • <i>buildings face the street or road frontage</i> • <i>buildings are no longer at their road or street frontage than adjacent buildings or 15m, if no adjacent buildings</i> • <i>buildings are designed to be consistent with the height, roof form, materials, architectural or structural detail and the colour of buildings in the local area</i> • <i>transportable buildings of a kind used at construction and mining sites, usually called 'dongas' are not placed on premises within a Residential preferred use area, a Village (Holiday & Residence) preferred use area, a Village (Rural centre) preferred use area, a Rural residential preferred use area or within a rural preferred use area where they are visible from a road, neighbouring property or vantage point</i> • <i>objects and things such as shipping containers, railway carriages, and registered or unregistered vehicles including buses and caravans are not used for a purpose to which a building is properly put</i> • <i>outdoor storage areas for waste and areas where machinery or other materials are kept are screened from view from the street by fencing or landscape</i>

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	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution'.)
		<p>treatment or both</p> <ul style="list-style-type: none"> • electricity supply is provided underground at Greenhill and any extension of supply infrastructure at Dysart and Middlemount where electricity works are already underground is extended in similar manner.
(b)	<p>Uses are located, designed and operated to avoid significantly changing the light, noise, dust, odours, traffic conditions (including pedestrian or cycle traffic) or other physical conditions for—</p> <ul style="list-style-type: none"> • associated, adjoining or nearby residential uses • other types of non-residential uses. 	<p>No probable solution is suggested.</p>
(c)	<p>Uses are not located where they will be adversely affected by proximity to an already existing lawful use or a use that is approved but not commenced.</p>	<p>As a partial solution, a residential use, such as house, multiple dwelling, caravan park or motel or a community facility such as community hall or school is not built within—</p> <ul style="list-style-type: none"> • 1000m of a site area used for farming and grazing involving an ERA • 500m of a site area used for Aquaculture (Major)
(d)	<p>Use for second house is compatible with neighbourhood character and amenity.</p>	<p>As a partial solution, second house is located on lots with an area 1000m² or greater in a Residential preferred use area or in the Village (Rural Centre) preferred use areas at Carmila and St Lawrence.</p>

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	<u>Specific outcome</u>	<u>Probable solution</u> (Refer to section 1.16 regarding the meaning of 'probable solution'.)
(e)	Uses that involve accommodating people, such as barracks and quarters, caravan park, second house and multi unit dwellings, are designed to provide for the amenity and security of residents with a pleasant living environment, privacy and useful landscaped and recreation areas.	No probable solution is suggested. <i>(Note: The State Government Guideline "Good Design for Caravan and Relocatable Home Parks" sets out detailed guidelines for the design of Caravan and Relocatable Home Parks.)</i>
(f)	Telecommunications facilities do not adversely affect neighbourhood character and amenity.	Telecommunications facilities are – <ul style="list-style-type: none"> • located underground; or • co-located with other telecommunications facilities; or • located within or upon an existing structure; • painted to blend with surroundings; • if within areas with trees and vegetation, built to retain or reinstate the site's vegetative cover, including on access roads
(g)	Rural amenity is maintained.	No probable solution is suggested.
(h)	Extensive open ponds and buildings associated with aquaculture, farming and grazing involving an ERA and other non-agricultural uses are screened by vegetation or are otherwise unobtrusive because of topography or distance when viewed from roads.	No probable solution is suggested.

SCHEDULE 1—DICTIONARY OF ADMINISTRATIVE TERMS

“40 metre contour” means the line drawn on a topographic map of Australia that is published by a Commonwealth or State government agencies map joining all the points on the Earth that are 40 metres above sea level.

“acceptable solutions” are the criteria comprising a code that self assessable development must comply with.

“acid sulfate soil(s)” has the same meaning as in *State Planning Policy 1/00—Planning and Management of Coastal Development Involving Acid Sulfate Soils*.

“AHD” see “Australian Height Datum”

“alternative provisions” has the same meaning as that in the *Standard Building Regulation 1993*.

“area”, for enclosed spaces, has the same meaning as in the QDC.

“assessment category” means the type of assessment identified by the planning scheme as applicable to development in accordance with IPA, chapter 3—

- exempt;
- self assessable;
- assessable requiring code assessment—referred to in the planning scheme as code assessable;
- assessable requiring impact assessment—referred to in the planning scheme as impact assessable.

“Australian Height Datum” means the datum used for the determination of elevations in Australia. (*Note—the determination uses a national network of benchmarks and tide gauges and sets mean sea level as zero elevation*).

“ancillary”—necessarily associated with but incidental and subordinate to the principal use.

“auxiliary” means additional; subsidiary.

“balcony” has the same meaning as in the QDC.

“BCA” means the Building Code of Australia.

“buffer area” means an area of land separating adjacent land uses that is managed for the purpose of mitigating impacts of one use on another. A buffer area may comprise separation distance and one or more buffer elements, such as open ground, vegetation, an acoustic buffer or a combination.

“building” has the same meaning as in the IPA.

“building height” has the same meaning as in the QDC.

“building work” has the same meaning as in the IPA.

“caravan” a registrable vehicle or an enclosed trailer designed principally for people to live in. It may be designed for attachment to another vehicle or to be self-propelled.

“carport” has the same meaning as in the QDC.

“coastal wetlands” Includes tidal wetlands estuaries, salt marshes, melaleuca swamps (and any other coastal swamps) mangrove areas, marshes, lakes or minor coastal watercourses regardless of whether they are saline, freshwater or brackish in their nature.

“code assessable” see “assessment category”.

“consistent use” means a defined use identified in section 4.4.

“constructed road” means a road that has been constructed by improving the natural ground by work, including clearing, forming and draining, and subsequently maintaining it.

“Cultural Heritage Feature” means an area, place, or premises so identified on a planning scheme map. A Cultural Heritage Feature is identified on a planning scheme map because the area, place, or premises has cultural heritage significance for aesthetic, architectural, historical, scientific, social or technological reasons that are of significance to the present generation or past or future generations.

“declared fish habitat area” means an area that is declared under the Fisheries Act 1994 to be a fish habitat area.

“depth of a lot” has the same meaning as in the QDC.

“detached dwelling” has the same meaning as in the QDC.

“development” has the same meaning as in the IPA.

“domestic outbuildings” has the same meaning as in the *Building Code of Australia*.

“electricity” has the same meaning as in the *Electricity Act 1994*

“electricity supply network” has the same meaning as in the *Electricity Act 1994*.

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“electricity works” has the same meaning as in the *Electricity Act 1994*.

“ERA”—Environmentally Relevant Activity has the same meaning as in the *Environmental Protection Act 1994*

“erosion prone area”. The erosion prone area as defined under the *Coastal Protection and Management Act 1995*. (Note—the actual location of the erosion prone area may need to be defined by survey).

“exempt” see “assessment category”.

“floor area” means the total area of floors within the external walls.

“flood” means the temporary inundation of land by expanses of water that overtop the natural or artificial banks of a watercourse, that is, a stream, creek, river, estuary, lake or dam.

“forestry” means planting, managing, felling or removing standing timber in a native forest or in a plantation for gain or reward.

“freshwater wetland” means a wetland other than a coastal wetland.

“frontage” has the same meaning as in the QDC.

“garage” has the same meaning as in the QDC.

“habitable” room has the same meaning as in the Building Code of Australia.

“height of a building or structure at any point for the purpose of determining its setback from a boundary has the same meaning as in the QDC.

“highest astronomical tide” means the highest level of the tides that can be predicted to occur under average meteorological conditions and under any combination of astronomical conditions.

“Great Barrier Reef World Heritage Area” includes the areas set aside under the *Marine Parks Act 1992*.

“groundwater” means water within the body of soil that may be freestanding or microscopically held in the spaces between soil particles.

“groundwater flows” means water that flows laterally or vertically through the body of soil but is not confined as to direction of flow.

“IDAS” has the same meaning as in the IPA.

“inconsistent use” means a use or use class identified in section 4.4.

“impact assessable” see “assessment category”.

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

“Key Resource Areas” means places where potentially commercial resources are present and where preliminary planning and environmental considerations suggest that mining or quarrying might be acceptable, at least in part.

“land contiguous to electricity works” has the same meaning as in the *Electricity Act 1994*.

“life cycle cost” has the same meaning as in the IPA.

“lot” has the same meaning as in the IPA.

“material change of use” has the same meaning as in the IPA.

“mean height” of a building or structure, has the same meaning as in the QDC.

“minor building work” is building work to an existing building’s interior or building work that increases floor area by 54m² or less or by no more than 10% of the pre-existing floor area, whichever is less.

“motor sport” means using vehicles propelled by a motor for recreation and sport other than on a road, such as at a racing track or circuit or at off-road fields or tracks.

“natural ground surface” for an allotment, has the same meaning as in the QDC.

“open carport” has the same meaning as in the QDC.

“operational work” has the same meaning as in the IPA.

“outermost projection” has the same meaning as in the QDC.

“person” has the same meaning as in the IPA.

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

“probable solution” see sections 1.12 and 1.16.

“QFRS” means the *Queensland Fire and Rescue Service*.

“QDC” means the *Queensland Development Code*.

“road boundary clearance” for a building or structure on a lot has the same meaning as in the QDC

“reconfiguring a lot” has the same meaning as in the IPA.

“residential” see “resides”.

“residential use” means using premises to provide a place at which a person may reside.

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“reside/s” means to dwell or stay in accommodation either permanently, long term or for a short term, even as little as a day.

“road” has the same meaning as in the IPA.

“road boundary clearance” for a building or structure on a lot has the same meaning as in the QDC.

“self assessable” see “assessment category”.

“separate part of a lot” has the meaning of paragraph (d) in “reconfiguring a lot” in the IPA, section 1.3.5.

“setback” has the same meaning as in the QDC.

“sewerage works and treatment plant” means works and plant that are public facilities and Environmentally Relevant Activities under the *Environmental Protection Regulation 1998*.

“side and rear boundary clearance” for a building or structure on a lot has the same meaning as in the QDC.

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

“site coverage” means the proportion of a site covered by buildings.

“slope” has the same meaning as in the QDC.

“standard cattle units” has the same meaning as in the *Environment Protection Regulation 1998*.

“standard pig unit” has the same meaning as in the *Environment Protection Regulation 1998*.

“structure” has the same meaning as in the *Building Act 1975*.

“State-controlled road” has the same meaning as in the IPA.

“storm surge”: a storm surge is a localized increase in ocean water levels caused by high winds and reduced atmospheric pressures associated with a storm event.

“storm tide” is the effect on coastal water of a storm surge combined with the normally occurring astronomical tide, including wave setup.

“window” has the same meaning as in the *Building Code of Australia*.

“window/balcony screen” has the same meaning as in the QDC.

“urban preferred use area” includes—

- Residential preferred use area;
- Rural Residential preferred use area;
- Business preferred use area;

- Industry (Light) preferred use area;
- Industry (General) preferred use area;
- Barracks and quarters preferred use area;
- Outdoor Sport and Recreation preferred use area;
- Village (Rural Centre) preferred use area.
- Village (Holiday and Residence) preferred use area;
- Open Space preferred use area.

“waste management facility” means a facility that is an Environmentally Relevant Activity under the *Environmental Protection Regulation 1998*.

“wetlands” are areas of permanent, periodic or intermittent inundation, whether natural or artificial, with water that is static or flowing, fresh, brackish or saline (including areas of marine water, the depth of which is not more than 6 metres at low tide). The term includes rivers, creeks or streams in which water flows permanently or intermittently, as well as the bed and banks any other element of a river, creek or stream confining or containing water.

(See also “Coastal Wetland” and “Freshwater Wetland”)

“works” means building work and operational work.

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