

***CALLIOPE SHIRE  
PLANNING SCHEME  
2007***

**PLANNING SCHEME FOR CALLIOPE SHIRE COUNCIL AREA**

**Adoption:**

The local government of Calliope Shire adopted this Planning Scheme on 13 April 2007.

**Commencement:**

The Planning Scheme took effect on 27 April 2007.

**Incorporated State Planning Policies:**

Pursuant to Schedule 1, Part 2, Section 18, Subsection (5A) of *Integrated Planning Act 1997*, the Minister for Local Government, Planning and Sport has identified the following State Planning Policies as having been appropriately reflected in the Planning Scheme:

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

Approval to adopt this Planning Scheme is conditional upon the continued operation and effect of:

1. The Integrated Development Assessment system triggers for Department of Main Roads matters;
2. The Curtis Coast Regional Coastal Management Plan, September 2003; and
3. The State Coastal Management Plan, August 2001.

This is to certify that this is a true and correct copy of the Calliope Shire Council Planning Scheme adopted on 13 April 2007 and commenced on 27 April 2007.

Signed:



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Chief Executive Officer

13/04/2007

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# PART 1 - INTRODUCTION

## *Division 1 – Relationship to Integrated Planning Act*

### **1.1 Purpose of the Planning Scheme**

In accordance with the *Integrated Planning Act 1997* (IPA), the local government for the Calliope Shire has prepared this planning scheme as a framework for managing development in a way that advances the purposes of the IPA<sup>1</sup> by:

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

### **1.2 Planning Scheme Functions as Part of IDAS**

The planning scheme functions as part of IDAS<sup>2</sup> and must be read together with the IPA.

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<sup>1</sup> Under IPA, Section 1.2.1, 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).

<sup>2</sup> IDAS – integrated development assessment system – is the system detailed in Chapter 3 of the IPA for integrating State and local government assessment and approval processes for development.

## **Division 2 – Strategic Framework**

### **1.3 Preliminary**

- (1) This division reflects the desired environmental outcomes and summarises the approach taken by the planning scheme to achieve the desired environmental outcomes.
- (2) This division does not provide a basis for development assessment under the planning scheme.
- (3) This division provides the context for understanding how policy contained in the planning scheme was determined.

### **1.4 Strategic Framework**

- (1) The following Section details the key strategic elements of the planning scheme and describes the strategy and outcomes for each element.
- (2) The Strategic framework also describes the various spatial and functional relationships between elements of the Shire including each strategic element as follows:
  - (a) Gladstone State Development Area.
  - (b) Port Facilities.
  - (c) Major Industry.
  - (d) Major Infrastructure.
  - (e) Local Industry.
  - (f) Business.
  - (g) Open Space.
  - (h) Conservation.
  - (i) Urban.
  - (j) Urban Expansion.
  - (k) Village.
  - (l) Rural Residential.
  - (m) Rural.
  - (n) River Catchments.
  - (o) Islands.

## **Gladstone State Development Area**

This element is indicated by a dark purple colour on the Strategic Framework Map.

The Gladstone State Development Area comprises several areas of land known locally as the Yarwun Industrial Estate, the Aldoga Industrial Area, Targinie and a corridor for materials transportation and services. This area is the subject of a Development Scheme prepared and approved under the *State Development and Public Works Organisation Act 1972*. The planning scheme incorporates the elements of the Development Scheme.

The Gladstone State Development Area is considered by the State Government to be of major significance to the economic development of Queensland. As the focus for major economic development, the Gladstone State Development Area has been identified as the preferred location for future major industrial projects.

To enable the Gladstone State Development Area to respond to economic development opportunities, the planning scheme implements planning measures to protect the GSDA from potential constraints imposed through adjoining incompatible land uses. Also, the associated materials transportation and services corridor connecting the Aldoga Industrial Estate with the Yarwun Industrial Area, Targinie and the harbour are retained free of the constraining affects of incompatible land uses and unnecessary local traffic through the corridor.

## **Port Facilities**

This element is represented by a symbol (profile of a ship) on the Strategic Framework Map.

The Land Use Plan for the Port of Gladstone provides the over-riding land use control for development on port land. The Land Use Plan identifies Port land and other areas for possible future development.

While most of the Port activities and Port land is situated in the City of Gladstone, there is an area of strategic Port land situated at Fisherman's Landing.

The Port has been recognised as being of vital importance to the economic future in regards to existing and future industries in the Shire and the region. Consequently, Port land is identified as important for the continued social and economic well-being of communities in the Shire and in the region.

A coordinated planning approach to the use and development of land in the vicinity of the Port will benefit efficient operations within the Port. For example, transport linkages between the Port and the region are protected from incompatible development and activities.

By identifying the extent of Port land within the Shire, development control standards ensure that development outcomes incorporate an adequate separation from Port land where activities are incompatible with Port operations.

## **Major Industry**

The element is indicated in red on the Strategic Framework Map.

The major industrial areas in the Shire beyond the boundaries of the Gladstone State Development Area are mostly situated in close proximity to the harbour or on major deposits of geological resources, such as oil shale, limestone and quarry materials.

These major industrial activities contribute significantly to the economic well-being of the Shire and the region.

There are areas of undeveloped land in the Shire that may be suitable for the establishment of major industries because of their proximity to the Port and other major transport infrastructure.



The potential economic and social benefits of further development of major industries have been balanced against the potential environmental affects, such as diminished air quality, increased ambient noise levels, increased traffic flows of heavy vehicles through urban areas and increased demands for work force housing, facilities and urban services.

The Strategic framework identifies the preferred locations for major industry in the Shire.

### **Major Infrastructure**

This element is indicated by solid or dashed lines or diagrammatically on the Strategic Framework Map.

#### **(a) Transportation**

The transportation network extending throughout the Shire and into the region beyond is vital in supporting economic activities in the Shire. The elements of the transportation network situated within the Shire include:

- roads;
- railways;
- areas within the port;
- the possible future airport site; and
- the material handling and transportation corridor associated with the Gladstone State Development Area.

The **road network** consists of:

- State-controlled roads such as the Bruce Highway, Dawson Highway, the Gladstone-Benaraby Road, the Tannum Sands Road, Boyne Island Road, Gladstone - Mt Larcom Road, Hanson Road and Gladstone-Monto Road;
- Calliope River Road, a major industrial road used for dangerous goods transport and other major industrial materials connecting the GSDA directly to the Bruce Highway;
- major local roads, particularly in urban areas such as Boyne Island and Tannum Sands;
- local roads; and
- future major roads such as a road proposed to link Boyne Island road to the Tannum Sands road over a second bridge crossing of the Boyne River, as well as the Kirkwood Road - Red Rover Road connection with the Gladstone - Mt Larcom Road and Mount Miller Road.

Owing to the costs of construction, it is unlikely that the Curtis Island link road incorporating a bridge to the south of Kangaroo Island will be warranted in the life of the planning scheme.

The scheme will achieve a development pattern which will focus on the existing road network and ultimately the future road network in accordance with the Gladstone Integrated Regional Transport Plan. The future road network will be provided through a range of funding methods including contributions from development projects, Council and State Government contributions.

There are a number of **railways** through the Shire, connecting regional industries with the port and linking the Shire with other regional centres. These railways are vitally important to the economic health of the Shire and the region.

The Shire depends on some transport infrastructure situated within the City of Gladstone such as the Gladstone Airport at Clinton and the rail, port facilities and ferry services within the City which provide the highest levels of service and consequently are the most active in the region.

A possible future **airport** is mooted for Kangaroo Island where the Gladstone-Calliope Aerodrome Board holds land for that purpose. Future development in the Shire will protect the operational landing space surrounding the airport from the intrusion of tall structures and buildings. The scheme also protects the operational airspace and facilities of the Gladstone airport from incompatible encroaching development.

Development adjacent to the Port is required to be compatible with Port operations in order to maintain Port efficiency.

The materials handling and transportation corridor is part of the Gladstone State Development Area (GSDA). The corridor is the vital link between the GSDA and the sea port, and is protected from the effects of incompatible development.

### **(b) Power & Energy**

Electric power infrastructure is an essential component of the Shire's continued economic development. The Gladstone power station is critical to the on-going operations of the major industries established in the Shire and region.

Another element of the energy supply network is the natural gas pipeline from Wallumbilla. Pipeline corridors extend through the Shire from Wallumbilla running generally parallel with the Dawson Highway to Mount Alma before heading north-east to the gas station at Yarwun, and to Rockhampton running generally parallel with the Bruce Highway.

A new pipeline conveying natural gas has been extended from the Yarwun gas gate southwards to Bundaberg and Maryborough.

Land use and future development patterns will continue to reflect the presence and the need for the transmission line and gas pipeline easements through the Shire. The scheme achieves the protection of the operational integrity of these corridors.

### **(c) Bulk Water Supply**

The principal supply of water for industry and residential use is the Awoonga Dam on the Boyne River near Benaraby.

The delivery of raw water and treated water to Gladstone and the urban areas of the Shire is via trunk mains in separate corridors passing to the west of Benaraby. Treated water is delivered to Calliope and the Beecher area via a trunk main in a corridor running generally parallel with the Dawson Highway.

A trunk main also services the Yarwun industrial area via Hanson Road. This service is extended to the East End limestone mine and the town of Mt Larcom via an easement through private properties.

While these corridors affect the utility of land and possible future development patterns, they are protected via the scheme through development outcomes.

The reliability of the water supply in terms of yield and quality depend upon good management techniques in the dam catchment. Consequently, catchment management strategies and outcomes are incorporated into the scheme as outcomes.

## Local Industry

This element is indicated by light purple on the Strategic Framework Map.

A number of industrial areas which provide support services to the major industries, and which serve the needs of residents of the Shire and the region are identified in the scheme. Generally these industrial areas are removed from areas of urban residential development.

The planning scheme identifies potential industrial areas which, with detailed investigation, could be suitable for service industries and light industries which are intended to serve the needs of the residential population of the Shire and the region.

The role and function of these industrial areas are protected from the limitations imposed by encroaching incompatible land uses and intrusions by non-industrial activities into the identified areas.

The efficiency of the Shire's transportation network to service these industrial areas is also protected.

## Business

This element is indicated by dark blue on the Strategic Framework Map.

The principal business centres within the Shire serve the convenience needs of the majority of the Shire's population. The business centres are situated in Boyne Island and Tannum Sands. Much of the higher-order business activity sourced from within the Shire is undertaken in the highly developed regional and sub-regional facilities in the City of Gladstone.

A key aspect of future development planning is the grouping of business activities and centres according to a conceptual hierarchy of functions. The hierarchy consists of the following levels:

- regional centre;
- sub-regional centres;
- district centres; and
- neighbourhood and local centres.

The **regional** and **sub-regional** functions are to be found mostly in Gladstone in locations generally accessible from the state highway network.

The **district centres** provide the focus for administration, business, cultural and social activity within the localities designated in the planning scheme. The range of facilities and services in district centres may vary according to the needs of the population and the proximity of a competing centre but generally includes highly developed retailing for weekly to three-monthly shopping needs.

The **neighbourhood** and **local centres** provide convenience services and focus for small but distinct communities residing in suburbs, townships and villages. Generally a neighbourhood centre will be accessible to and service larger communities with a wider range of facilities and services possibly including weekly shopping needs, personal services and household services, and small scale business services. A local centre will service the daily convenience needs of a small community in the immediate vicinity. A local centre may also meet the immediate convenience needs of passing traffic.

Within the Shire, only district and neighbourhood centres are identified on the Strategic Framework Map.

## **Open Space**

This element is indicated as light green on the Strategic Framework Map.

The existing network of open spaces provides the Shire with its distinctive character where areas of urban development are defined by bushland, parks, sport and recreation fields and facilities. The open space network provides aesthetic, habitat, landscape and recreational benefits to both residents and visitors to the Shire.

The open space system includes:

- a network of paths extending through the urban areas of Boyne Island and Tannum Sands to link with the foreshores of Port Curtis and the Boyne River. The open space network and path system extending through Calliope is identified in the relevant locality plan;
- the foreshores of Port Curtis at Boyne Island and Tannum Sands;
- the sports field and recreation areas such as the Boyne Island Tannum Sands sports complex, and the Dennis Park playing fields off Boyne Island Road; and
- less accessible open space such as Curtis Island and Wild Cattle Island.

An integral part of the open space network is the system of bicycle and pedestrian paths providing both recreational and transport functions for residents especially in Boyne Island, Tannum Sands and Calliope.

## **Conservation**

This element is indicated as dark green on the Strategic Framework Map.

The conservation areas in the Shire include areas of national parks, marine parks, environmental parks, fauna sanctuaries, timber reserves, state forests and areas within coastal areas.

The conservation areas contribute to the maintenance of ecological processes and to the aesthetic and landscape qualities of the Shire. Development within conservation areas generally is not envisaged, except for:

- sustainable harvesting of forest products from timber reserves and state forests;
- small-scale developments of a non-permanent nature in a coastal erosion prone area; and
- development of facilities for day use, research and management of national parks, environmental parks and coastal areas.

Where development is proposed within or immediately abutting a conservation area but due to land tenure are not included in the conservation area, the conservation values of the area are protected.

In addition to the conservation areas situated within the local government area, there are places that do not fall within the jurisdiction of the Council, including areas within the Great Barrier Reef Marine Park, the Great Barrier Reef World Heritage Area, and the Queensland Marine Park. The planning scheme provides that adjacent activities and developments do not diminish the conservation values of these areas.

## **Urban**

This element is indicated as light pink on the Strategic Framework Map.

The population of the Shire has grown significantly since the commencement of industrial development in the early 1970s. With the likelihood of industrial development in the Gladstone State Development Area and elsewhere in the region, this growth is expected to be maintained. With industrialisation, the Shire has experienced an increasingly urban population base.

The urban areas of the Shire are situated at Boyne Island and Tannum Sands. The urban areas are characterised by:

- high levels of mobility and convenience to urban services such as shopping, schools, parks and sport and recreation facilities;
- a range of small-scale convenience facilities and services such as local shopping and possibly some small scale service trades;
- a mix of housing types;
- discrete residential areas generally free from incompatible activities such as industry; and
- distinctive landscape character deriving from the native bushland, topography and drainage systems, and proximity to the ocean.

To derive the most efficient use of the development infrastructure in place, future urban development is intended to occur in increments as a combination of infill development and extensions to the existing urban areas.

The extent of the urban areas identified on the relevant planning scheme locality map is sufficient to cater for infill development during the life of the planning scheme, if historical growth trends are maintained. The intent is to gain increased efficiencies from the existing infrastructure and urban services and to pursue the least cost options for future residential development.

Urban areas may include small-scale convenience centres in accessible locations. However, it is not envisaged nor encouraged that development of these facilities occur to provide higher-order services more commonly found in neighbourhood or district centres. Furthermore, it is not intended that local convenience centres evolve through incremental steps into larger aggregations of business and other non-residential activity.

## **Urban Expansion**

This element is indicated as dark pink on the Strategic Framework Map.

The designated urban expansion areas are intended to cater for the anticipated population growth over the life of the planning scheme and beyond to the year 2016.

Based on present trends, the planning scheme indicates the land likely to be required for urban development to the years 2006, 2011 and 2016. This is the preferred sequence for future urban development in the Shire.

By identifying land requirements well beyond the life of this planning scheme, the possibility of accelerated take-up of urban land due to population impacts arising from major development projects is allowed for. In these circumstances, the desired urban development patterns, identification and retention of environmental features, extension of transport infrastructure and open space networks are indicated.

Significant factors to be considered in the pattern of future urban development are:

- natural resource management features, such as the native vegetation, water courses and drainage paths, wildlife corridors, buffer areas and corridors, coastal systems, and riparian vegetation;
- bushfire, landslip and flood risk;
- topography;
- location and capacity of existing infrastructure;
- land tenure and land ownership; and
- the extent of land designated under the previous planning scheme for urban development.

Future urban development generally will respect the topography of the Shire so that forested ridgelines and hilltops can be preserved as landscape elements. In particular, the Lilly Hills are considered an important open space and landscape element in Boyne Island and are intended to be retained as such.

Similarly, future urban development will protect the riparian corridors of streams and channels through the extension of open space corridors. In this way, the existing network of open space can be extended into future urban areas so that habitat and recreational values of riparian corridors can be maintained.

Future urban development needs to occur in a logical, orderly and efficient manner. Land which can be serviced for the least cost and which can be linked with existing urban areas and services, should be developed before other, less suitable land.

Future urban development ideally will continue to occur as an extension of the existing urban area, with extensions to existing infrastructure. Where necessary capacity augmentation will be required to ensure adequate levels of service can be assured.

In circumstances where the accelerated take-up of urban land occurs, or urban development is proposed on land ahead of the preferred sequence of development, the infrastructure cost impacts become a prime consideration.

In some parts of the Shire, land tenure and land ownership or a combination of the two, may act as effective obstacles to the orderly extension of a future urban growth area. Where a desired pattern of urban growth could be achieved were it not for these obstacles, future urban development could occur in locations out of the preferred sequence of development.

Under the superseded planning scheme, extensive and excessive areas of land in Calliope were included in the "Residential A" zone, leading to development rights and expectations under the repealed *Local Government (Planning & Environment) Act 1990*. A desirable outcome in these circumstances is a pattern of urban and future urban development that achieves the least cost for construction and servicing while achieving an efficient road network and an attractive and functional open space network.

### **Village**

This element is indicated as orange on the Strategic Framework Map.

The term 'township' includes the township settlements of Ambrose, Builyan, Many Peaks, Mt Larcom, Nagoorin, Raglan, Ubobo and Yarwun and the townships of Calliope and Benaraby.

**Calliope** township is the most developed of the townships, being serviced with a reticulated water supply and sewerage system, as well as other higher order urban services such as a community centre and library, convenience shopping, school and high-order recreation facilities. Apart from being the administrative centre for the Shire, Calliope also services the surrounding rural and Rural Residential communities. Any further development is required to extend and maintain the current level of services to new allotments.

The other townships, while providing lesser services to their respective rural communities, are an important focus for community life. In this regard, the townships are important structural elements of the Shire. Some of the townships support a range of living styles, including township housing on large urban sized allotments, Rural Residential and small rural holdings. Many of these forms of development are not serviced with reticulated water and only some have sealed road access. It is the intention that any future township development be adequately serviced in order to achieve the desired environmental outcomes for the Shire.

Further development in and around the townships can occur on the basis:

- the proposed development would support the existing facilities and services available in the township;
- there is a demonstrated need for additional development of the kind proposed, having regard to the criteria established in the locality plan;
- adequate services, such as reticulated water and sealed roads are extended from the existing network of services as required by the provisions of the planning scheme or can be provided separately in accordance with an agreement with the Council; and
- the potential impacts on the natural resources of the Shire, such as good quality agricultural land, riparian corridors and native bushland, will be minimised and mitigated where possible.

### **Rural Residential**

This element is indicated as dark tan on the Strategic Framework Map.

The areas designated as Rural Residential are mainly concentrated in the Calliope Frame Locality located at the southern edge of Gladstone City. This type of development is focused in areas that have a close association with larger centres able to provide a range of business and community services. In return these low density residential areas provide the population to support existing communities and promote improved services.

Much of the land designated as Rural Residential is located along the road corridor between Calliope township and Gladstone City, surrounds the Tannum Sands/Boyne Island township or is in the vicinity of the township of Benaraby. Land designated Rural Residential is generally unsuited for agricultural use for reasons relating to soil and topography but will have direct access to:

- bitumen roads;
- a water supply (reticulated or other approved supply); and
- power and telephone.

However, Rural Residential land will not have access to a reticulated sewerage system. For this reason lot sizes have been established as a minimum of 4,000 m<sup>2</sup>.

Council is keen to ensure that the development of Rural Residential estates is undertaken so that it protects the rural landscape and the visual and environmental values and promotes a responsible rural living lifestyle.

## Rural

This element is indicated as light tan on the Strategic Framework Map.

The rural areas of the Shire are comprised of a number of different bio-physical characteristics, and consequently, are put to different uses. The major proportion of the Shire is used for grazing purposes, with only small areas used for cropping and horticulture.

The cropping and horticultural areas are confined to the river valleys of the Boyne and Calliope Rivers, and the Yarwun and Targinie areas. The utility of each of these areas is constrained to some extent so there is little prospect of large cropping or horticultural activities being established in the Shire. Cropping and horticulture are constrained by one or more of the following factors:

- subdivision patterns of small allotments which may be unviable individually;
- unreliable supplies of water;
- inclusion of the Targinie area into the Gladstone State Development Area;
- the proximity of incompatible land uses; and
- fragmented areas of good quality soil.

Owing to the contribution to the social and economic well-being of the Shire made by these activities in the past, it is intended that further losses of good cropping and horticultural land be avoided if possible.

As the major contribution to the rural economy of the Shire flows from grazing and related activities, there is a need to avoid losses of good grazing land. In the past, good grazing land has been lost to subdivision into small farmlets and Rural Residential subdivisions. Where possible, such losses should be avoided if this aspect of Shire life is to be retained and supported. Consequently, the need for further development that would result in the loss of good grazing land will be examined in terms of:

- availability of other similar forms of development in the Shire;
- take-up of similar allotments over the previous three and five years in the Shire;
- likely demands for services to arise as a consequence of the proposed development, such as all-weather access, transport to schools, road construction and maintenance, water supply and community facilities;
- whether or not the community will benefit from the proposed development; and
- whether or not the economic, social and environmental changes are warranted, having regard for the likely benefits arising from the proposed development.

Other important elements of the rural areas are the landscape attributes such as:

- forested mountains and ranges;
- timbered ridgelines;
- undulating grazing lands;
- patterns of agricultural activity, particularly along the river valleys; and
- undeveloped coast.



Development in the rural areas of the Shire is intended to protect and maintain these landscape attributes through avoiding broad-scale clearing, and using appropriate building techniques and sensitive siting of development.

### **River Catchments**

This element is indicated symbolically as a light blue dashed line on the Strategic Framework Map.

The Shire contains several catchment systems including:

- the Boyne River;
- the Calliope River;
- Raglan Creek; and
- a small part of the Don River catchment, draining into the Dawson River.

Each catchment system contributes to the ecological, economic and social well-being of the Shire. For example, the Boyne River catchment at present is the principal source of water for the urban and industrial needs of the region. The reliability and quality of the water supply has direct economic and social implications for the Shire. The catchments also contribute to the health of coastal waters and fisheries.

The impacts of development and land use in the upper catchments have direct and indirect consequences for ecosystems and communities downstream. For this reason, the catchments are integral structural elements of the Shire to be considered in the development assessment process to ensure that the effects of development are fully recognised and managed.

### **Islands**

This element is shown predominantly on the Islands Locality map as well as on the Rural Locality map and the Calliope Frame Locality map.

There are islands within the Shire, including:

- Curtis Island, Erskine Island, Heron Island, Hummocky Island, Masthead Island, North West Island, Tryon Island, One Tree Island, Wild Cattle Island, Wilson Island, Wreck Island, and North Reef Island.

Curtis Island is comprised of a wide range of land tenures and both the Council and the State Government have land management and development control interests. Curtis Island possesses areas of outstanding natural beauty which warrant protection and careful development control. It is intended that any development on Curtis Island occurs in a sustainable manner.

Apart from Curtis Island and Wild Cattle Island, the other islands are all situated in the Great Barrier Reef Marine Park. Curtis Island and Wild Cattle Island might also be situated in the World Heritage Area, depending upon legal interpretation as to what defines the boundaries of the World Heritage Area.

Heron Island includes areas of national park and marine park. The island also includes lease areas used for scientific research and tourist accommodation and associated facilities requiring the Council's approval and on-going management.

Wild Cattle Island is mostly National Park with the exception of a small settlement on the southern end, adjacent to Colosseum Inlet. The Council's approval is required for development in this settlement.

With the exception of Curtis, Heron and Wild Cattle Islands, the management of all the remaining islands mentioned is undertaken wholly by the State Government in an arrangement with the Commonwealth Government. However, the Council retains an interest in their use and development.

### **1.5 Strategic Framework Map**

The strategic elements and their spatial distribution are shown on the Strategic Framework Map. For the purposes of IPA, the Strategic Framework Map is extrinsic and therefore does not form a part of the scheme and cannot be used in the assessment of applications for development.

#### **Other Elements**

Other elements indicated on the Strategic Framework Map for information purposes includes:

- (a) Great Barrier Marine Park;
- (b) State Marine Park;
- (c) Rodds Bay Dugong Sanctuary;
- (d) Mining Leases (diagrammatic);
- (e) World Heritage Area; and
- (f) Possible Future Airport.

## **Division 3 – Planning Scheme Structural Elements**

### **1.6 Local Government Area Divided into Five Localities**

- (1) The planning scheme is divided into five geographic areas, each termed a 'Locality'. Each Locality has characteristics that require particular development outcomes. The five localities cover the entire local government area and are identified on the relevant locality maps and include the:
  - (a) Boyne Island – Tannum Sands Locality (**Part 4**);
  - (b) Calliope Frame Locality (**Part 5**);
  - (c) Calliope Rural Locality (**Part 6**);
  - (d) Islands Locality (**Part 7**) and
  - (e) Gladstone State Development Area (**Part 8**).

### **1.7 Localities Divided into Zones**

- (1) The planning scheme divides each Locality into zones that cover the entire Locality as follows:
  - (a) Boyne Island – Tannum Sands Locality (Locality Plan OA) is divided into the:
    - (i) Residential Zone;
    - (ii) Commercial Zone;
    - (iii) Local Industry Zone;
    - (iv) Community Use Zone;
    - (v) Open Space and Recreation Zone;
    - (vi) Conservation Zone;
    - (vii) Rural Zone;
    - (viii) Rural Residential Zone; and
    - (ix) Urban Expansion Zone.
  - (b) Calliope Frame Locality (Locality Plan OB) is divided into the:
    - (i) Rural Zone;
    - (ii) Rural Residential Zone;
    - (iii) Village Zone;
    - (iv) Local Industry Zone;
    - (v) Major Industry Zone;
    - (vi) Major Infrastructure Zone;

- (vii) Urban Expansion Zone;
  - (viii) Forestry Zone;
  - (ix) Open Space and Recreation Zone;
  - (x) Conservation Zone; and
  - (xi) Community Use Zone.
- (c) Calliope Rural Locality (Locality Plan OC) is divided into the:
- (i) Rural Zone;
  - (ii) Conservation Zone;
  - (iii) Forestry Zone;
  - (iv) Major Industry Zone;
  - (v) Open Space and Recreation Zone;
  - (vi) Village Zone;
  - (vii) Major Infrastructure Zone;
  - (viii) Local Industry Zone; and
  - (ix) Community Use Zone.
- (d) Islands Locality (Locality Plan OD) is divided into the:
- (i) Conservation Zone.
- (e) Gladstone State Development Area Locality (Locality Plan OE) is divided into the:
- (i) Gladstone State Development Area Zone;

### **1.8 Some Localities also contain Key Sites**

- (1) Some localities contain areas termed 'Key Sites' in order to provide more detailed development outcomes and assessment criteria applicable to a particular part of a locality or to a particular part of a zone in that locality. The following Localities contain areas termed Key Sites:
- (a) The Boyne Island – Tannum Sands Locality contains six Key Sites being:
- (i) Key Site 1 – Boyne Island Neighbourhood Centre;
  - (ii) Key Site 2 – Tannum Sands Local Centre;
  - (iii) Key Site 3 – Tannum Sands Tourist Area;
  - (iv) Key Site 4 – Tannum Sands Civic Site;
  - (v) Key Site 5 – Eco Tourism Activities
  - (vi) Key Site 6 – Boyne Island Community Resort

- (b) The Calliope Frame Locality contains five Key Sites being:
  - (i) Key Site 7 – Tannum Sands Community Infrastructure
  - (ii) Key Site 8 – Wild Cattle Creek Development Area
  - (iii) Key Site 9 – Greater Tannum Potential Development Area
  - (iv) Key Site 10 – Boyne Mainland Development Area
  - (v) Key Site 11 – Benaraby Waste Management Site

(2) The Key Sites are shown on the relevant Locality Plan and Zone Plan.

### **1.9 Planning Scheme has Nine Overlay Codes**

(1) The planning scheme has nine overlay codes (**Part 9**) that applies to:

- (a) Airport Facilities Overlay (**Division 1**);
- (b) Bushfire Management Overlay (**Division 2**);
- (c) Coastal Management and Biodiversity Overlay (**Division 3**);
- (d) Cultural Heritage Protection Overlay (**Division 4**);
- (e) Extractive and Mineral Resources Overlay (**Division 5**);
- (f) Lake Awoonga Catchment Overlay (**Division 6**);
- (g) Flood and Inundation Overlay (**Division 7**);
- (h) Acid Sulfate Soils Overlay (**Division 8**);
- (i) Development on Steep Land Overlay (**Division 9**).

(2) The extent of each Overlay is indicated on the relevant Overlay Code and shown on each Overlay Code Plan except for the Cultural Heritage Protection Overlay which refers to premises listed in Schedule 3.

### **1.10 Planning Scheme Maps**

The planning scheme provides planning scheme maps (listed in **Table 1-1** below) to assist with interpretation and implementation of measures.

**Table 1-1 Planning Scheme Maps**

Name of Map Group		Purpose of Map
Key Map 1	Map Series	Identifies the sheet series in which a particular site is situated. All relevant planning scheme maps applying to the site will have the same map sheet reference and thus provides a single point of reference.

Name of Map Group		Purpose of Map
Locality Plans (Series 00)	Locality Key Plan	Identifies the boundary and name of the Locality in which a particular site is situated.
Zone Plans (Series 01)	Zone Plan	Identifies the zone designation in which a particular site is situated. The zone map sheet reference for a particular site is derived from Key Map 1.
Overlay Plans (Series 02-09)	Overlay Plan	Identifies the type and extent of an Overlay Code that may affect a site. The overlay map sheet reference for a particular site is derived from Key Map 1.
Guideline Plans	Guideline Plans	Plans referred to in the scheme which provide supporting information regarding particular scheme measures.
Strategic Framework Map	Strategic Framework Map	Shows the strategic elements and their spatial distribution. Note: the strategic framework map does not provide a basis for development assessment in the planning scheme.

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

- (1) If a road, watercourse or reclaimed land in the Calliope Shire is not shown as being covered by a zone on the locality maps, the following applies:
  - (a) If the road, watercourse or reclaimed land is adjoined on both sides by land in the same zone – the road, watercourse or reclaimed land has the same zoning as the adjoining land.
  - (b) If the road, watercourse or reclaimed land is adjoined on one side by land in a zone and adjoined on the other side by land in another zone – the road, watercourse or reclaimed land has the same zoning as the adjoining land and the centreline of the road or watercourse is the boundary between the two zones.
  - (c) If the road, watercourse or reclaimed land is adjoined on one side only by land in a zone – the entire road, watercourse or reclaimed land has the same zoning as the adjoining zoned land.
- (2) To remove any doubt, it is declared that section (1) also applies to a closed road if the road is closed after the commencement of the planning scheme.

### **1.12 Roadworks as Exempt Development in Particular Circumstances**

- (1) For the purposes of this planning scheme the following are exempt from assessment under this planning scheme:
  - (a) roadworks conducted by or on behalf of a government entity;
  - (b) the declaration or opening of a State controlled road and the conduct or construction of “ancillary works and encroachments” as defined in the Transport Infrastructure Act 1994 or the Transport Infrastructure (State Controlled Roads) Regulation 1994; and
  - (c) the dedication of land for roads.

- (2) For the purposes of this planning scheme the following do not constitute a material change of use under the planning scheme:
- (a) Works conducted by or for a local government or the Chief Executive of Main Roads that are ancillary to or associated with roadworks such as:
    - (i) excavating, crushing, screening and taking road building material from land (whether or not road);
    - (ii) parking construction equipment;
    - (iii) site office;
    - (iv) building a dam to store water on land (whether road or not); and
    - (v) removing vegetation.

### **1.13 Determining if Development is Assessable or Self-Assessable under the Planning Scheme**

- (1) Assessment tables for the localities and overlays identify development that is assessable, self-assessable or exempt under the planning scheme as follows:
- (a) Boyne Island Tannum Sand Locality – Assessment Tables 4.1 and 4.2;
  - (b) Calliope Frame Locality – Assessment Tables 5.1 and 5.2;
  - (c) Calliope Rural Locality – Assessment Tables 6.1 and 6.2;
  - (d) Islands Locality – Assessment Tables 7.1 and 7.2;
  - (e) Gladstone State Development Area - Assessment Tables 8.1 and 8.2.
  - (f) Airport Facilities Overlay – Assessment Tables 9.1 and 9.2;
  - (g) Bushfire Management Overlay – Assessment Tables 9.3 and 9.4;
  - (h) Coastal Management and Biodiversity Overlay – Assessment Tables 9.5 and 9.6;
  - (i) Cultural Heritage Protection Overlay – Assessment Tables 9.7 and 9.8;
  - (j) Extractive and Mineral Resources Overlay – Assessment Tables 9.9 and 9.10;
  - (k) Lake Awoonga Catchment Overlay – Assessment Tables 9.11 and 9.12;
  - (l) Flood and Inundation Management Overlay – Assessment tables 9.13 and 9.14
  - (m) Acid Sulfate Soils Overlay – Assessment Tables 9.15 and 9.16;
  - (n) Development on Steep Land Overlay – Assessment Tables 9.17 and 9.18.
- (2) The assessment tables also identify assessable development under the planning scheme that requires code assessment or impact assessment.

- (3) If development is identified as having a different assessment category under a zone than under an overlay, or under different overlays, the higher assessment category applies as follows in accordance with Table 1-2:
- (a) self-assessable prevails over exempt.
  - (b) code assessable prevails over self-assessable or exempt.
  - (c) impact assessable prevails over self-assessable, code assessable or exempt.

**Table 1-2 – Assessment Categories**

Zone Assessment Category (or category for another overlay if more than one overlay applies)	Overlay Assessment Category			
	Exempt	Self-Assessable	Code	Impact
Exempt	Exempt	Self-assessable	Code	Impact
Self-assessable	Self	Self-assessable	Code	Impact
Code	Code	Code	Code	Impact
Impact	Impact	Impact	Impact	Impact

### **1.14 Types and Names of Codes**

- (1) There are codes for:
- (a) Each Locality;
  - (b) Each Overlay; and
  - (c) Development for a stated purpose or development of a stated type.
- (2) The codes are as follows:
- (a) Codes for each Locality as follows:
    - (i) Boyne Island – Tannum Sands Locality Code;
    - (ii) Calliope Frame Locality Code;
    - (iii) Calliope Rural Locality Code;
    - (iv) Islands Locality Code; and
    - (v) Gladstone State Development Area Locality Code.
  - (b) Codes for each Overlay as follows:
    - (i) Airport Facilities Overlay;



- (ii) Bushfire Management Overlay;
  - (iii) Coastal Management and Biodiversity Overlay;
  - (iv) Cultural Heritage Protection Overlay;
  - (v) Extractive and Mineral Resources Overlay;
  - (vi) Lake Awoonga Catchment Overlay;
  - (vii) Flood and Inundation Management Overlay;
  - (viii) Acid Sulfate Soils Overlay;
  - (ix) Development on Steep Land Overlay.
- (c) Codes for development for stated purpose or of a stated type as follows:
- (i) Advertising Devices Code;
  - (ii) Caretakers Residence Code;
  - (iii) Commercial Code;
  - (iv) Community Purpose Code;
  - (v) Environment and Infrastructure Code;
  - (vi) Estate Sales and Display Home Code;
  - (vii) Home Occupation and Home Business Code;
  - (viii) Industry Code;
  - (ix) Open Space and Recreation Code;
  - (x) Operational Works (Earthworks) Code;
  - (xi) Reconfiguring a Lot Code;
  - (xii) Residential Code;
  - (xiii) Rural Code;
  - (xiv) Telecommunications Code;
  - (xv) Relocatable Home and Caravan Park Code;
  - (xvi) Temporary Use Code; and
  - (xvii) Tourism Infrastructure Code.

### **1.15 Codes Applicable to on-going Use**

A code that is applicable to a material change of use is also applicable to the on-going use that results from that change<sup>3</sup>.

### **1.16 Planning Scheme Seeks to Achieve Outcomes**

- (1) The planning scheme seeks to achieve outcomes that are identified according to the following levels:
  - (a) desired environmental outcomes.
  - (b) overall outcomes for and purpose of a code.
  - (c) specific outcomes for a code.
  - (d) probable solutions for a specific outcome or acceptable solutions for complying with a self-assessable development.

### **1.17 Development Regulated by the Planning Scheme**

The planning scheme identifies development that is:

- (a) exempt;
- (b) self assessable; or
- (c) assessable (subject to code assessment or impact assessment).

### **1.18 Exempt Development**

Exempt development does not require an application under the planning scheme and is not required to comply with codes or other standards in the planning scheme.

### **1.19 Self Assessable Development**

Self Assessable development does not require an application under the planning scheme and must comply with the relevant acceptable solutions in each applicable code.

Where a specific outcome does not have an acceptable solution but which would otherwise be applicable to a particular self assessable development, that part of the code does not apply to self assessable development.

In every case, where a self assessable development does not comply with the applicable acceptable solution then a code assessment application will be required to be submitted to Council for approval.

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<sup>3</sup> IPA, Section 2.1.23(3) (Local planning instruments have force of law) relates with respect to regulating the use of premises and also IPA, Section 4.3.4 (Compliance with identified codes about use of premises) with respect to an offence under the Act.

### **1.20 Assessable Development**

Development that is identified as code or impact assessable requires an application to be made to Council. For Code assessable development, Council will assess the development against the Common Material and the applicable codes.

For Impact assessable development, Council will assess the development against the Common Material, the planning scheme, local instruments such as local laws, regulations and policies not identified in the planning scheme, State Planning Policies not identified in the planning scheme and any development approval for or lawful use of the premises and adjacent premises.

### **1.21 Use Not Specifically Defined**

Where a use is not specifically defined in the planning scheme, it is considered under the Use Class as 'other' in the assessment table, which is impact assessable in every case.

### **1.22 Probable Solutions for Assessable Development**

A probable solution for a specific outcome provides a guide for achieving that outcome in whole or in part, and does not limit the assessment manager's discretion under the IPA to impose conditions on a development approval.

### **1.23 Order of Acceptable Solution**

Where an acceptable solution for self assessable development may require a different standard for the same circumstance (example: setback from frontage) and thus one acceptable solution cannot be complied with because of another, then the following acceptable solutions will prevail: Overlay Code provisions will prevail over Locality Code provisions which will prevail over the relevant Development for a Stated Purpose of Development of a Stated Type Code."

### **1.24 Standards for Development in a Zone Prevail**

Where there are different standards for a particular development and for development generally within a particular zone, the standards for development within the particular zone prevail.

### **1.25 Community Infrastructure**

Land that is currently used for community infrastructure, or is to be used for future community infrastructure, has been designated for that purpose in the Planning Scheme. The effect of such designation is that the development of land for the purpose for which it is designated is exempt development under the planning scheme.

Schedule 6 of this planning scheme specifies land that has been designated within the scheme for Community Infrastructure.